American Politics



By
Thomas V. Cooper
and
Hector T. Fenton

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Title: American politics (non-partisan) from the beginning to date
embodying a history of all the political parties, with their views and records on all important questions. Great speeches on all great issues, and tabulated history and chronological events.

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Hector T. Fenton

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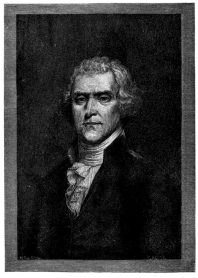
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AMERICAN POLITICS
(NON-PARTISAN)
FROM THE BEGINNING TO DATE.
EMBODYING
A HISTORY OF ALL THE POLITICAL PARTIES,
WITH
THEIR VIEWS AND RECORDS ON ALL IMPORTANT QUESTIONS.
GREAT SPEECHES ON ALL GREAT ISSUES,
AND
TABULATED HISTORY

AND CHRONOLOGICAL EVENTS.

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AND

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Respectfully Dedicated

TO THE

PROPOSITION

THAT ALL AMERICAN CITIZENS SHOULD TAKE AN INTEREST IN PUBLIC AFFAIRS.

PREFACE.

The writer of this volume, in the pursuit of his profession as an editor, and throughout an active political life, has always felt the need of a volume from which any important fact, theory or record could be found at a moment's glance, and without a search of many records. He has also remarked the singular fact that no history of the political parties of the country, as they have faced each other on all leading issues, has ever been published. These things prompted an undertaking of the work on his own part, and it is herewith presented in the hope that it will meet the wants not only of those connected with politics, but of all who take an interest in public affairs. In this work very material aid has been rendered by the gentleman whose name is also associated with its publication, and by many political friends, who have freely responded during the past year to the calls made upon them for records, which have been liberally employed in the writing and compilation of this work.

THOS. V. COOPER.



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AMERICAN POLITICS.

BOOK I.
HISTORY OF THE POLITICAL PARTIES
OF THE
UNITED STATES.

Colonial Parties—Whig and Tory.

The parties peculiar to our Colonial times hardly have a place in American politics. They divided people in sentiment simply, as they did in the mother country, but here there was little or no power to act, and were to gather results from party victories. Men were then Whigs or Tories because they had been

prior to their emigration here, or because their parents had been, or because it has ever been natural to show division in individual sentiment. Political contests, however, were unknown, for none enjoyed the pleasures and profits of power; the crown made and unmade rulers. The local self-government which our forefathers enjoyed, were secured to them by their charters, and these were held to be contracts not to be changed without the consent of both parties. All of the inhabitants of the colonies claimed and were justly entitled to the rights guaranteed by the Magna Charta, and in addition to these they insisted upon the supervision of all internal interests and the power to levy and collect taxes. These claims were conceded until their growing prosperity and England's need of additional revenues suggested schemes of indirect taxation. Against these the colony of Plymouth protested as early as 1636, and spasmodic protests from all the colonies followed. These increased in frequency and force with the growing demands of King George III. In 1651 the navigation laws imposed upon the colonies required both exports and imports to be carried in British ships, and all who traded were compelled to do it with England. In 1672 inter-colonial duties were imposed, and when manufacturing sought to flank this policy, their establishment was forbidden by law.

The passage of the Stamp Act in 1765 caused high excitement, and for the first time parties began to take definite shape and manifest open antagonisms, and the words Whig and Tory then had a plainer meaning in America than in England. The Stamp Act was denounced by the Whigs as direct taxation, since it provided, that stamps previously paid for should be affixed to all legal papers. The colonies resented,

and so general were the protests that for a time it seemed that only those who owed their livings to the Crown, or expected aid and comfort from it, remained with the Tories. The Whigs were the patriots. The war for the rights of the colonies began in 1775, and it was supported by majorities in all of the Colonial Assemblies. These majorities were as carefully organized then as now to promote a popular cause, and this in the face of adverse action on the part of the several Colonial Governors. Thus in Virginia, Lord Dunmore had from time to time, until 1773, prorogued the Virginia Assembly, when it seized the opportunity to pass resolves instituting a committee of correspondence, and recommending joint action by the legislatures of the other colonies. In the next year, the same body, under the lead of Henry, Randolph, Lee, Washington, Wythe and other patriots, officially deprecated the closing of the port of Boston, and set apart a day to implore Divine interposition in behalf of the colonies. The Governor dissolved the House for this act, and the delegates, 89 in number, repaired to a tavern, organized themselves into a committee, signed articles of association, and advised with other colonial committees the expediency of “appointing deputies to meet in a general correspondence”—really a suggestion for a Congress. The idea of a Congress, however, originated with Doctor Franklin the year before, and it had then been approved by town meetings in Providence, Boston and New York. The action of Virginia lifted the proposal above individual advice and the action of town meetings, and called to it the attention of all the colonial legislatures. It was indeed fortunate in the incipiency of these political movements, that the people were practically unanimous. Only the far-seeing realized

the drift and danger, while nearly all could join their voices against oppressive taxes and imposts.

The war went on for colonial rights, the Whigs wisely insisting that they were willing to remain as colonists if their rights should be guaranteed by the mother country; the Tories, chiefly fed by the Crown, were willing to remain without guarantee—a negative position, and one which in the high excitement of the times excited little attention, save where the holders of such views made themselves odious by the enjoyment of high official position, or by harsh criticism upon, or treatment of the patriots.

The first Continental Congress assembled in Philadelphia in September, 1774, and there laid the foundations of the Republic. While its assemblage was first recommended by home meetings, the cause, as already shown, was taken up by the assemblies of Massachusetts and Virginia. Georgia alone was not represented. The members were called delegates, who declared in their official papers that they were "appointed by the good people of these colonies." It was called the "revolutionary government," because it derived its power from the people, and not from the functionaries of any existing government. In it each colony was allowed but a single vote, regardless of the number of delegates, and here began not only the unit rule, but the practice which obtains in the election of a President when the contest reaches, under the constitution and law, the National House of Representatives. The original object was to give equality to the colonies as colonies.

In 1776, the second Continental Congress assembled at Philadelphia, all the colonies being again represented save Georgia. The delegates were chosen principally by conventions of the people, though some were sent by the popular branches of

the colonial legislatures. In July, and soon after the commencement of hostilities, Georgia entered the Confederacy.

The Declaration of Independence, passed in 1776, drew yet plainer lines between the Whigs and Tories. A gulf of hatred separated the opposing parties, and the Tory was far more despised than the open foe, when he was not such, and was the first sought when he was. Men who contend for liberty ever regard those who are not for them as against them—a feeling which led to the expression of a political maxim of apparent undying force, for it has since found frequent repetition in every earnest campaign. After the adoption of the Declaration by the Continental Congress, the Whigs favored the most direct and absolute separation, while the Tories supported the Crown. On the 7th of June, 1776, Richard Henry Lee, of Virginia, moved the Declaration in these words:

"*Resolved*, That these united colonies are, and of right ought to be, free and independent states; that they are absolved from all allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved."

Then followed preparations for the formal declaration, which was adopted on the 4th of July, 1776, in the precise language submitted by Thomas Jefferson. All of the state papers of the Continental Congress evince the highest talent, and the evils which led to its exhibition must have been long but very impatiently endured to impel the study of the questions involved. Possibly only the best lives in our memory invite our perusal, but certain it is that higher capacity was never called to the performance of graver political duties in the history of the world.

It has been said that the Declaration is in imitation of that published by the United Netherlands, but whether this be true or false, the liberty-loving world has for more than a century accepted it as the best protest against oppression known to political history. A great occasion conspired with a great author to make it grandly great.

Dr. Franklin, as early as July, 1775, first prepared a sketch of articles of confederation between the colonies, to continue until their reconciliation with Great Britain, and in failure thereof to be perpetual. John Quincy Adams says this plan was never discussed in Congress. June 11, 1776, a committee was appointed to prepare the force of a colonial confederation, and the day following one member from each colony was appointed to perform the duty. The report was submitted, laid aside August 20, 1776, taken up April 7, 1777, and debated from time to time until November 15th, of the same year, when the report was agreed to. It was then submitted to the legislatures of the several states, these being advised to authorize their delegates in Congress to ratify the same. On the 26th of June, 1778, the ratification was ordered to be engrossed and signed by the delegates. Those of New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York, Pennsylvania, Virginia and South Carolina signed July 9th, 1778; those of North Carolina July 21st; Georgia July 24th; Jersey November 26th, same year; Delaware February 22d and May 5th, 1779. Maryland refused to ratify until the question of the conflicting claims of the Union and of the separate States to the property of the crown-lands should be adjusted. This was accomplished by the cession of the lands in dispute to the United States, and Maryland signed March 1st, 1781. On the 2d of

March, Congress assembled under the new powers, and continued to act for the Confederacy until the 4th of March, 1789, the date of the organization of the government under the Federal constitution. Our political life has therefore three periods, “the revolutionary government,” “the confederation,” and that of the “federal constitution,” which still obtains.

The federal constitution is the result of the labors of a convention called at Philadelphia in May, 1787, at a time when it was feared by many that the Union was in the greatest danger, from inability to pay soldiers who had, in 1783, been disbanded on a declaration of peace and an acknowledgment of independence; from prostration of the public credit and faith of the nation; from the neglect to provide for the payment of even the interest on the public debt; and from the disappointed hopes of many who thought freedom did not need to face responsibilities. A large portion of the convention of 1787 still clung to the confederacy of the states, and advocated as a substitute for the constitution a revival of the old articles of confederation with additional powers to Congress. A long discussion followed, and a most able one, but a constitution for the people, embodying a division of legislative, judicial and executive powers prevailed, and the result is now daily witnessed in the federal constitution. While the revolutionary war lasted but seven years, the political revolution incident to, identified with and directing it, lasted thirteen years. This was completed on the 30th of April, 1789, the day on which Washington was inaugurated as the first President under the federal constitution.

The Particularists.

As questions of government were evolved by the struggles for independence, the Whigs, who of course greatly outnumbered all others during the Revolution, naturally divided in sentiment, though their divisions were not sufficiently serious to excite the establishment of rival parties—something which the great majority of our forefathers were too wise to think of in time of war. When the war closed, however, and the question of establishing the Union was brought clear to the view of all, one class of the Whigs believed that state government should be supreme, and that no central power should have sufficient authority to coerce a state, or keep it to the compact against its will. All accepted the idea of a central government; all realized the necessity of union, but the fear that the states would lose their power, or surrender their independence was very great, and this fear was more naturally shown by both the larger and the smaller states. This class of thinkers were then called Particularists. Their views were opposed by the

Strong Government Whigs

who argued that local self-government was inadequate to the establishment and perpetuation of political freedom, and that it afforded little or no power to successfully resist foreign invasion. Some of these went so far as to favor a government patterned

after that of England, save that it should be republican in name and spirit. The essential differences, if they can be reduced to two sentences, were these: The Particularist Whigs desired a government republican in form and democratic in spirit, with rights of local self-government and state rights ever uppermost. The Strong Government Whigs desired a government republican in form, with checks upon the impulses or passions of the people; liberty, sternly regulated by law, and that law strengthened and confirmed by central authority—the authority of the national government to be final in appeals.

As we have stated, the weakness of the confederation was acknowledged by many men, and the majority, as it proved to be after much agitation and discussion thought it too imperfect to amend. The power of the confederacy was not acknowledged by the states, its congress not respected by the people. Its requisitions were disregarded, foreign trade could not be successfully regulated; foreign nations refused to bind themselves by commercial treaties, and there was a rapid growth of very dangerous business rivalries and jealousies between the several states. Those which were fortunate enough, independent of congress, to possess or secure ports for domestic or foreign commerce, taxed the imports of their sister states. There was confusion which must soon have approached violence, for no authority beyond the limits of the state was respected, and Congress was notably powerless in its attempts to command aid from the states to meet the payment of the war debt, or the interest thereon. Instead of general respect for, there was almost general disregard of law on the part of legislative bodies, and the people were not slow in imitating

their representatives. Civil strife became imminent, and Shay's Rebellion in Massachusetts was the first warlike manifestation of the spirit which was abroad in the land.

Alive to the new dangers, the Assembly of Virginia in 1786, appointed commissioners to invite all the states to take part in a convention for the consideration of questions of commerce, and the propriety of altering the Articles of Confederation. This convention met at Annapolis, Sept. 11th, 1786. But five states sent representatives, the others regarding the movement with jealousy. This convention, however, adapted a report which urged the appointment of commissioners by all the states, "to devise such other provisions as shall, to them seem necessary to render the condition of the Federal government adequate to the exigencies of the Union; and to report such an act for that purpose to the United States in Congress assembled, as, when agreed to by them and afterwards confirmed by the legislatures of every state, will effectually provide for the same." Congress approved this action, and passed resolutions favoring a meeting in convention for the "sole and express purpose of revising the Articles of Confederation, and report to Congress and the State legislatures." The convention met in Philadelphia in May, 1787, and continued its sessions until September 17th, of the same year. The Strong Government Whigs had previously made every possible effort for a full and able representation, and the result did not disappoint them, for instead of simply revising the Articles of Confederation, the convention framed a constitution, and sent it to Congress to be submitted to that body and through it to the several legislatures. The act submitting it provided that, if it should be ratified by nine of the

thirteen states, it should be binding upon those ratifying the same. Just here was started the custom which has since passed into law, that amendments to the national constitution shall be submitted after approval by Congress, to the legislatures of the several states, and after approval by three-fourths thereof, it shall be binding *upon all*—a very proper exercise of constitutional authority, as it seems now, but which would not have won popular approval when Virginia proposed the Annapolis convention in 1786. Indeed, the reader of our political history must ever be impressed with the fact that changes and reforms ever moved slowly, and that those of slowest growth seem to abide the longest.

The Federal and Anti-Federal Parties.

The Strong Government Whigs, on the submission of the constitution of 1787 to Congress and the legislatures, and indirectly through the latter to the people, who elect the members on this issue, became the Federal party, and all of its power was used to promote the ratification of the instrument. Its ablest men, headed by Alexander Hamilton and James Madison, advocated adoption before the people, and their pens supplied much of the current political literature of that day. Eighty-five essays, still noted and quoted for their ability, under the *nom de plume* of “Publius,” were published in “The Federalist.” They were written by Hamilton, Madison and Jay, and with irresistible force advocated the Federal constitution, which was ratified by the nine needed

states, and Congress was officially informed of the fact July 2d, 1788, and the first Wednesday in March, 1789, was fixed as the time “for commencing proceedings under the constitution.”

This struggle for the first time gave the Federalists an admitted majority. The complexion of the State legislature prior to it showed them in fact to be in a minority, and the Particularist Whigs, or Anti-Federals opposed every preliminary step looking to the abandonment of the Articles of Confederation and the adoption of a Federal constitution. They were called Anti-Federals because they opposed a federal government and constitution and adhered to the rights of the States and those of local self-government. Doubtless party rancor, then as now, led men to oppose a system of government which it seems they must have approved after fighting for it, but the earlier jealousies of the States and the prevailing ideas of liberty certainly gave the Anti-Federals a popularity which only a test so sensible as that proposed could have shaken. They were not without popular orators and leaders. Patrick Henry, the earliest of the patriots, and “the-old-man-eloquent,” Samuel Adams, took special pride in espousing their cause. The war questions between Whig and Tory must have passed quickly away, as living issues, though the newspapers and contemporaneous history show that the old taunts and battle cries were applied to the new situation with a plainness and virulence that must still be envied by the sensational and more bitterly partisan journals of our own day. To read these now, and some of our facts are gathered from such sources, is to account for the frequent use of the saying touching “the ingratitude of republics,” for when partisan hatred could deride the still recent

utterances of Henry before the startled assembly of Virginians, and of Adams in advocating the adoption of the Declaration, there must at least to every surface view have been rank ingratitude. Their good names, however, survived the struggle, as good names in our republic have ever survived the passions of the law. In politics the Americans then as now, hated with promptness and forgave with generosity.

The Anti-Federals denied nearly all that the Federals asserted. The latter had for the first time assumed the aggressive, and had the advantage of position. They showed the deplorable condition of the country, and their opponents had to bear the burdens of denial at a time when nearly all public and private obligations were dishonored; when labor was poorly paid, workmen getting but twenty-five cents a day, with little to do at that; when even the rich in lands were poor in purse, and when commerce on the seas was checked by the coldness of foreign nations and restricted by the action of the States themselves; when manufactures were without protection of any kind, and when the people thought their struggle for freedom was about to end in national poverty. Still Henry, and Adams and Hancock, with hosts of others, claimed that the aspirations of the Anti-Federals were the freest, that they pointed to personal liberty and local sovereignty. Yet many Anti-Federals must have accepted the views of the Federals, who under the circumstances must have presented the better reason, and the result was as stated, the ratification of the Federal constitution of 1787 by three-fourths of the States of the Union. After this the Anti-Federalists were given a new name, that of “Close Constructionists,” because they naturally desired to

interpret the new instrument in such a way as to bend it to their views. The Federalists became “Broad Constructionists,” because they interpreted the constitution in a way calculated to broaden the power of the national government.

The Confederacy once dissolved, the Federal party entered upon the enjoyment of full political power, but it was not without its responsibilities. The government had to be organized upon the basis of the new constitution, as upon the success of that organization would depend not alone the stability of the government and the happiness of its people, but the reputation of the party and the fame of its leaders as statesmen.

Fortunately for all, party hostilities were not manifested in the Presidential election. All bowed to the popularity of Washington, and he was unanimously nominated by the congressional caucus and appointed by the electoral college. He selected his cabinet from the leading minds of both parties, and while himself a recognized Federalist, all felt that he was acting for the good of all, and in the earlier years of his administration, none disputed this fact.

As the new measures of the government advanced, however, the anti-federalists organized an opposition to the party in power. Immediate danger had passed. The constitution worked well. The laws of Congress were respected; its calls for revenue honored, and Washington devoted much of his first and second messages to showing the growing prosperity of the country, and the respect which it was beginning to excite abroad. But where there is political power, there is opposition in a free land, and the great leaders of that day neither forfeited their reputations as patriots, or their characters as statesmen by the

assertion of honest differences of opinion. Washington, Adams, and Hamilton were the recognized leaders of the Federalists, the firm friends of the constitution. The success of this instrument modified the views of the anti-Federalists, and Madison of Virginia, its recognized friend when it was in preparation, joined with others who had been its friends—notably,[1] Doctor Williamson, of North Carolina, and Mr. Langdon, of Georgia, in opposing the administration, and soon became recognized leaders of the anti-Federalists. Langdon was the President *pro tem.* of the Senate. Jefferson was then on a mission to France, and not until some years thereafter did he array himself with those opposed to centralized power in the nation. He returned in November, 1789, and was called to Washington's cabinet as Secretary of State in March, 1790. It was a great cabinet, with Jefferson as its premier (if this term is suited to a time when English political nomenclature was anything but popular in the land;) Hamilton, Secretary of the Treasury; Knox, Secretary of War, and Edmund Randolph, Attorney-General. There was no Secretary of the Navy until the administration of the elder Adams, and no Secretary of the Interior.

The first session of Congress under the Federal constitution, held in New York, sat for nearly six months, the adjournment taking place September 29th, 1789. Nearly all the laws framed pointed to the organization of the government, and the discussions were able and protracted. Indeed, these discussions developed opposing views, which could easily find separation on much the same old lines as those which separated the founders of constitutional government from those who favored the old confederate methods. The Federalists, on pivotal

questions, at this session, carried their measures only by small majorities.

Much of the second session was devoted to the discussion of the able reports of Hamilton, and their final adoption did much to build up the credit of the nation and to promote its industries. He was the author of the protective system, and at the first session gave definite shape to his theories. He recommended the funding of the war debt, the assumption of the state war debts by the national government, the providing of a system of revenue from the collection of duties on imports, and an internal excise. His advocacy of a protective tariff was plain, for he declared it to be necessary for the support of the government and *the encouragement of manufactures* that duties be laid on goods, wares, and merchandise imported.

The third session of the same Congress was held at Philadelphia, though the seat of the national government had, at the previous one, been fixed on the Potomac instead of the Susquehanna—this after a compromise with Southern members, who refused to vote for the Assumption Bill until the location of the capital in the District of Columbia had been agreed upon; by the way, this was the first exhibition of log-rolling in Congress. To complete Hamilton's financial system, a national bank was incorporated. On this project both the members of Congress and of the cabinet were divided, but it passed, and was promptly approved by Washington. By this time it was well known that Jefferson and Hamilton held opposing views on many questions of government, and these found their way into and influenced the action of Congress, and passed naturally from thence to the people, who were thus early believed to be almost equally divided on the more essential political

issues. Before the close of the session, Vermont and Kentucky were admitted to the Union. Vermont was the first state admitted in addition to the original thirteen. True, North Carolina and Rhode Island had rejected the constitution, but they reconsidered their action and came in—the former in November, 1789, and the latter in May, 1790.

The election for members of the Second Congress resulted in a majority in both branches favorable to the administration. It met at Philadelphia in October, 1791. The exciting measure of the session was the excise act, somewhat similar to that of the previous year, but the opposition wanted an issue on which to rally, they accepted this, and this agitation led to violent and in one instance warlike opposition on the part of a portion of the people. Those of western Pennsylvania, largely interested in distilleries, prepared for armed resistance to the excise, but at the same session a national militia law had been passed, and Washington took advantage of this to suppress the “Whisky Rebellion” in its incipiency. It was a hasty, rash undertaking, yet was dealt with so firmly that the action of the authorities strengthened the law, and the respect for order. The four counties which rebelled did no further damage than to tar and feather a government tax collector and rob him of his horse, though many threats were made and the agitation continued until 1794, when Washington’s threatened appearance at the head of fifteen thousand militia settled the whole question.

The first session of the Second Congress also passed the first methodic apportionment bill, which based the congressional representation on the census taken in 1790, the basis being 33,000 inhabitants for each representative. The second session which sat from November, 1792, to March, 1793, was mainly

occupied in a discussion of the foreign and domestic relations of the country. No important measures were adopted.

The Republican and Federal Parties.

The most serious objection to the constitution before its ratification was the absence of a distinct bill of rights, which should recognize “the equality of all men, and their rights to life, liberty and the pursuit of happiness,” and at the first session of Congress a bill was framed containing twelve articles, ten of which were afterwards ratified as amendments to the constitution. Yet state sovereignty, then imperfectly defined, was the prevailing idea in the minds of the Anti-Federalists, and they took every opportunity to oppose any extended delegation of authority from the states of the Union. They contended that the power of the state should be supreme, and charged the Federalists with monarchical tendencies. They opposed Hamilton’s national bank scheme, and Jefferson and Randolph plainly expressed the opinion that it was unconstitutional—that a bank was not authorized by the constitution, and that it would prevent the states from maintaining banks. But when the Bill of Rights had been incorporated in and attached to the constitution as amendments, Jefferson with rare political sagacity withdrew all opposition to the instrument itself, and the Anti-Federalists gladly followed his lead, for they felt that they had labored under many partisan disadvantages. The constitution

was from the first too strong for successful resistance, and when opposition was confessedly abandoned the party name was changed, also at the suggestion of Jefferson, to that of Republican. The Anti-Federalists were at first disposed to call their party the Democratic-Republicans, but finally called, it simply Republican, to avoid the opposite of the extreme which they charged against the Federalists. Each party had its taunts in use, the Federalists being denounced as monarchists, the Anti-Federalists as Democrats; the one presumed to be looking forward to monarchy, the other to the rule of the mob.

By 1793 partisan lines under the names of Federalists and Republicans, were plainly drawn, and the schism in the cabinet was more marked than ever. Personal ambition may have had much to do with it, for Washington had previously shown his desire to retire to private life. While he remained at the head of affairs he was unwilling to part with Jefferson and Hamilton, and did all in his power to bring about a reconciliation, but without success. Before the close of the first constitutional Presidency, however, Washington had become convinced that the people desired him to accept a re-election, and he was accordingly a candidate and unanimously chosen. John Adams was re-elected Vice-President, receiving 77 votes to 50 for Geo. Clinton, (5 scattering) the Republican candidate. Soon after the inauguration Citizen Genet, an envoy from the French republic, arrived and sought to excite the sympathy of the United States and involve it in a war with Great Britain. Jefferson and his Republican party warmly sympathized with France, and insisted that gratitude for revolutionary favors commanded aid to France in her struggles. The Federalists, under Washington and Hamilton, favored non-intervention,

and insisted that we should maintain friendly relations with Great Britain. Washington showed his usual firmness, and before the expiration of the month in which Genet arrived, had issued his celebrated proclamation of neutrality. This has ever since been the accepted foreign policy of the nation.

Genet, chagrined at the issuance of this proclamation, threatened to appeal to the people, and made himself so obnoxious to Washington that the latter demanded his recall. The French government sent M. Fauchet as his successor, but Genet continued to reside in the United States, and under his inspiration a number of Democratic Societies, in imitation of the French Jacobin clubs, were founded, but like all such organizations in this country, they were short-lived. Secret political societies thrive only under despotisms. In Republics like ours they can only live when the great parties are in confusion and greatly divided. They disappear with the union of sentiment into two great parties. If there were many parties and factions, as in Mexico and some of the South American republics, there would be even a wider field for them here than there.

The French agitation showed its impress upon the nation as late as 1794, when a resolution to cut off intercourse with Great Britain passed the House, and was defeated in the Senate only by the casting vote of the Vice-President. Many people favored France, and to such silly heights did the excitement run that these insisted on wearing a national cockade. Jefferson had left the cabinet the December previous, and had retired to his plantation in Virginia, where he spent his leisure in writing political essays and organizing the Republican party, of which he was the acknowledged founder. Here he escaped the errors of

his party in Congress, but it was a potent fact that his friends in official station not only did not endorse the non-intervention policy of Washington, but that they actively antagonized it in many ways. The Congressional leader in these movements was Mr. Madison. The policy of Britain fed this opposition. The forts on Lake Erie were still occupied by the British soldiery in defiance of the treaty of 1783; American vessels were seized on their way to French ports, and American citizens were impressed. To avoid a war, Washington sent John Jay as special envoy to England. He arrived in June, 1794, and by November succeeded in making a treaty. It was ratified in June, 1795, by the Senate by the constitutional majority of two-thirds, though there was much declamatory opposition, and the feeling between the Federal and Republican parties ran higher than ever before. The Republicans denounced while the Federals congratulated Washington. Under this treaty the British surrendered possession of all American ports, and as Gen'l Wayne during the previous summer had conquered the war-tribes and completed a treaty with them, the country was again on the road to prosperity.

In Washington's message of 1794, he plainly censured all "self-created political societies," meaning the democratic societies formed by Genet, but this part of the message the House refused to endorse, the speaker giving the casting vote in the negative. The Senate was in harmony with the political views of the President. Party spirit had by this time measurably affected all classes of the people, and as subjects for agitation here multiplied, the opposition no longer regarded Washington with that respect and decorum which it had been the rule to manifest. His wisdom as President, his patriotism,

and indeed his character as a man, were all hotly questioned by political enemies. He was even charged with corruption in expending more of the public moneys than had been appropriated—charges which were soon shown to be groundless.

At the first session of Congress in December, 1795, the Senate's administration majority had increased, but in the House the opposing Republicans had also increased their numbers. The Senate by 14 to 8 endorsed the message; the House at first refused but finally qualified its answers.

In March, 1796, a new political issue was sprung in the House by Mr. Livingstone of New York, who offered a resolution requesting of the President a copy of the instructions to Mr. Jay, the envoy who made the treaty with Great Britain. After a debate of several days, more bitter than any which had preceded it, the House passed the resolution by 57 to 35, the Republicans voting aye, the Federals no. Washington in answer, took the position that the House of Representatives was not part of the treaty-making power of the government, and could not therefore be entitled to any papers relating to such treaties. The constitution had placed this treaty-making and ratifying power in the hands of the Senate, the Cabinet and the President.

This answer, now universally accepted as the proper one, yet excited the House and increased political animosities. The Republicans charged the Federals with being the "British party," and in some instances hinted that they had been purchased with British gold. Indignation meetings were called, but after much sound and fury, it was ascertained that the people really favored abiding by the treaty in good faith, and finally the House, after more calm and able debates, passed the needed legislation to

carry out the treaty by a vote of 51 to 48.

In August, 1796, prior to the meeting of the Congressional caucus which then placed candidates for the Presidency in nomination, Washington issued his celebrated Farewell Address, in which he gave notice that he would retire from public life at the expiration of his term. He had been solicited to be a candidate for re-election (a third term) and told that all the people could unite upon him—a statement which, without abating one jot, our admiration for the man, would doubtless have been called in question by the Republicans, who had become implacably hostile to his political views, and who were encouraged to believe they could win control of the Presidency, by their rapidly increasing power in the House. Yet the address was everywhere received with marks of admiration. Legislatures commended it by resolution and ordered it to be engrossed upon their records; journals praised it, and upon the strength of its plain doctrines the Federalists took new courage, and prepared to win in the Presidential battle which followed. Both parties were plainly arrayed and confident, and so close was the result that the leaders of both were elected—John Adams, the nominee of the Federalists, to the Presidency, and Thomas Jefferson, the nominee of the Republicans, to the Vice-Presidency. The law which then obtained was that the candidate who received the highest number of electoral votes, took the first place, the next highest, the second. Thomas Pinckney of South Carolina was the Federal nominee for Vice-President, and Aaron Burr of the Republicans. Adams received 71 electoral votes, Jefferson 68, Pinckney 59, Burr 30, scattering 48. Pinckney had lost 12 votes, while Burr lost 38—a loss of popularity which the latter regained four years later. The first

impressions which our forefathers had of this man were the best.

John Adams was inaugurated as President in Philadelphia, at Congress Hall, March 4th, 1797, and in his inaugural was careful to deny the charge that the Federal party had any sympathy for England, but reaffirmed his endorsement of the policy of Washington as to strict neutrality. To this extent he sought to soften the asperities of the parties, and measurably succeeded, though the times were still stormy. The French revolution had reached its highest point, and our people still took sides. Adams found he would have to arm to preserve neutrality and at the same time punish the aggression of either of the combatants. This was our first exhibition of "armed neutrality." An American navy was quickly raised, and every preparation made for defending the rights of Americans. An alliance with France was refused, after which the American Minister was dismissed and the French navy began to cripple our trade. In May, 1797, President Adams felt it his duty to call an extra session of Congress, which closed in July. The Senate approved of negotiations for reconciliation with France. They were attempted but, proved fruitless; in May, 1798, a full naval armament was authorized, and soon several French vessels were captured before there was any declaration of war. Indeed, neither power declared war, and as soon as France discovered how earnest the Americans were she made overtures for an adjustment of difficulties, and these resulted in the treaty of 1800.

The Republicans, though warmly favoring a contest, did not heartily support that inaugurated by Adams, and contended after this that the militia and a small naval force were sufficient for internal defense. They denounced the position of the

Federals, who favored the enlargement of the army and navy, as measures calculated to overawe public sentiment in time of peace. The Federals, however, through their prompt resentment of the aggressions of France, had many adherents to their party. They organized their power and sought to perpetuate it by the passage of the alien and sedition, and a naturalization law.

The alien and sedition law gave the President authority “to order all such aliens as he shall judge dangerous to the peace and safety of the United States, or shall have reasonable grounds to suspect are concerned in any treasonable or secret machinations against the government thereof, to depart out of the territory of the United States, within such time as shall be expressed in such order.” The provisions which followed were in keeping with that quoted, the 3d section commanding every master of a ship entering a port of the United States, immediately on his arrival, to make report in writing to the collector of customs, the names of all aliens on board, etc. The act was to continue in force for two years from the date of its passage, and it was approved June 25th, 1798.

A resolution was introduced in the Senate on the 25th of April, 1798, by Mr. Hillhouse of Connecticut, to inquire what provision of law ought to be made, &c., as to the removal of such aliens as may be dangerous to the peace of the country, &c. This resolution was adopted the next day, and Messrs. Hillhouse, Livermore and Read were appointed the committee, and subsequently reported the bill. It passed the Senate by 16 to 7, and the House by 46 to 40, the Republicans in the latter body resisting it warmly. The leading opposing idea was that it lodged with the Executive too much power, and was

liable to great abuse. It has frequently since, in arguments against centralized power, been used for illustration by political speakers.

The Naturalization law, favored by the Federalists, because they knew they could acquire few friends either from newly arrived English or French aliens, among other requirements provided that an alien must reside in the United States *fourteen years* before he could vote. The Republicans denounced this law as calculated to check immigration, and dangerous to our country in the fact that it caused too many inhabitants to owe no allegiance. They also asserted, as did those who opposed Americanism later on in our history, that America was properly an asylum for all nations, and that those coming to America should freely share all the privileges and liberties of the government.

These laws and the political resentments which they created gave a new and what eventually proved a dangerous current to political thought and action. They were the immediate cause of the Kentucky and Virginia resolutions of 1798, Jefferson being the author of the former and Madison of the latter.

These resolutions were full of political significance, and gave tone to sectional discussion up to the close of the war for the Union. They first promulgated the doctrine of nullification or secession, and political writers mistake who point to Calhoun as the father of that doctrine. It began with the old Republicans under the leadership of Jefferson and Madison, and though directly intended as protests against the alien and sedition, and the naturalization laws of Congress, they kept one eye upon the question of slavery—rather that interest was kept in view in their declarations, and yet the authors of both were anything but warm advocates

of slavery. They were then striving, however, to reinforce the opposition to the Federal party, which the administration of Adams had thus far apparently weakened, and they had in view the brief agitation which had sprung up in 1793, five years before, on the petition to Congress of a Pennsylvania society “to use its powers to stop the traffic in slaves.” On the question of referring this petition to a committee there arose a sectional debate. Men took sides not because of the party to which they belonged, but the section, and for the first time the North and South were arrayed against each other on a question not then treated either as partisan or political, but which most minds then saw must soon become both partisan and sectional. Some of the Southern debaters, in their protests against interference, thus early threatened civil war. With a view to better protect their rights to slave property, they then advocated and succeeded in passing the first fugitive slave law. This was approved February 12, 1793.

The resolutions of 1798 will be found in the book devoted to political platforms. So highly were these esteemed by the Republicans of that day, and by the interests whose support they so shrewdly invited, that they more than counterbalanced the popularity acquired by the Federals in their resistance to France, and by 1800 they caused a rupture in the Cabinet of Adams.

In the Presidential election of 1800 John Adams was the nominee for President and C. C. Pinckney for Vice-President. A “Congressional Convention” of Republicans, held in Philadelphia, nominated Thomas Jefferson and Aaron Burr as candidates for these offices. On the election which followed the Republicans chose 73 electors and the Federalists 65. Each elector voted for two persons, and the

Republicans so voted that they unwisely gave Jefferson and Burr each 73 votes. Neither being highest, it was not legally determined which should be President or Vice-President, and the election had to go to the House. The Federalists threw 65 votes to Adams and 64 to Pinckney. The Republicans could have done the same, but Burr's intrigue and ambition prevented this, and the result was a protracted contest in the House, and one which put the country in great peril, but which plainly pointed out some of the imperfections of the electoral features of the Constitution. The Federalists proposed to confess the inability of the House to agree through the vote by States, but to this proposition the Republicans threatened armed resistance. The Federalists next attempted a combination with the friends of Aaron Burr, but this specimen of bargaining to deprive a nominee of the place to which it was the plain intention of his party to elect him, really contributed to Jefferson's popularity, if not in that Congress, certainly before the people. He was elected on the 36th ballot.

The bitterness of this strife, and the dangers which similar ones threatened, led to an abandonment of the system of each Elector voting for two, the highest to be President, the next highest Vice-President, and an amendment was offered to the Constitution, and fully ratified by September 25, 1804, requiring the electors to ballot separately for President and Vice-President.

Jefferson was the first candidate nominated by a Congressional caucus. It convened in 1800 at Philadelphia, and nominated Jefferson for President and Burr for Vice-President. Adams and Pinckney were not nominated, but ran and were accepted as natural leaders of their party, just as Washington and

Adams were before them.

Downfall of the Federal Party.

This contest broke the power of the Federal party. It had before relied upon the rare sagacity and ability of its leaders, but the contest in the House developed such attempts at intrigue as disgusted many and caused all to quarrel, Hamilton having early showed his dislike to Adams. As a party the Federal had been peculiarly brave at times when high bravery was needed. It had framed the Federal Government and stood by the powers given it until they were too firmly planted for even newer and triumphant partisans to recklessly trifle with. It stood for non-interference with foreign nations against the eloquence of adventurers, the mad impulses of mobs, the generosity of new-born freemen, the harangues of demagogues, and best of all against those who sought to fan these popular breezes to their own comfort, It provided for the payment of the debt, had the courage to raise revenues both from internal and external sources, and to increase expenditures, as the growth of the country demanded. Though it passed out of power in a cloud of intrigue and in a vain grasp at the “flesh-pots,” it yet had a glorious history, and one which none untinctured with the better prejudices of that day, can avoid admiring.

The defeat of Adams was not unexpected by him, yet it was greatly regretted by his friends, for he was justly regarded as second to no other civilian in the establishment of the liberties of the colonies. He was

eloquent to a rare degree, possessed natural eloquence, and made the most famous speech in advocacy of the Declaration. Though the proceedings of the Revolutionary Congress were secret, and what was said never printed, yet Webster gives his version of the noted speech of Adams, and we reproduce it in Book III. of this volume as one of the great speeches of noted American orators.

Mr. Jefferson was inaugurated the third President, in the new capitol at Washington, on the 4th of March, 1801, and Vice-President Burr took his seat in the Senate the same day. Though Burr distinctly disavowed any participancy in the House contest, he was distrusted by Jefferson's warm friends, and jealousies rapidly cropped out. Jefferson endeavored through his inaugural to smooth factious and party asperities, and so well were his words chosen that the Federalists indulged, the hope that they would not be removed from office because of their political views.

Early in June, however, the first question of civil service was raised. Mr. Jefferson then removed Elizur Goodrich, a Federalist, from the Collectorship of New Haven, and appointed Samuel Bishop, a Republican, to the place. The citizens remonstrated, saying that Goodrich was prompt, reliable and able, and showed that his successor was 78 years old, and too infirm for the duties of the office. To these remonstrances Mr. Jefferson, under date of July 12th, replied in language which did not then, as he did later on, plainly assert the right of every administration to have its friends in office. We quote the following:

"Declarations by myself, in favor of political tolerance, exhortations to harmony and affection in social intercourse, and respect for the equal rights of the minority, have, on certain occasions, been quoted

and misconstrued into assurances that the tenure of office was not to be disturbed. But could candor apply such a construction? When it is considered that, during the late administration, those who were not of a particular sect of politics were excluded from all office; when, by a steady pursuit of this measure, nearly the whole offices of the United States were monopolized by that sect; when the public sentiment at length declared itself, and burst open the doors of honor and confidence to those whose opinions they approved; was it to be imagined that this monopoly of office was to be continued in the hands of the minority? Does it violate their equal rights to assert some rights in the majority also? Is it political intolerance to claim a proportionate share in the direction of the public affairs? If a due participation of office is a matter of right, how are vacancies to be obtained? Those by death are few, by resignation none. Can any other mode than that of removal be proposed? This is a painful office; but it is made my duty, and I meet it as such. I proceed in the operation with deliberation and inquiry, that it may injure the best men least, and effect the purposes of justice and public utility with the least private distress, that it may be thrown as much as possible on delinquency, on oppression, on intolerance, on ante-revolutionary adherence to our enemies.

“I lament sincerely that unessential differences of opinion should ever have been deemed sufficient to interdict half the society from the rights and the blessings of self-government, to proscribe them as unworthy of every trust. It would have been to me a circumstance of great relief, had I found a moderate participation of office in the hands of the majority. I would gladly have left to time and accident to raise

them to their just share. But their total exclusion calls for prompter corrections. I shall correct the procedure; but that done, return with joy to that state of things when the only questions concerning a candidate shall be: Is he honest? Is he capable? Is he faithful to the constitution?"

Mr. Adams had made few removals, and none because of the political views held by the incumbents, nearly all of whom had been appointed by Washington and continued through good behavior. At the date of the appointment of most of them, Jefferson's Republican party had no existence; so that the reasons given in the quotation do not comport with the facts. Washington's rule was integrity and capacity, for he could have no regard for politics where political lines had been obliterated in his own selection. Doubtless these office-holders were human, and adhered with warmth to the administration which they served, and this fact, and this alone, must have angered the Republicans and furnished them with arguments for a change.

Mr. Jefferson's position, however, made his later conduct natural. He was the acknowledged leader of his party, its founder indeed, and that party had carried him into power. He desired to keep it intact, to strengthen its lines with whatever patronage he had at his disposal, and he evidently regarded the cause of Adams in not rewarding his friends as a mistake. It was, therefore, Jefferson, and not Jackson, who was the author of the theory that "to the victors belong the spoils." Jackson gave it a sharp and perfectly defined shape by the use of these words, but the spirit and principle were conceived by Jefferson, who throughout his life showed far greater originality in politics than any of the early patriots. It was his acute sense of just what was right for a

growing political party to do, which led him to turn the thoughts of his followers into new and popular directions. Seeing that they were at grave disadvantage when opposing the attitude of the government in its policy with foreign nations; realizing that the work of the Federalists in strengthening the power of the new government, in providing revenues and ways and means for the payment of the debt, were good, he changed the character of the opposition by selecting only notoriously arbitrary measures for assault—and changed it even more radically than this. He early saw that simple opposition was not progress, and that it was both wise and popular to be progressive, and in all his later political papers he sought to make his party the party favoring personal freedom, the one of liberal ideas, the one which, instead of shirking, should anticipate every change calculated to enlarge the liberties and the opportunities of citizens. These things were not inconsistent with his strong views in favor of local self-government; indeed, in many particulars they seemed to support that theory, and by the union of the two ideas he shrewdly arrayed political enthusiasm by the side of political interest. Political sagacity more profound than this it is difficult to imagine. It has not since been equalled in the history of our land, nor do we believe in the history of any other.

After the New Haven episode, so jealous was Jefferson of his good name, that while he confided all new appointments to the hands of his political friends, he made few removals, and these for apparent cause. The mere statement of his position had proved an invitation to the Federalists in office to join his earlier friends in the support of his administration. Many of them did it, so many that

the clamorings of truer friends could not be hushed. With a view to create a new excuse, Jefferson declared that all appointments made by Adams after February 14th, when the House began its ballotings for President, were void, these appointments belonging of right to him, and from this act of Adams we date the political legacies which some of our Presidents have since handed down to their successors. One of the magistrates whose commission had been made out under Adams, sought to compel Jefferson to sign it by a writ of mandamus before the Supreme Court, but a "profound investigation of constitutional law" induced the court not to grant the motion. All commissions signed by Adams after the date named were suppressed.

Jefferson's apparent bitterness against the Federalists is mainly traceable to the contest in the House, and his belief that at one time they sought a coalition with Burr. This coalition he regarded as a violation of the understanding when he was nominated, and a supposed effort to appoint a provisional office he regarded as an usurpation in fact. In a letter to James Monroe, dated February 15th, speaking of this contest, he says:

"Four days of balloting have produced not a single change of a vote. Yet it is confidently believed that to-morrow there is to be a coalition. I know of no foundation for this belief. If they could have been permitted to pass a law for putting the government in the hands of an officer, they would certainly have prevented an election. But we thought it best to declare openly and firmly, one and all, that the day such an act passed, the Middle States would arm, and that no such usurpation, even for a single day, should be submitted to."

It is but fair to say that the Federalists denied all

such intentions, and that James A. Bayard, of Delaware, April 3, 1806, made formal oath to this denial. In this he says that three States, representing Federalist votes, offered to withdraw their opposition if John Nicholas, of Virginia, and the personal friend of Jefferson, would secure pledges that the public credit should be supported, the navy maintained, and that subordinate public officers, employed only in the execution of details, established by law, should not be removed from office on the ground of their public character, nor without complaint against their conduct. The Federalists then went so far as to admit that officers of "high discretion and confidence," such as members of the cabinet and foreign ministers, should be known friends of the administration. This proposition goes to show that there is nothing very new in what are called our modern politics; that the elder Bayard, as early as 1800, made a formal proposal to bargain. Mr. Nicholas offered *his* assurance that these things would prove acceptable to and govern the conduct of Jefferson's administration, but he declined to consult with Jefferson on the points. General Smith subsequently engaged to do it, and Jefferson replied that the points given corresponded with his views and intentions, and that Mr. Bayard and his friends might confide in him accordingly. The opposition of Vermont, Maryland and Delaware was then immediately withdrawn, and Mr. Jefferson was made President. Gen'l Smith, twelve days later, made an affidavit which substantially confirmed that of Bayard. Latimer, the collector of the port of Philadelphia, and M'Lane, collector of Wilmington, (Bayard's special friend) were retained in office. He had cited these two as examples of his opposition to any change, and Jefferson seemed to regard the

pledges as not sacred beyond the parties actually named in Bayard's negotiations with Gen'l Smith.

This misunderstanding or misconstruction of what in these days would be plainly called a bargain, led to considerable political criticism, and Jefferson felt it necessary to defend his cause. This he did in letters to friends which both then and since found their way into the public prints. One of these letters, written to Col. Monroe, March 7th, shows in every word and line the natural politician. In this he says:

"Some (removals) I know must be made. They must be as few as possible, done gradually, and bottomed on some malversation or inherent disqualification. Where we shall draw the line between all and none, is not yet settled, and will not be till we get our administration together; and perhaps even then we shall proceed *ā talons*, balancing our measures according to the impression we perceive them to make. This may give you a general view of our plan."

A little later on, March 28, he wrote to Elbridge Gerry:

"Officers who have been guilty of gross abuses of office, such as marshals packing juries, etc., I shall now remove, as my predecessor ought in justice to have done. The instances will be few, and governed by strict rule, not party passion. The right of opinion shall suffer no invasion from me."

Jefferson evidently tired of this subject, and gradually modified his views, as shown in his letter to Levi Lincoln, July 11, wherein he says:

"I am satisfied that the heaping of abuse on me personally, has been with the design and the hope of provoking me to make a general sweep of all Federalists out of office. But as I have carried no

passion into the execution of this disagreeable duty, I shall suffer none to be excited. The clamor which has been raised will not provoke me to remove one more, nor deter me from removing one less, than if not a word had been said on the subject. In the course of the summer, all which is necessary will be done; and we may hope that, this cause of offence being at an end, the measures we shall pursue and propose for the amelioration of the public affairs, will be so confessedly salutary as to unite all men not monarchists in principle." In the same letter he warmly berates the monarchical federalists, saying, "they are incurables, to be taken care of in a madhouse if necessary, and on motives of charity."

The seventh Congress assembled. Political parties were at first nearly equally divided in the Senate, but eventually there was a majority for the administration. Jefferson then discontinued the custom established by Washington of delivering in person his message to Congress. The change was greatly for the better, as it afforded relief from the requirement of immediate answers on the subjects contained in the message. It has ever since been followed.

The seventh session of Congress, pursuant to the recommendation of President Jefferson, established a uniform system of naturalization, and so modified the law as to make the required residence of aliens five years, instead of fourteen, as in the act of 1798, and to permit a declaration of intention to become a citizen at the expiration of three years. By his recommendation also was established the first sinking fund for the redemption of the public debt. It required the setting apart annually for this purpose the sum of seven millions and three hundred thousand dollars. Other measures, more partisan in

their character, were proposed, but Congress showed an aversion to undoing what had been wisely done. A favorite law of the Federalists establishing circuit courts alone was repealed, and this only after a sharp debate, and a close vote. The provisional army had been disbanded by a law of the previous Congress. A proposition to abolish the naval department was defeated, as was that to discontinue the mint establishment.

At this session the first law in relation to the slave trade was passed. It was to prevent the importation of negroes, mulattoes and other persons of color into any port of the United States within a state which had prohibited by law the admission of any such person. The penalty was one thousand dollars and the forfeiture of the vessel. The slave trade was not then prohibited by the constitution, nor was the subject then generally agitated, though it had been as early as 1793, when, as previously stated, an exciting sectional debate followed the presentation of a petition from Pennsylvania to abolish the slave trade.

Probably the most important occurrence under the first administration of Jefferson was that relating to the purchase and admission of Louisiana. There had been apprehensions of a war with Spain, and with a view to be ready Congress had passed an act authorizing the President to call upon the executives of such of the states as he might deem expedient, for detachments of militia not exceeding eighty thousand, or to accept the services of volunteers for a term of twelve months. The disagreement arose over the southwestern boundary line and the right of navigating the Mississippi. Our government learned in the spring of 1802, that Spain had by a secret treaty made in October, 1800, actually ceded

Louisiana to France. Our government had in 1795 made a treaty with Spain which gave us the right of deposit at New Orleans for three years, but in October, 1802, the Spanish authorities gave notice by proclamation that this right was withdrawn. Excitement followed all along the valley of the Mississippi, and it was increased by the belief that the withdrawal of the privilege was made at the suggestion of France, though Spain still retained the territory, as the formalities of ceding it had not been gone through with. Jefferson promptly took the ground that if France took possession of New Orleans, the United States would immediately become allies of England, but suggested to Minister Livingston at Paris that France might be induced to cede the island of New Orleans and the Floridas to the United States. It was his belief, though a mistaken one, that France had also acquired the Floridas. Louisiana then comprised much of the territory west of the Mississippi and south of the Missouri.

The Federalists in Congress seized upon this question as one upon which they could make an aggressive war against Jefferson's administration, and resolutions were introduced asking information on the subject. Jefferson, however, wisely avoided all entangling suggestions, and sent Monroe to aid Livingston in effecting a purchase. The treaty was formed in April, 1803, and submitted by Jefferson to the Senate in October following. The Republicans rallied in favor of this scheme of annexation, and claimed that it was a constitutional right in the government to acquire territory—a doctrine widely at variance with their previous position, but occasions are rare where parties quarrel with their administrations on pivotal measures. There was also

some latitude here for endorsement, as the direct question of territorial acquisition had not before been presented, but only hypothetically stated in the constitutional disputations then in great fashion. Jefferson would not go so far as to say that the constitution warranted the acquisition to foreign territory, but the scheme was nevertheless his, and he stood in with his friends in the political battle which followed.

The Federalists claimed that we had no power to acquire territory, and that the acquirement of Louisiana would give the South a preponderance which would "continue for all time (poor prophets they!), since southern would be more rapid than northern development;" that states created west of the Mississippi would injure the commerce of New England, and they even went so far as to say that the "admission of the Western World into the Union would compel the Eastern States to establish an eastern empire." Doubts were also raised as to the right of Louisianians, when admitted to citizenship under our laws, as their lineage, language and religion were different from our own. Its inhabitants were French and descendants of French, with some Spanish creoles, Americans, English and Germans—in all about 90,000, including 40,000 slaves. There were many Indians of course, in a territory then exceeding a million of square miles—a territory which, in the language of First Consul Napoleon, "strengthens forever the power of the United States, and which will give to England a maritime rival that will sooner or later humble her pride"—a military view of the change fully justified by subsequent history. Napoleon sold because of needed preparations for war with England, and while he had previously expressed a willingness to take fifty

million francs for it, he got sixty through the shrewd diplomacy of his ministers, who hid for the time their fear of the capture of the port of New Orleans by the English navy.

Little chance was afforded the Federalists for adverse criticism in Congress, for the purchase proved so popular that the people greatly increased the majority in both branches of the eighth Congress, and Jefferson called it together earlier for the purpose of ratification. The Senate ratified the treaty on the 20th of October, 1803, by a vote of 24 to 7, while the House adopted a resolution for carrying the treaty into effect by a vote of 90 to 25. Eleven million dollars of the purchase money was appropriated, the remaining four millions being reserved for the indemnity of American citizens who had sustained losses by French assaults upon our commerce—from which fact subsequently came what is known as the French Spoliation Bill.

Impeachment trials were first attempted before the eighth Congress in 1803. Judge Pickering, of the district court of the United States for New Hampshire, was impeached for occasional drunkenness, and dismissed from office. Judge Chase of the U. S. Supreme Court, and Judge Peters of the district court of Pennsylvania, both Federalists, were charged by articles proposed in the House with illegal and arbitrary conduct in the trial of parties charged with political offenses. The Federalists took alarm at these proceedings, and so vehement were their charges against the Republicans of a desire to destroy the judiciary that their impeachments were finally abandoned.

The Republicans closed their first national administration with high prestige. They had met several congressional reverses on questions where defeat proved good fortune, for the Federalists kept a watchful defence, and were not always wrong. The latter suffered numerically, and many of their best leaders had fallen in the congressional contest of 1800 and 1802, while the Republicans maintained their own additions in talent and number.

In 1804, the candidates of both parties were nominated by congressional caucuses. Jefferson and Clinton were the Republican nominees; Charles C. Pinckney and Rufus King, the nominees of the Federalists, but they only received 14 out of 176 electoral votes.

The struggle of Napoleon in Europe with the allied powers now gave Jefferson an opportunity to inaugurate a foreign policy. England had forbidden all trade with the French and their allies, and France had in return forbidden all commerce with England and her colonies. Both of these decrees violated our neutral rights, and were calculated to destroy our commerce, which by this time had become quite imposing.

Congress acted promptly, and on the 21st of December passed what is known as the Embargo Act, under the inspiration of the Republican party, which claimed that the only choice of the people lay between the embargo and war, and that there was no other way to obtain redress from England and France. But the promised effects of the measure were not realized, and so soon as any dissatisfaction was manifested by the people, the Federalists made the question a political issue. They declared it unconstitutional because it was not limited as to time; that it helped England as against France (a

cunning assertion in view of the early love of the Republicans for the cause of the French), and that it laid violent hands on our home commerce and industries. Political agitation increased the discontent, and public opinion at one time turned so strongly against the law that it was openly resisted on the eastern coast, and treated with almost as open contempt on the Canadian border. The bill had passed the House by 87 to 35, the Senate by 19 to 9. In January, 1809, the then closing administration of Jefferson had to change front on the question, and the law was repealed on the 18th of March. The Republicans when they changed, went all the way over, and advocated full protection by the use of a navy, of all our rights on the high seas. If the Federals could have recalled their old leaders, or retained even a considerable portion of their power, the opportunity presented by the embargo issue could have brought them back to full political power, but lacking these leaders, the opportunity passed.

Democrats and Federals.

During the ninth Congress, which assembled on the second of December, 1805, the Republicans dropped their name and accepted that of "Democrats." In all their earlier strifes they had been charged by their opponents with desiring to run to the extremes of the democratic or "mob rule," and fear of too general a belief in the truth of the charge led them to denials and rejection of a name which the father of their party had ever shown a fondness

for. The earlier dangers which had threatened their organization, and the recollection of defeats suffered in their attempts to establish a government anti-federal and confederate in their composition, had been greatly modified by later successes, and with a characteristic cuteness peculiar to Americans they accepted an epithet and sought to turn it to the best account. In this they imitated the patriots who accepted the epithets in the British satirical song of "Yankee Doodle," and called themselves Yankees. From the ninth Congress the Jeffersonian Republicans called themselves Democrats, and the word Republican passed into disuse until later on in the history of our political parties, the opponents of the Democracy accepted it as a name which well filled the meaning of their attitude in the politics of the country.

Mr. Randolph of Roanoke, made the first schism in the Republican party under Jefferson, when he and three of his friends voted against the embargo act. He resisted its passage with his usual earnestness, and all attempts at reconciling him to the measure were unavailing. Self-willed, strong in argument and sarcasm, it is believed that his cause made it even more desirable for the Republicans to change name in the hope of recalling some of the more wayward "Democrats" who had advocated Jacobin democracy in the years gone by. The politicians of that day were never short of expedients, and no man so abounded in them as Jefferson himself.

Randolph improved his opportunities by getting most of the Virginia members to act with him against the foreign policy of the administration, but he was careful not to join the Federalists, and quickly denied any leaning that way. The first fruit of this faction was to bring forth Monroe as a candidate for

President against Madison—a movement which proved to be quite popular in Virginia, but which Jefferson flanked by bringing about a reconciliation between Monroe and Madison. The now usual Congressional caucus followed at Washington, and although the Virginia Legislature in its caucus previously held had been unable to decide between Madison and Monroe, the Congressional body chose Madison by 83 to 11, the minority being divided between Clinton and Monroe, though the latter could by that time hardly be considered as a candidate. This action broke up Randolph's faction in Virginia, but left so much bitterness behind it that a large portion attached themselves to the Federalists. In the election which followed Madison received 122 electoral votes against 47 for C. C. Pinckney, of South Carolina, and 6 for Geo. Clinton of New York.

Before Jefferson's administration closed he recommended the passage of an act to prohibit the African slave trade after January 1st, 1808, and it was passed accordingly. He had also rejected the form of a treaty received from the British minister Erskine, and did this without the formality of submitting it to the Senate—first, because it contained no provision on the objectionable practice of impressing our seamen; second,[2] "because it was accompanied by a note from the British ministers, by which the British government reserved to itself the right of releasing itself from the stipulations in favor of neutral rights, if the United States submitted to the British decree, or other invasion of those rights by France." This rejection of the treaty by Jefferson caused public excitement, and the Federalists sought to arouse the commercial community against his action, and cited the fact that his own trusted friends, Monroe and Pinckney had negotiated it. The

President's party stood by him, and they agreed that submission to the Senate was immaterial, as its advice could not bind him. This refusal to consider the treaty was the first step leading to the war of 1812, for embargoes followed, and Britain openly claimed the right to search American vessels for her deserting seamen. In 1807 this question was brought to issue by the desertion of five British seamen from the *Halifax*, and their enlistment on the U. S. frigate *Chesapeake*. Four separate demands were made for these men, but all of the commanders, knowing the firm attitude of Jefferson's administration against the practice, refused, as did the Secretary of State refuse a fifth demand on the part of the British minister. On the 23d of June following, while the *Chesapeake* was near the capes of Virginia, Capt. Humphreys of the British ship *Leopard* attempted to search her for deserters. Capt. Barron denied the right of search, but on being fired into, lowered his flag, Humphreys then took four men from the *Chesapeake*, three of whom had previously entered the British service, but were Americans by birth, and had been formally demanded by Washington. The act was a direct violation of the international law, for a nation's ship at sea like its territory is inviolable. The British government disavowed the act of its officer and offered apology and reparation, which were accepted. This event, however, strengthened Jefferson's rejection of the Monroe-Pinckney treaty, and quickly stopped adverse political criticism at home, Foreign affairs remained, however, in a complicated state, owing to the wars between England and the then successful Napoleon, but they in no wise shook the firm hold which Jefferson had upon the people, nor the prestige of his party. He stands in history as one of the best politicians our

land has ever seen, and then as now no one could successfully draw the line between the really able politician and the statesman. He was accepted as both. His administration closed on the 3d of March, 1809, when he expressed great gratification at being able to retire to private life.

Mr. Madison succeeded at a time when the country, through fears of foreign aggression and violence, was exceedingly gloomy and despondent—a feeling not encouraged in the least by the statements of the Federalists, some of whom then thought political criticism in hours of danger not unpatriotic. They described our agriculture as discouraged, our fisheries abandoned, our commerce restrained, our navy dismantled, our revenues destroyed at a time when war was at any moment probable with either France, England or Spain.

Madison, representing as he did the same party, from the first resolved to follow the policy of Jefferson, a fact about which there was no misunderstanding. He desired to avert war as long as possible with England, and sought by skilful diplomacy to avert the dangers presented by both France and England in their attitude with neutrals. England had declared that a man who was once a subject always remained a subject, and on this plea based her determination to impress again into her service all deserters from her navy. France, because of refusal to accede to claims equally at war with our rights, had authorized the seizure of all American vessels entering the ports of France. In May, 1810, when the non-intercourse act had expired, Madison caused proposals to be made to both belligerents, that if either would revoke its hostile edict, the non-intercourse act should be revived and enforced against the other nation. This act had been passed by

the tenth Congress as a substitute for the embargo. France quickly accepted Madison's proposal, and received the benefits of the act, and the direct result was to increase the growing hostility of England. From this time forward the negotiations had more the character of a diplomatic contest than an attempt to maintain peace. Both countries were upon their mettle, and early in 1811, Mr. Pinckney, the American minister to Great Britain, was recalled, and a year later a formal declaration of war was made by the United States.

Just prior to this the old issue, made by the Republicans against Hamilton's scheme for a National Bank, was revived by the fact that the charter of the bank ceased on the 4th of March, 1811, and an attempt was made to re-charter it. A bill for this purpose was introduced into Congress, but on the 11th of January, 1811, it was indefinitely postponed in the House, by a vote of 65 to 64, while in the Senate it was rejected by the casting vote of the Vice-President, Geo. Clinton, on the 5th of February, 1811—this notwithstanding its provisions had been framed or approved by Gallatin, the Secretary of the Treasury. The Federalists were all strong advocates of the measure, and it was so strong that it divided some of the Democrats who enjoyed a loose rein in the contest so far as the administration was concerned, the President not specially caring for political quarrels at a time when war was threatened with a powerful foreign nation. The views of the Federalists on this question descended to the Whigs some years later, and this fact led to the charges that the Whigs were but Federalists in disguise.

The eleventh Congress continued the large Democratic majority, as did the twelfth, which met on the 4th of November, 1811, Henry Clay, then an

ardent supporter of the policy of Madison, succeeding to the House speakership. He had previously served two short sessions in the U. S. Senate, and had already acquired a high reputation as an able and fluent debater. He preferred the House, at that period of life, believing his powers better calculated to win fame in the more popular representative hall. Calhoun was also in the House at this time, and already noted for the boldness of his views and their assertion.

In this Congress jealousies arose against the political power of Virginia, which had already named three of the four Presidents, each for two terms, and De Witt Clinton, the well-known Governor of New York, sought through these jealousies to create a division which would carry him into the Presidency. His efforts were for a time warmly seconded by several northern and southern states. A few months later the Legislature of New York formally opened the ball by nominating DeWitt Clinton for the Presidency. An address was issued by his friends, August 17th, 1812, which has since become known as the Clintonian platform, and his followers were known as Clintonian Democrats. The address contained the first public protest against the nomination of Presidential candidates by Congressional caucuses. There was likewise declared opposition to that “official regency which prescribed tenets of political faith.” The efforts of particular states to monopolize the principal offices was denounced, as was the continuance of public men for long periods in office.

Madison was nominated for a second term by a Congressional caucus held at Washington, in May, 1812. John Langdon was nominated for Vice-President, but as he declined on account of age,

Elbridge Gerry of Massachusetts, took his place. In September of the same year a *convention* of the opposition, representing eleven states, was held in the city of New York, which nominated De Witt Clinton, with Jared Ingersoll for Vice-President. This was the first national convention, partisan in character, and the Federalists have the credit of originating and carrying out the idea. The election resulted in the success of Madison, who received 128 electoral votes to 89 for Clinton.

Though factious strife had been somewhat rife, less attention was paid to politics than to the approaching war. There were new Democratic leaders in the lower House, and none were more prominent than Clay of Kentucky, Calhoun, Cheves and Lowndes, all of South Carolina. The policy of Jefferson in reducing the army and navy was now greatly deplored, and the defenceless condition in which it left the country was the partial cause, at least a stated cause of the factious feuds which followed. Madison sought to change this policy, and he did it at the earnest solicitation of Clay, Calhoun and Lowndes, who were the recognized leaders of the war party. They had early determined that Madison should be directly identified with them, and before his second nomination had won him over to their more decided views in favor of war with England. He had held back, hoping that diplomacy might avert a contest, but when once convinced that war was inevitable and even desirable under the circumstances, his official utterances were bold and free. In the June following the caucus which renominated him, he declared in a message that our flag was continually insulted on the high seas; that the right of searching American vessels for British seamen was still in practice, and that thousands of

American citizens had in this way been impressed in service on foreign ships; that peaceful efforts at adjustment of the difficulties had proved abortive, and that the British ministry and British emissaries had actually been intriguing for the dismemberment of the Union.

The act declaring war was approved by the President on the 18th of June, 1812, and is remarkably short and comprehensive. It was drawn by the attorney-general of the United States, William Pinckney, and is in the words following:—

"*An act declaring war between the United Kingdom of Great Britain and Ireland, and the dependencies thereof, and the United States of America and their territories.*

"*Be it enacted, &c.* That war be, and the same is hereby declared to exist between the United Kingdom of Great Britain and Ireland, and the dependencies thereof, and the United States of America, and their territories; and that the President of the United States is hereby authorized to use the whole land and naval force of the United States to carry the same into effect, and to issue to private armed vessels of the United States commissions, or letters of marque and general reprisal, in such form as he shall think proper, and under the seal of the United States, against the vessels, goods, and effects, of the government of the United Kingdom of Great Britain and Ireland and the subjects thereof."

This was a soul-stirring message, but it did not rally all the people as it should have done. Political jealousies were very great, and the frequent defeats of the Federalists, while they tended to greatly reduce their numbers and weaken their power, seemed to strengthen their animosity, and they could see nothing good in any act of the administration. They held, especially in the New England states, that the war had been declared by a political party simply, and not by the nation, though nearly all of

the Middle, and all of the Southern and Western States, warmly supported it. Clay estimated that nine-tenths of the people were in favor of the war, and under the inspiration of his eloquence and the strong state papers of Madison, they doubtless were at first. Throughout they felt their political strength, and they just as heartily returned the bitterness manifested by those of the Federalists who opposed the war, branding them as enemies of the republic, and monarchists who preferred the reign of Britain.

Four Federalist representatives in Congress went so far as to issue an address, opposing the war, the way in which it had been declared, and denouncing it as unjust. Some of the New England states refused the order of the President to support it with their militia, and Massachusetts sent peace memorials to Congress.

A peace party was formed with a view to array the religious sentiment of the country against the war, and societies with similar objects were organized by the more radical of the Federalists. To such an extreme was this opposition carried, that some of the citizens of New London, Conn., made a practice of giving information to the enemy, by means of blue lights, of the departure of American vessels.

The Hartford Convention.

This opposition finally culminated in the assembling of a convention at Hartford, at which delegates were present from all of the New England states. They sat for three weeks with closed doors, and issued an address which will be found in this

volume in the book devoted to political platforms. It was charged by the Democrats that the real object of the convention was to negotiate a separate treaty of peace, on behalf of New England, with Great Britain, but this charge was as warmly denied. The exact truth has not since been discovered, the fears of the participants of threatened trials for treason, closing their mouths, if their professions were false. The treaty of Ghent, which was concluded on December 14th, 1814, prevented other action by the Hartford convention than that stated. It had assembled nine days before the treaty, which is as follows:

Treaty of Ghent.

This treaty was negotiated by the Right Honorable James Lord Gambier, Henry Goulburn, Esq., and William Adams, Esq., on the part of Great Britain, and John Quincy Adams, James A. Bayard, Henry Clay, Jonathan Russell, and Albert Gallatin, on behalf of the United States.

The treaty can be found on p. 218, vol. 8, of Little & Brown's Statutes at Large. The first article provided for the restoration of all archives, records, or property taken by either party from the other during the war. This article expressly provides for the restoration of "slaves or other private property." The second article provided for the cessation of hostilities and limitation of time of capture. The third article provided for the restoration of prisoners of war.

The fourth article defined the boundary

established by the treaty of 1783, and provided for commissioners to mark the same.

The fifth, sixth, seventh, and eighth articles established rules to govern the proceedings of the commissioners.

The ninth article bound the United States and His Britannic Majesty to end all hostilities with Indian tribes, with whom they were then respectively at war.

The tenth article reads as follows:—

"Whereas the traffic in slaves is irreconcilable with the principles of humanity and justice; and, whereas, both His Majesty and the United States are desirous of continuing their efforts to promote its entire abolition, it is hereby agreed that both the contracting parties shall use their best endeavors to accomplish so desirable an object."

The eleventh and last article provides for binding effect of the treaty, upon the exchange of ratifications.

The position of New England in the war is explained somewhat by her exposed position. Such of the militia as served endured great hardships, and they were almost constantly called from their homes to meet new dangers. Distrusting their loyalty, the general government had withheld all supplies from the militia of Massachusetts and Connecticut for the year 1814, and these States were forced to bear the burden of supporting them, at the same time contributing their quota of taxes to the general government—hardships, by the way, not greater than those borne by Pennsylvania and Ohio in the late war for the Union, nor half as hard as those borne by the border States at the same time. True, the coast towns of Massachusetts were subjected to constant assault from the British navy, and the people of these felt that they were defenceless. It was on their

petition that the legislature of Massachusetts finally, by a vote of 226 to 67, adopted the report favoring the calling of the Hartford Convention. A circular was then addressed to the Governors of the other States, with a request that it be laid before their legislatures, inviting them to appoint delegates, and stating that the object was to deliberate upon the dangers to which the eastern section was exposed, "and to devise, if practicable, means of security and defence which might be consistent with the preservation of their resources from total ruin, *and not repugnant to their obligations as members of the Union*." The italicized portion shows that there was at least then no design of forming a separate treaty, or of promoting disunion. The legislatures of Connecticut and Rhode Island endorsed the call and sent delegates. Those of New Hampshire and Vermont did not, but delegates were sent by local conventions. These delegates, it is hardly necessary to remark, were all members of the Federal party, and their suspected designs and action made the "Hartford Convention" a bye-word and reproach in the mouths of Democratic orators for years thereafter. It gave to the Democrats, as did the entire history of the war, the prestige of superior patriotism, and they profited by it as long as the memory of the war of 1812 was fresh. Indeed, directly after the war, all men seemed to keep in constant view the reluctance of the Federalists to support the war, and their almost open hostility to it in New England. Peace brought prosperity and plenty, but not oblivion of the old political issues, and this was the beginning of the end of the Federal party. Its decay thereafter was rapid and constant.

The eleventh, twelfth and thirteenth Congresses had continued Democratic. The fourteenth began

Dec. 4, 1815, with the Democratic majority in the House increased to 30. Clay had taken part in negotiating the treaty, and on his return was again elected to the House, and was for the third time elected speaker. Though 65 Federalists had been elected, but 10 were given to Federal candidates for speaker, this party now showing a strong, and under the circumstances, a very natural desire to rub out party lines. The internal taxes and the postage rates were reduced.

The Protective Tariff.

President Madison, in his message, had urged upon Congress a revision of the tariff, and pursuant to his recommendation what was at the time called a protective tariff was passed. Even Calhoun then supported it, while Clay proclaimed that protection must no longer be secondary to revenue, but of primary importance. The rates fixed, however, were insufficient, and many American manufactures were soon frustrated by excessive importations of foreign manufactures. The position of Calhoun and Lowndes, well known leaders from South Carolina, is explained by the fact that just then the proposal of a protective tariff was popular in the south, in view of the heavy duties upon raw cotton which England then imposed. The Federalists in weakness changed their old position when they found the Democrats advocating a tariff, and the latter quoted and published quite extensively Alexander Hamilton’s early report in favor of it. Webster, in the House at the time and a

leading Federalist, was against the bill. The parties had exchanged positions on the question.

Peace brought with it another exchange of positions. President Madison, although he had vetoed a bill to establish a National Bank in 1815, was now (in 1816) anxious for the establishment of such an institution. Clay had also changed his views, and claimed that the experiences of the war showed the necessity for a national currency. The bill met with strong opposition from a few Democrats and nearly all of the Federalists (the latter having changed position on the question since 1811), but it passed and was signed by the President.

A bill to promote internal improvements, advocated by Clay, was at first favored by Madison, but his mind changed and he vetoed the measure—the first of its kind passed by Congress.

The Democratic members of Congress, before the adjournment of the first session, held a caucus for the nomination of candidates to succeed Madison and Gerry. It was understood that the retiring officers and their confidential friends favored James Monroe of Virginia. Their wishes were carried out, but not without a struggle, Wm. H. Crawford of Georgia receiving 54 votes against 65 for Monroe. The Democrats opposed to Virginia's domination in the politics of the country, made a second effort, and directed it against Monroe in the caucus. Aaron Burr denounced him as an improper and incompetent candidate, and joined in the protest then made against any nomination by a Congressional caucus; he succeeding in getting nineteen Democrats to stay out of the caucus. Later he advised renewed attempts to break down the Congressional caucus system, and before the nomination favored Andrew Jackson as a means to that end. Daniel B. Tompkins was

nominated by the Democrats for Vice-President. The Federalists named Rufus King of New York, but in the election which followed he received but 24 out of 217 electoral votes. The Federalists divided their votes for Vice-President.

Monroe was inaugurated on the 14th of March, 1817, the oath being administered by Chief Justice Marshall. The inaugural address was so liberal in its tone that it seemed to give satisfaction to men of all shades of political opinion. The questions which had arisen during the war no longer had any practical significance, while the people were anxious to give the disturbing ones which ante-dated at least a season of rest. Two great and opposing policies had previously obtained, and singularly enough each seemed exactly adapted to the times when they were triumphant. The Federal power had been asserted in a government which had gathered renewed strength during what was under the circumstances a great and perilous war, and the exigencies of that war in many instances compelled the Republicans or Democrats, or the Democratic-Republicans as some still called them, to concede points which had theretofore been in sharp dispute, and they did it with that facility which only Americans can command in emergencies: yet as a party they kept firm hold of the desire to enlarge the scope of liberty in its application to the citizens, and just here kept their original landmark.

It is not singular then that the administration of Monroe opened what has ever since been known in politics as the “Era of Good Feeling.” Party differences rapidly subsided, and political serenity was the order of the day. Monroe made a tour of the States, with the direct object of inspecting fortifications and means of defence, and in this way spread the good feeling, without seeming to have

any such object. He was everywhere favorably greeted by the people, and received by delegations which in many instances were specially made up of all shades of opinion.

The Cabinet was composed of men of rare political distinction, even in that day of great men. It was probably easier to be great then than now, just as it is easier to be a big political hero in the little State of Delaware than it is in the big States of New York or Pennsylvania. Yet these men were universally accepted as great without regard to their localities. All were Republicans or Democrats, with John Quincy Adams as Secretary of State, Wm. H. Crawford (Monroe's competitor for the nomination) as Secretary of the Treasury, John C. Calhoun as Secretary of War, William Wirt as Attorney-General. All of these united with the President in the general desire to call a halt upon the political asperities which were then recognized as a public evil. On one occasion, during his tour, the citizens of Kennebunk and its vicinity, in Maine, having in their address alluded to the prospects of a political union among the people in support of the administration, the President said in reply:

"You are pleased to express a confident hope that a spirit of mutual conciliation may be one of the blessings which may result from my administration. This indeed would be an eminent blessing, and I pray it may be realized. Nothing but union is waiting to make us a great people. The present time affords the happiest presage that this union is fast consummating. It cannot be otherwise; I daily see greater proofs of it. The further I advance in my progress in the country, the more I perceive that we are all Americans—that we compose but one family —that our republican institutions will be supported

and perpetuated by the united zeal and patriotism of all. Nothing could give me greater satisfaction than to behold a perfect union among ourselves—a union which is necessary to restore to social intercourse its former charms, and to render our happiness, as a nation, unmixed and complete. To promote this desirable result requires no compromise of principle, and I promise to give it my continued attention, and my best endeavors."

Even General Jackson, since held up to public view by historians as the most austere and "stalwart" of all politicians, caught the sweet infection of peace, and thus advised President Monroe:—

"Now is the time to exterminate that monster, called party spirit. By selecting [for cabinet officers] characters most conspicuous for their probity, virtue, capacity, and firmness, without regard to party, you will go far to, if not entirely, eradicate those feelings, which, on former occasions, threw so many obstacles in the way of government. The chief magistrate of a great and powerful nation should never indulge in party feelings. His conduct should be liberal and disinterested; always bearing in mind, that he acts for the whole and not a part of the community."

This advice had been given with a view to influence the appointment of a mixed political Cabinet, but while Monroe professed to believe that a free government could exist without political parties, he nevertheless sought to bring all of the people into one political fold, and that the Democratic. Yet he certainly and plainly sought to allay factions in his own party, and with this view selected Crawford for the Treasury—the gentleman who had been so warmly supported in the nominating struggle by the Clintonians and by all who objected to the predominating influence of

Virginia in national politics.

Monroe, like his immediate predecessor, accepted and acted upon the doctrines of the new school of Republicans as represented by Clay and Calhoun, both of whom still favored a tariff, while Clay had become a warm advocate of a national system of internal improvements. These two statesmen thus early differed on some questions, but they were justly regarded as the leading friends and advisers of the administration, for to both still clung the patriotic recollections of the war which they had so warmly advocated and supported, and the issue of which attested their wisdom. Clay preferred to be called a Republican; Calhoun preferred to be called a Democrat, and just then the terms were so often exchanged and mingled that history is at fault in the exact designation, while tradition is colored by the bias of subsequent events and lives.

Monroe's first inaugural leaned toward Clay's scheme of internal improvements, but questioned its constitutionality. Clay was next to Jefferson the most original of all our statesmen and politicians. He was prolific in measures, and almost resistless in their advocacy. From a political standpoint he was the most direct author of the war of 1812, for his advocacy mainly brought it to the issue of arms, which through him and Calhoun were substituted for diplomacy. And Calhoun then stood in broader view before the country than since. His sectional pride and bias had been rarely aroused, and like Clay he seemed to act for the country as an entirety. Subsequent sectional issues changed the views held of him by the people of both the North and South.

We have said that Monroe leaned toward internal improvements, but he thought Congress was not clothed by the Constitution with the power to

authorize measures supporting it, and when the opportunity was presented (May 4, 1822) he vetoed the bill "for the preservation and repair of the Cumberland road," and accompanied the veto with a most elaborate message in which he discussed the constitutional aspects of the question. A plain majority of the friends of the administration, under the leadership of Clay, supported the theory of internal improvements from the time the administration began, but were reluctant to permit a division of the party on the question.

Mississippi and Illinois were admitted to the Union during the "Era of Good Feeling," without serious political disturbance, while Alabama was authorized to form a state constitution and government, and Arkansas was authorized as a separate territorial government from part of Missouri. In 1819 President Monroe made a tour through the Southern States to examine their defenses and see and get acquainted with the people. From the first inauguration of Monroe up to 1819 party lines can hardly be said to have existed, but in the sixteenth session of Congress, which continued until May, 1820, new questions of national interest arose, prominent among which were additional protective duties for our manufactures; internal improvements by the government; acknowledgments of the independence of the South American States.

The Monroe Doctrine.

Upon the question of recognizing the

independence of the South American States, the President made a record which has ever since been quoted and denominated “The Monroe Doctrine.” It is embodied in the following abstract of his seventh annual message, under date of Dec. 2d, 1823:

“It was stated, at the commencement of the last session, that a great effort was then making in Spain and Portugal to improve the condition of the people of those countries, and that it appeared to be conducted with extraordinary moderation. It need scarcely be remarked that the result has been, so far, very different from what was then anticipated. Of events in that quarter of the globe, with which we have so much intercourse, and from which we derive our origin, we have always been anxious and interested spectators. The citizens of the United States cherish sentiments the most friendly in favor of the liberty and happiness of their fellow-men on that side of the Atlantic. In the wars of the European powers, in matters relating to themselves, we have never taken any part nor does it comport with our policy to do so. It is only when rights are invaded or seriously menaced, that we resent injuries, or make preparation for our defense. With the movements in this hemisphere we are of necessity more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied powers is essentially different in this respect from that of America. This difference proceeds from that which exists in their respective governments. And to the defense of our own, which has been achieved by the loss of so much blood and treasure, and matured by the wisdom of their most enlightened citizens, and under which we have enjoyed unexampled felicity, this whole nation is devoted. We owe it, therefore, to

candor, and to the amicable relations existing between the United States and those powers, to declare, that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered, and shall not interfere. But with the governments who have declared their independence, and maintained it, and whose independence we have, on great consideration, and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power, in any other light than as the manifestation of an unfriendly disposition toward the United States. In the war between those new governments and Spain, we declared our neutrality at the time of their recognition, and to this we have adhered, and shall continue to adhere, provided no change shall occur which, in the judgment of the competent authorities of this government, shall make a corresponding change on the part of the United States indispensable to their security.

"The late events in Spain and Portugal show that Europe is still unsettled. Of this important fact no stronger proof can be adduced, than that the allied powers should have thought it proper, on a principle satisfactory to themselves, to have interposed by force in the internal concerns of Spain. To what extent such interposition may be carried, on the same principle, is a question to which all independent powers, whose governments differ from theirs, are interested; even those most remote, and surely none more so than the United States. Our policy in regard to Europe, which was adopted at an

early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is, not to interfere in the internal concerns of any of its powers; to consider the government, *de facto*, as the legitimate government for us: to cultivate friendly relations with it, and to preserve those relations by a frank, firm, and manly policy; meeting, in all instances, the just claims of every power, submitting to injuries from none. But in regard to these continents, circumstances are eminently and conspicuously different. It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness; nor can any one believe, that our southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition, in any form, with indifference. If we look to the comparative strength and resources of Spain and those new governments, and their distance from each other, it must be obvious that she can never subdue them. It is still the true policy of the United States to leave the parties to themselves, in the hope that other powers will pursue the same course."

The second election of Monroe, in 1820, was accomplished without a contest. Out of 231 electoral votes, but one was cast against him, and that for John Quincy Adams. Mr. Tompkins, the candidate for Vice-President, was only a little less fortunate, there being 14 scattering votes against him. Neither party, if indeed there was a Federalist party left made any nominations.

The Missouri Compromise.

The second session of the 17th Congress opened on the 4th day of March, 1820, with James Monroe at the head of the Executive Department of the Government, and the Democratic party in the majority in both branches of the Federal Legislature. The Cabinet at that time was composed of the most brilliant minds of the country, indeed as most justly remarked by Senator Thomas H. Benton in his published review of the events of that period, it would be difficult to find in any government, in any country, at any time, more talent and experience, more dignity and decorum, more purity of private life, a larger mass of information, and more addiction to business, than was comprised in the list of celebrated names then constituting the executive department of the government. The legislative department was equally impressive. The exciting and agitating question then pending before Congress was on the admission of the State of Missouri into the Federal Union, the subject of the issue being the attempted tacking on of conditions restricting slavery within her limits. She was admitted without conditions under the so-called compromise, which abolished it in certain portions of the then province of Louisiana. In this controversy, the compromise was sustained and carried entirely by the Democratic Senators and members from the Southern and slaveholding States aided and sanctioned by the Executive, and it was opposed by fifteen Senators from non-slaveholding States, who represented the opposite side on the political questions of the day. It passed the House by a close vote of 86 to 82. It has been seriously questioned since whether this act was

constitutional. The real struggle was political, and for the balance of power. For a while it threatened the total overthrow of all political parties upon principle, and the substitution of geographical parties discriminated by the slave line, and thus destroying the proper action of the Federal government, and leading to a separation of the States. It was a federal movement, accruing to the benefit of that party, and at first carried all the Northern democracy in its current, giving the supremacy to their adversaries. When this effect was perceived, democrats from the northern non-slaveholding States took early opportunity to prevent their own overthrow, by voting for the admission of the States on any terms, and thus prevent the eventual separation of the States in the establishment of geographical parties divided by a slavery and anti-slavery line.

The year 1820 marked a period of financial distress in the country, which soon became that of the government. The army was reduced, and the general expenses of the departments cut down, despite which measures of economy the Congress deemed it necessary to authorize the President to contract for a loan of five million dollars. Distress was the cry of the day; relief the general demand, the chief demand coming from debtors to the Government for public lands purchased under the then credit system, this debt at that time aggregating twenty-three millions of dollars. The banks failed, money vanished, instalments were coming due which could not be met; and the opening of Congress in November, 1820, was saluted by the arrival of memorials from all the new States praying for the relief to the purchaser of the public lands. The President referred to it in his annual message of that

year, and Congress passed a measure of relief by changing the system to cash sales instead of credit, reducing the price of the lands, and allowing present debtors to apply payments already made to portions of the land purchased, relinquishing the remainder. Applications were made at that time for the establishment of the preemptive system, but without effect; the new States continued to press the question and finally prevailed, so that now the preemptive principle has become a fixed part of our land system, permanently incorporated with it, and to the equal advantage of the settler and the government.

The session of 1820–21, is remarkable as being the first at which any proposition was made in Congress for the occupation and settlement of our territory on the Columbia river—the only part then owned by the United States on the Pacific coast. It was made by Dr. Floyd, a representative from Virginia, who argued that the establishment of a civilized power on the American coast of the Pacific could not fail to produce great and wonderful benefits not only to our own country, but to the people of Eastern Asia, China and Japan on the opposite side of the Pacific Ocean, and that the valley of the Columbia might become the granary of China and Japan. This movement suggested to Senator Benton, to move, for the first time publicly in the United States, a resolution to send ministers to the Oriental States.

At this time treaties with Mexico and Spain were ratified, by which the United States acquired Florida and ceded Texas; these treaties, together with the Missouri compromise—a measure contemporaneous with them—extinguished slave soil in all the United States territory west of the Mississippi, except in that portion which was to constitute the State of Arkansas; and, including the extinction in Texas

consequent upon its cession to a non-slaveholding power, constituted the largest territorial abolition of slavery that was ever up to that period effected by any political power of any nation.

The outside view of the slave question in the United States, at this time, is that the extension of slavery was then arrested, circumscribed, and confined within narrow territorial limits, while free States were permitted an almost unlimited expansion.

In 1822 a law passed Congress abolishing the Indian factory system, which had been established during Washington's administration, in 1796, under which the Government acted as a factor or agent for the sale of supplies to the Indians and the purchase of furs from them; this branch of the service then belonged to the department of the Secretary of War. The abuses discovered in it led to the discontinuance of that system.

The Presidential election of 1824 was approaching, the candidates were in the field, their respective friends active and busy, and popular topics for the canvass in earnest requisition. Congress was full of projects for different objects of internal improvement, mainly in roads and canals, and the friends of each candidate exerted themselves in rivalry of each other, under the supposition that their opinions would stand for those of their principals. An act for the preservation of the Cumberland Road, which passed both houses of Congress, met with a veto from President Monroe, accompanied by a state paper in exposition of his opinions upon the whole subject of Federal interference in matters of inter state commerce and roads and canals. He discussed the measure in all its bearings, and plainly showed it to be unconstitutional. After stating the question, he

examined it under every head of constitutional derivation under which its advocates claimed the power, and found it to be granted by no one of them and virtually prohibited by some of them. This was then and has since been considered to be the most elaborate and thoroughly considered opinion upon the general question which has ever been delivered by any American statesman. This great state paper, delivered at a time when internal improvement by the federal government had become an issue in the canvass for the Presidency and was ardently advocated by three of the candidates and qualified by two others, had an immense current in its power, carrying with it many of the old strict constructionists.

The revision of the tariff, with a view to the protection of home industry, and to the establishment of what was then called "The American System," was one of the large subjects before Congress at the session of 1823–24, and was the regular commencement of the heated debates on that question which afterwards ripened into a serious difficulty between the federal government and some of the Southern States. The presidential election being then depending, the subject became tinctured with party politics, in which so far as that ingredient was concerned, and was not controlled by other considerations, members divided pretty much on the line which always divided them on a question of constructive powers. The protection of domestic industry not being among the powers granted, was looked for in the incidental; and denied by the strict constructionists to be a substantive term, to be exercised for the direct purpose of protection; but admitted by all at that time and ever since the first tariff act of 1789, to be an incident to the revenue

raising power, and an incident to be regarded in the exercise of that power. Revenue the object, protection the incident, had been the rule in the earlier tariffs; now that rule was sought to be reversed, and to make protection the object of the law, and revenue the incident. Mr. Henry Clay was the leader in the proposed revision and the champion of the American system; he was ably supported in the House by many able and effective speakers; who based their argument on the general distress then alleged to be prevalent in the country. Mr. Daniel Webster was the leading speaker on the other side, and disputed the universality of the distress which had been described; and contested the propriety of high or prohibitory duties, in the present active and intelligent state of the world, to stimulate industry and manufacturing enterprise.

The bill was carried by a close vote in both Houses. Though brought forward avowedly for the protection of domestic manufactures, it was not entirely supported on that ground; an increase of revenue being the motive with some, the public debt then being nearly ninety millions. An increased protection to the products of several States, as lead in Missouri and Illinois, hemp in Kentucky, iron in Pennsylvania, wool in Ohio and New York, commanded many votes for the bill; and the impending presidential election had its influence in its favor.

Two of the candidates, Messrs. Adams and Clay, voted for and avowedly supported General Jackson, who voted for the bill, was for it, as tending to give a home supply of the articles necessary in time of war, and as raising revenue to pay the public debt; Mr. Crawford was opposed to it, and Mr. Calhoun had withdrawn as a Presidential candidate. The Southern

planting States were dissatisfied, believing that the new burdens upon imports which it imposed, fell upon the producers of the exports, and tended to enrich one section of the Union at the expense of another. The attack and support of the bill took much of a sectional aspect; Virginia, the two Carolinas, Georgia, and some others, being unanimous against it. Pennsylvania, New York, Ohio, and Kentucky being unanimous for it. Massachusetts, which up to this time had no small influence in commerce, voted, with all, except one member, against it. With this sectional aspect, a tariff for protection, also began to assume a political aspect, being taken under the care of the party, afterwards denominated as Whig. The bill was approved by President Monroe; a proof that that careful and strict constructionist of the constitution did not consider it as deprived of its revenue character by the degree of protection which it extended.

A subject which at the present time is exciting much criticism, viz: proposed amendments to the constitution relative to the election of President and Vice-President, had its origin in movements in that direction taken by leading Democrats during the campaign of 1824. The electoral college has never been since the early elections, an independent body free to select a President and Vice-President; though in theory they have been vested with such powers, in practice they have no such practical power over the elections, and have had none since their institution. In every case the elector has been an instrument, bound to obey a particular impulsion, and disobedience to which would be attended with infamy, and with every penalty which public indignation could inflict. From the beginning they have stood pledged to vote for the candidate

indicated by the public will; and have proved not only to be useless, but an inconvenient intervention between the people and the object of their choice. Mr. McDuffie in the House of Representatives and Mr. Benton in the Senate, proposed amendments; the mode of taking the direct vote to be in districts, and the persons receiving the greatest number of votes for President or Vice-President in any district, to count one vote for such office respectively which is nothing but substituting the candidates themselves for their electoral representatives.

In the election of 1824 four candidates were before the people for the office of President, General Jackson, John Quincy Adams, William H. Crawford and Henry Clay. None of them received a majority of the 261 electoral votes, and the election devolved upon the House of Representatives. John C. Calhoun had a majority of the electoral votes for the office of Vice-President, and was elected. Mr. Adams was elected President by the House of Representatives, although General Jackson was the choice of the people, having received the greatest number of votes at the general election. The election of Mr. Adams was perfectly constitutional, and as such fully submitted to by the people; but it was a violation of the *demos krateo* principle; and that violation was equally rebuked. All the representatives who voted against the will of their constituents, lost their favor, and disappeared from public life. The representation in the House of Representatives was largely changed at the first general election, and presented a full opposition to the new President. Mr. Adams himself was injured by it, and at the ensuing presidential election was beaten by General Jackson more than two to one.

Mr. Clay, who took the lead in the House for Mr.

Adams, and afterwards took upon himself the mission of reconciling the people to his election in a series of public speeches, was himself crippled in the effort, lost his place in the democratic party, and joined the Whigs (then called the national republicans). The democratic principle was victor over the theory of the Constitution, and beneficial results ensued. It vindicated the people in their right and their power. It re-established parties upon the basis of principle, and drew anew party lines, then almost obliterated under the fusion of parties during the "era of good feeling," and the efforts of leading men to make personal parties for themselves. It showed the conservative power of our government to lie in the people, more than in its constituted authorities. It showed that they were capable of exercising the function of self-government, and lastly, it assumed the supremacy of the democracy for a long time, and until lost by causes to be referred to hereafter. The Presidential election of 1824 is remarkable under another aspect—its results cautioned all public men against future attempts to govern presidential elections in the House of Representatives; and it put an end to the practice of caucus nominations for the Presidency by members of Congress. This mode of concentrating public opinion began to be practiced as the eminent men of the Revolution, to whom public opinion awarded a preference, were passing away, and when new men, of more equal pretensions, were coming upon the stage. It was tried several times with success and general approbation, because public sentiment was followed—not led—by the caucus. It was attempted in 1824 and failed; all the opponents of Mr. Crawford, by their joint efforts, succeeded, and justly in the fact though not in the motive, in rendering

these Congress caucus nominations odious to the people, and broke them down. They were dropped, and a different mode adopted—that of party nominations by conventions of delegates from the States.

The administration of Mr. Adams commenced with his inaugural address, in which the chief topic was that of internal national improvement by the federal government. This declared policy of the administration furnished a ground of opposition against Mr. Adams, and went to the reconstruction of parties on the old line of strict, or latitudinous, construction of the Constitution. It was clear from the beginning that the new administration was to have a settled and strong opposition, and that founded in principles of government—the same principles, under different forms, which had discriminated parties at the commencement of the federal government. Men of the old school—survivors of the contest of the Adams and Jefferson times, with some exceptions, divided accordingly—the federalists going for Mr. Adams, the republicans against him, with the mass of the younger generation. The Senate by a decided majority, and the House by a strong minority, were opposed to the policy of the new President.

In 1826 occurred the famous debates in the Senate and the House, on the proposed Congress of American States, to contract alliances to guard against and prevent the establishment of any future European colony within its borders. The mission though sanctioned was never acted upon or carried out. It was authorized by very nearly a party vote, the democracy as a party being against it. The President, Mr. Adams, stated the objects of the Congress to be as follows: “An agreement between all

the parties represented at the meeting, that each will guard, by its own means, against the establishment of any future European colony within its own borders, may be advisable. This was, more than two years since, announced by my predecessor to the world, as a principle resulting from the emancipation of both the American continents. It may be so developed to the new southern nations, that they may feel it as an essential appendage to their independence."

Mr. Adams had been a member of Mr. Monroe's cabinet, filling the department from which the doctrine would emanate. The enunciation by him as above of this "Monroe Doctrine," as it is called, is very different from what it has of late been supposed to be, as binding the United States to guard all the territory of the New World from European colonization. The message above quoted was written at a time when the doctrine as enunciated by the former President through the then Secretary was fresh in the mind of the latter, and when he himself in a communication to the American Senate was laying it down for the adoption of all the American nations in a general congress of their deputies. According to President Adams, this "Monroe Doctrine" (according to which it has been of late believed that the United States were to stand guard over the two Americas, and repulse all intrusive colonists from their shores), was entirely confined to our own borders; that it was only proposed to get the other States of the New World to agree that, each for itself, and by its own means, should guard its own territories; and, consequently, that the United States, so far from extending gratuitous protection to the territories of other States, would neither give, nor receive, aid in any such enterprise, but that each

should use its own means, within its own borders, for its own exemption from European colonial intrusion.

No question in its day excited more intemperate discussion, excitement, and feeling between the Executive and the Senate, and none died out so quickly, than this, relative to the proposed congress of American nations. The chief advantage to be derived from its retrospect—and it is a real one—is a view of the firmness with which the minority maintained the old policy of the United States, to avoid entangling alliances and interference with the affairs of other nations; and the exposition, by one so competent as Mr. Adams, of the true scope and meaning of the Monroe doctrine.

At the session of 1825–26 attempt was again made to procure an amendment to the Constitution, in relation to the mode of election of President and Vice-President, so as to do away with all intermediate agencies, and give the election to the direct vote of the people. In the Senate the matter was referred to a committee who reported amendments dispensing with electors, providing for districts equal in number to the whole number of Senators and Representatives to which the State was entitled in Congress, and obviating all excuses for caucuses and conventions to concentrate public opinion by providing that in the event of no one receiving a majority of the whole number of district votes cast, that a second election should be held limited to the two persons receiving the highest number of votes; and in case of an equal division of votes on the second election then the House of Representatives shall choose one of them for President, as is prescribed by the Constitution. The idea being that the first election, if not resulting in any candidate receiving a majority, should stand for

a popular nomination—a nomination by the people themselves, out of which the election is almost sure to be made on the second trial. The same plan was suggested for choosing a Vice-President, except that the Senate was to finally elect, in case of failure to choose at first and second elections. The amendments did not receive the requisite support of two-thirds of either the Senate or the House. This movement was not of a partisan character; it was equally supported and opposed respectively by Senators and Representatives of both parties. Substantially the same plan was recommended by President Jackson in his first annual message to Congress, December 8, 1829.

It is interesting to note that at this Session of 1825 and ’26, attempt was made by the Democrats to pass a tenure of office bill, as applicable to government employees and office-holders; it provided “that in all nominations made by the President to the Senate, to fill vacancies occasioned by an exercise of the President’s power to remove from office, the fact of the removal shall be stated to the Senate at the same time that the nomination is made, with a statement of the reasons for which such officer may have been removed.” It was also sought at the same time to amend the Constitution to prohibit the appointment of any member of Congress to any federal office of trust or profit, during the period for which he was elected; the design being to make the members wholly independent of the Executive, and not subservient to the latter, and incapable of receiving favors in the form of bestowals of official patronage.

The tariff of 1828 is an era in our political legislation; from it the doctrine of “nullification” originated, and from that date began a serious division between the North and the South. This tariff

law was projected in the interest of the woolen manufacturers, but ended by including all manufacturing interests. The passage of this measure was brought about not because it was favored by a majority, but because of political exigencies. In the then approaching presidential election, Mr. Adams, who was in favor of the "American System," supported by Mr. Clay (his Secretary of State) was opposed by General Jackson. This tariff was made an administration measure, and became an issue in the canvass. The New England States, which had formerly favored free trade, on account of their commercial interests, changed their policy, and, led by Mr. Webster, became advocates of the protective system. The question of protective tariff had now not only become political, but sectional. The Southern States as a section, were arrayed against the system, though prior to 1816 had favored it, not merely as an incident to revenue, but as a substantive object. In fact these tariff bills, each exceeding the other in its degree of protection, had become a regular appendage of our presidential elections—carrying round in every cycle of four years, with that returning event; starting in 1816 and followed up in 1820–24, and now in 1828; with successive augmentations of duties; the last being often pushed as a party measure, and with the visible purpose of influencing the presidential election. General Jackson was elected, having received 178 electoral votes to 83 received by John Quincy Adams. Mr. Richard Rush, of Pennsylvania, who was on the ticket with Mr. Adams, was defeated for the office of Vice-President, and John C. Calhoun, of South Carolina, was elected to that office.

The election of General Jackson was a triumph of democratic principle, and an assertion of the people's

right to govern themselves. That principle had been violated in the presidential election in the House of Representatives in the session of 1824–25; and the sanction, or rebuke, of that violation was a leading question in the whole canvass. It was also a triumph over the high protective policy, and the federal internal improvement policy, and the latitudinous construction of the Constitution; and of the democracy over the federalists, then called national republicans; and was the re-establishment of parties on principle, according to the landmarks of the early years of the government. For although Mr. Adams had received confidence and office from Mr. Madison and Mr. Monroe, and had classed with the democratic party during the "era of good feeling," yet he had previously been federal; and on the re-establishment of old party lines which began to take place after the election of Mr. Adams in the House of Representatives, his affinities and policy became those of his former party; and as a party, with many individual exceptions, they became his supporters and his strength. General Jackson, on the contrary, had always been democratic, so classing when he was a Senator in Congress under the administration of the first Mr. Adams; and when party lines were most straightly drawn, and upon principle, and as such now receiving the support of men and States which took this political position at that time, and maintained it for years afterwards; among the latter, notably the States of Virginia and Pennsylvania.

The short session of 1829–30 was rendered famous by the long and earnest debates in the Senate on the doctrine of nullification, as it was then called. It started by a resolution of inquiry introduced by Mr. Foot of Connecticut; it was united with a proposition to limit the sales of the public lands to those then in

the market—to suspend the surveys of the public lands—and to abolish the office of Surveyor-General. The effect of such a resolution, if sanctioned upon inquiry and carried into legislative effect, would have been to check emigration to the new States in the West, and to check the growth and settlement of these States and Territories. It was warmly opposed by Western members. The debate spread and took an acrimonious turn, and sectional, imputing to the quarter of the Union from which it came an old and early policy to check the growth of the West at the outset by proposing to limit the sale of the Western lands, by selling no tract in advance until all in the rear was sold out; and during the debate Mr. Webster referred to the famous ordinance of 1787 for the government of the northwestern territory, and especially the anti-slavery clause which it contained.

Closely connected with this subject to which Mr. Webster's remarks, during the debate, related, was another which excited some warm discussion—the topic of slavery—and the effect of its existence or non-existence in different States. Kentucky and Ohio were taken for examples, and the superior improvement and population of Ohio were attributed to its exemption from the evils of slavery. This was an excitable subject, and the more so because the wounds of the Missouri controversy in which the North was the undisputed aggressor, were still tender. Mr. Hayne from South Carolina answered with warmth and resented as a reflection upon the Slave States this disadvantageous comparison. Mr. Benton of Missouri followed on the same side, and in the course of his remarks said, "I regard with admiration, that is to say, with wonder, the sublime morality of those who cannot bear the abstract contemplation of slavery, at the distance of five

hundred or a thousand miles off." This allusion to the Missouri controversy, and invective against the free States for their part in it, by Messrs. Hayne and Benton, brought a reply from Mr. Webster, showing what their conduct had been at the first introduction of the slavery topic in the Congress of the United States, and that they totally refused to interfere between master and slave in any way whatever. But the topic which became the leading feature of the whole debate, and gave it an interest which cannot die, was that of nullification—the assumed right of a State to annul an act of Congress—then first broached in the Senate—and in the discussion of which Mr. Webster and Mr. Hayne were the champion speakers on opposite sides—the latter voicing the sentiments of the Vice-President, Mr. Calhoun. This turn in the debate was brought about, by Mr. Hayne having made allusion to the course of New England during the war of 1812, and especially to the assemblage known as the Hartford Convention, and to which designs unfriendly to the Union had been attributed. This gave Mr. Webster an opportunity to retaliate, and he referred to the public meetings which had just then taken place in South Carolina on the subject of the tariff, and at which resolves were passed, and propositions adopted significant of resistance to the act; and consequently of disloyalty to the Union. He drew Mr. Hayne into their defence and into an avowal of what has since obtained the current name of "*Nullification*." He said, "I understand the honorable gentleman from South Carolina to maintain, that it is a right of the State Legislature to interfere, whenever, in their judgment, this government transcends its constitutional limits, and to arrest the operation of its laws,*** that the States may lawfully decide for themselves, and each

State for itself, whether, in a given case, the act of the general government transcends its powers,*** that if the exigency of the case, in the opinion of any State government require it, such State government may, by its own sovereign authority, annul an act of the general government, which it deems plainly and palpably unconstitutional." Mr. Hayne was evidently unprepared to admit, or fully deny, the propositions as so laid down, but contented himself with stating the words of the Virginia Resolution of 1798, as follows: "That this assembly doth explicitly and peremptorily declare, that it views the powers of the federal government as resulting from the compact, to which the States are parties, as limited by the plain sense and intention of the instrument constituting that compact, as no farther valid than they are authorized by the grants enumerated in that compact, and that, in case of a deliberate, palpable and dangerous exercise of other powers, not granted by the said compact, the States who are parties thereto have the right, and are in duty bound, to interpose, for arresting the progress of the evil, and for maintaining, within their respective limits, the authorities, rights, and liberties appertaining to them."

This resolution came to be understood by Mr. Hayne and others on that side of the debate, in the same sense that Mr. Webster stated, as above, he understood the gentleman from the South to interpret it. On the other side of the question, he argued that the doctrine had no foundation either in the Constitution, or on the Virginia resolutions—that the Constitution makes the federal government act upon citizens within the States, and not upon the States themselves, as in the old confederation: that within their Constitutional limits the laws of

Congress were supreme—and that it was treasonable to resist them with force: and that the question of their constitutionality was to be decided by the Supreme Court: with respect to the Virginia resolutions, on which Mr. Hayne relied, Mr. Webster disputed the interpretation put upon them—claimed for them an innocent and justifiable meaning—and exempted Mr. Madison from the suspicion of having framed a resolution asserting the right of a State legislature to annul an Act of Congress, and thereby putting it in the power of one State to destroy a form of government which he had just labored so hard to establish.

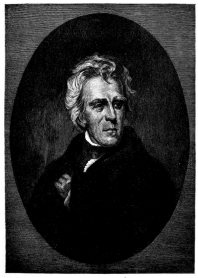
Mr. Hayne on his part gave (as the practical part of his doctrine) the pledge of forcible resistance to any attempt to enforce unconstitutional laws. He said, "The gentleman has called upon us to carry out our scheme practically. Now, sir, if I am correct in my view of this matter, then it follows, of course, that the right of a State being established, the federal government is bound to acquiesce in a solemn decision of a State, acting in its sovereign capacity, at least so far as to make an appeal to the people for an amendment to the Constitution. This solemn decision of a State binds the federal government, under the highest constitutional obligation, not to resort to any means of coercion against the citizens of the dissenting State.*** Suppose Congress should pass an agrarian law, or a law emancipating our slaves, or should commit any other gross violation of our constitutional rights, will any gentlemen contend that the decision of every branch of the federal government, in favor of such laws, could prevent the States from declaring them null and void, and protecting their citizens from their operation?*** Let me assure the gentlemen that, whenever any attempt

shall be made from any quarter, to enforce unconstitutional laws, clearly violating our essential rights, our leaders (whoever they may be) will not be found reading black letter from the musty pages of old law books. They will look to the Constitution, and when called upon by the sovereign authority of the State, to preserve and protect the rights secured to them by the charter of their liberties, they will succeed in defending them, or 'perish in the last ditch.'"

These words of Mr. Hayne seem almost prophetic in view of the events of thirty years later. No one then believed in anything serious in the new interpretation given to the Virginia resolutions—nor in anything practical from nullification—nor in forcible resistance to the tariff laws from South Carolina—nor in any scheme of disunion.

Mr. Webster's closing reply was a fine piece of rhetoric, delivered in an elaborate and artistic style, and in an apparent spirit of deep seriousness. He concluded thus—"When my eyes shall be turned to behold, for the last time, the sun in heaven, may I not see him shining on the broken and disfigured fragments of a once glorious Union; on States dissevered, discordant, belligerent; on a land rent with civil feuds, or drenched, it may be, in fraternal blood. Let their last feeble and lingering glance, rather, behold the gorgeous ensign of the Republic, now known and honored throughout the earth, still full high advanced, its arms and trophies streaming in their original lustre, not a stripe erased or polluted, nor a single star obscured, bearing for its motto no such miserable interrogatory as, What is all this worth? nor those other words of delusion and folly, Liberty first and Union afterwards; but everywhere, spread all over in characters of living

light, blazing in all its ample folds, as they float over the sea and over the land, and in every wind under the whole heavens, that other sentiment, dear to every true American heart—Liberty *and* Union, now and forever, one and inseparable!"



Andrew Jackson

President Jackson in his first annual message to Congress called attention to the fact of expiration in 1836 of the charter of incorporation granted by the Federal government to a moneyed institution called The Bank of the United States, which was originally designed to assist the government in establishing and maintaining a uniform and sound currency. He seriously doubted the constitutionality and expediency of the law creating the bank, and was opposed to a renewal of the charter. His view of the matter was that if such an institution was deemed a necessity it should be made a national one, in the sense of being founded on the credit of the government and its revenues, and not a corporation independent from and not a part of the government. The House of Representatives was strongly in favor of the renewal of the charter, and several of its committees made elaborate, ample and argumentative reports upon the subject. These reports were the subject of newspaper and pamphlet publication; and lauded for their power and excellence, and triumphant refutation of all the President's opinions. Thus was the "war of the Bank" commenced at once in Congress, and in the public

press; and openly at the instance of the Bank itself, which, forgetting its position as an institution of the government, for the convenience of the government, set itself up as a power, and struggled for continued existence, by demand for renewal of its charter. It allied itself at the same time to the political power opposed to the President, joined in all their schemes of protective tariff, and national internal improvement, and became the head of the American system. Its moneyed and political power, numerous interested affiliations, and control over other banks and fiscal institutions, was truly great and extensive, and a power which was exercised and made to be felt during the struggle to such a degree that it threatened a danger to the country and the government almost amounting to a national calamity.

The subject of renewal of the charter was agitated at every succeeding session of Congress down to 1836, and many able speeches made for and against it.

In the month of December, 1831, the National Republicans, as the party was then called which afterward took the name of “whig,” held its convention in Baltimore, and nominated candidates for President and Vice-President, to be voted for at the election in the autumn of the ensuing year. Henry Clay was the candidate for the office of President, and John Sergeant for that of Vice-President. The platform or address to the people presented the party issues which were to be settled at the ensuing election, the chief subjects being the tariff, internal improvement, removal of the Cherokee Indians, and the renewal of the United States Bank charter. Thus the bank question was fully presented as an issue in the election by that part of

its friends who classed politically against President Jackson. But it had also Democratic friends without whose aid the re-charter could not be got through Congress, and they labored assiduously for it. The first Bank of the United States, chartered in 1791, was a federal measure, favored by General Hamilton, opposed by Mr. Jefferson, Mr. Madison, and the Republican party; and became a great landmark of party, not merely for the bank itself, but for the latitudinarian construction of the constitution in which it was founded, and the precedent it established that Congress might in its discretion do what it pleased, under the plea of being "*necessary*" to carry into effect some granted power. The non-renewal of the charter in 1811, was the act of the Republican party, then in possession of the government, and taking the opportunity to terminate, upon its own limitation, the existence of an institution whose creation they had not been able to prevent. The charter of the second bank, in 1816, was the act of the Republican party, and to aid them in the administration of the government, and, as such, was opposed by the Federal party—not seeming then to understand that, by its instincts, a great moneyed corporation was in sympathy with their own party, and would soon be with it in action —which the bank soon was—and now struggled for a continuation of its existence under the lead of those who had opposed its creation and against the party which effected it. Mr. Webster was a Federal leader on both occasions—against the charter in 1816; for the re-charter in 1832. The bill passed the Senate after a long and arduous contest; and afterwards passed the House, quickly and with little or no contest at all.

It was sent to the President, and vetoed by him

July 10, 1832; the message stating his objections being an elaborate review of the subject; the veto being based mainly on the unconstitutionality of the measure. The veto was sustained. Following this the President after the adjournment removed from the bank the government deposits, and referred to that fact in his next annual message on the second day of December, 1833, at the opening of the first session of the twenty-third Congress. Accompanying it was the report of the Secretary of the Treasury, Hon. Roger B. Taney, afterwards Chief Justice of the Supreme Court of the United States, giving the reasons of the government for the withdrawal of the public funds. Long and bitter was the contest between the President on the one side and the Bank and its supporters in the Senate on the other side. The conduct of the Bank produced distress throughout the country, and was so intended to coerce the President. Distress petitions flooded Congress, and the Senate even passed resolutions of censure of the President. The latter, however, held firm in his position. A committee of investigation was appointed by the House of Representatives to inquire into the causes of the commercial embarrassment and the public distress complained of in the numerous distress memorials presented to the two Houses during the session; and whether the Bank had been instrumental, through its management of money, in producing the distress and embarrassment of which so much complaint was made; to inquire whether the charter of the Bank had been violated, and what corruptions and abuses, if any, existed in its management; and to inquire whether the Bank had used its corporate power or money to control the press, to interpose in politics, or to influence elections. The committee were granted ample powers

for the execution of these inquiries. It was treated with disdain and contempt by the Bank management; refused access to the books and papers, and the directors and president refused to be sworn and testify. The committee at the next session made report of their proceedings, and asked for warrants to be issued against the managers to bring them before the Bar of the House to answer for contempt; but the friends of the Bank in the House were able to check the proceedings and prevent action being taken. In the Senate, the President was sought to be punished by a declination by that body to confirm the President's nomination of the four government directors of the Bank, who had served the previous year; and their re-nomination after that rejection again met with a similar fate. In like manner his re-nomination of Roger B. Taney to be Secretary of the Treasury was rejected, for the action of the latter in his support of the President and the removal of the public deposits. The Bank had lost much ground in the public estimation by resisting the investigation ordered and attempted by the House of Representatives, and in consequence the Finance Committee of the Senate made an investigation, with so weak an attempt to varnish over the affairs and acts of the corporation that the odious appellation of "white-washing committee" was fastened upon it. The downfall of the Bank speedily followed; it soon afterwards became a total financial wreck, and its assets and property were seized on executions. With its financial failure it vanished from public view, and public interest in it and concern with it died out.

About the beginning of March, 1831, a pamphlet was issued in Washington, by Mr. John C. Calhoun, the Vice-President, and addressed to the people of the United States, explaining the cause of a

difference which had taken place between himself and the President, General Jackson, instigated as the pamphlet alleged, by Mr. Van Buren, and intended to make trouble between the first and second officers of the government, and to effect the political destruction of himself (Mr. Calhoun) for the benefit of the contriver of the quarrel, the then Secretary of State, and indicated as a candidate for the presidential succession upon the termination of Jackson's term. The differences grew out of certain charges against General Jackson respecting his conduct during the Seminole war which occurred in the administration of President Monroe. The President justified himself in published correspondence, but the inevitable result followed—a rupture between the President and Vice-President—which was quickly followed by a breaking up and reconstructing the Cabinet. Some of its members classed as the political friends of Mr. Calhoun, and could hardly be expected to remain as ministers to the President. Mr. Van Buren resigned; a new Cabinet was appointed and confirmed. This change in the Cabinet made a great figure in the party politics of the day, and filled all the opposition newspapers, and had many sinister reasons assigned to it—all to the prejudice of General Jackson and Mr. Van Buren.

It is interesting to note here that during the administration of President Jackson,—in the year 1833,—the Congress of the United States, as the consequence of the earnest efforts in that behalf, of Col. R. M. Johnson, of Kentucky, aided by the recommendation and support of the President, passed the first laws, abolishing imprisonment for debt, under process from the Courts of the United States: the only extent to which an act of Congress

could go, by force of its enactments; but by force of example and influence, has led to the cessation of the practice of imprisoning debtors, in all, or nearly all, of the States and Territories of the Union; and without the evil consequences which had been dreaded from the loss of this remedy over the person. The act was a total abolition of the practice, leaving in full force all the remedies against fraudulent evasions of debt.

The American system, and especially its prominent feature of a high protective tariff was put in issue, in the Presidential canvass of 1832; and the friends of that system labored diligently in Congress in presenting its best points to the greatest advantage; and staking its fate upon the issue of the election. It was lost; not only by the result of the main contest, but by that of the congressional election which took place simultaneously with it. All the States dissatisfied with that system, were satisfied with the view of its speedy and regular extinction, under the legislation of the approaching session of Congress, excepting only South Carolina. She has held aloof from the Presidential contest, and cast her electoral votes for persons who were not candidates—doing nothing to aid the election of General Jackson, with whom her interests were apparently identified. On the 24th November, 1832, two weeks after the election which decided the fate of the tariff, that State issued an “Ordinance to nullify certain acts of the Congress of the United States, purporting to be laws laying duties and imposts on the importation of foreign commodities.” It declared that the Congress had exceeded its constitutional powers in imposing high and excessive duties on the theory of “protection,” had unjustly discriminated in favor of one class or employment, at the expense and to the

injury and oppression of other classes and individuals; that said laws were in consequence not binding on the State and its citizens; and declaring its right and purpose to enact laws to prevent the enforcement and arrest the operation of said acts and parts of the acts of the Congress of the United States within the limits of that State after the first day of February following. This ordinance placed the State in the attitude of forcible resistance to the laws of the United States, to take effect on the first day of February next ensuing—a date prior to the meeting of the next Congress, which the country naturally expected would take some action in reference to the tariff laws complained of. The ordinance further provided that if, in the meantime, any attempt was made by the federal government to enforce the obnoxious laws, except through the tribunals, all the officers of which were sworn against them, the fact of such attempt was to terminate the continuance of South Carolina in the Union—to absolve her from all connection with the federal government—and to establish her as a separate government, wholly unconnected with the United States or any State. The ordinance of nullification was certified by the Governor of South Carolina to the President of the United States, and reached him in December of the same year; in consequence of which he immediately issued a proclamation, exhorting the people of South Carolina to obey the laws of Congress; pointing out and explaining the illegality of the procedure; stating clearly and distinctly his firm determination to enforce the laws as became him as Executive, even by resort to force if necessary. As a state paper, it is important as it contains the views of General Jackson regarding the nature and character of our federal government, expressed in the following language:

"The people of the United States formed the constitution, acting through the State Legislatures in making the compact, to meet and discuss its provisions, and acting in separate conventions when they ratified those provisions; but, the terms used in the constitution show it to be a government in which the people of all the States collectively are represented. We are one people in the choice of President and Vice-President. Here the States have no other agency than to direct the mode in which the votes shall be given. * * * The people, then, and not the States, are represented in the executive branch. * * * In the House of Representatives the members are all representatives of the United States, not representatives of the particular States from which they come. They are paid by the United States, not by the State, nor are they accountable to it for any act done in the performance of their legislative functions. * * *

"The constitution of the United States, then, forms a government, not a league; and whether it be formed by a compact between the States, or in any other manner, its character is the same. It is a government in which all the people are represented, which operates directly on the people individually, not upon the States—they retained all the power they did not grant. But each State, having expressly parted with so many powers as to constitute, jointly with the other States, a single nation, cannot, from that period, possess any right to secede, because such secession does not break a league, but destroys the unity of the nation, and any injury to that unity, is not only a breach which could result from the contravention of a compact, but it is an offence against the whole Union. To say that any State may at pleasure secede from the Union, is to say that the

United States are not a nation; because it would be a solecism to contend that any part of a nation might dissolve its connection with the other parts, to their injury or ruin, without committing any offence."

Without calling on Congress for extraordinary powers, the President in his annual message, merely adverted to the attitude of the State, and proceeded to meet the exigency by the exercise of the powers he already possessed. The proceedings in South Carolina not ceasing, and taking daily a more aggravated form in the organization of troops, the collection of arms and of munitions of war, and in declarations hostile to the Union, he found it necessary early in January to report the facts to Congress in a special message, and ask for extraordinary powers. Bills for the reduction of the tariff were early in the Session introduced into both houses, while at the same time the President, though not relaxing his efforts towards a peaceful settlement of the difficulty, made steady preparations for enforcing the law. The result of the bills offered in the two Houses of Congress, was the passage of Mr. Clay's "compromise" bill on the 12th of February 1833, which radically changed the whole tariff system.

The President in his message on the South Carolina proceedings had recommended to Congress the revival of some acts, heretofore in force, to enable him to execute the laws in that State; and the Senate's committee on the judiciary had reported a bill accordingly early in the session. It was immediately assailed by several members as violent and unconstitutional, tending to civil war, and denounced as "the bloody bill"—the "force bill," &c. The bill was vindicated in the Senate, by its author, who showed that it contained no novel principle;

was substantially a revival of laws previously in force; with the authority superadded to remove the office of customs from one building or place to another in case of need. The bill was vehemently opposed, and every effort made to render it odious to the people, and even extend the odium to the President, and to every person urging or aiding in its passage. Mr. Webster justly rebuked all this vituperation, and justified the bill, both for the equity of its provisions, and the necessity for enacting them. He said, that an unlawful combination threatened the integrity of the Union; that the crisis called for a mild, temperate, forbearing but inflexibly firm execution of the laws; and finally, that public opinion sets with an irresistible force in favor of the Union, in favor of the measures recommended by the President, and against the new doctrines which threatened the dissolution of the Union. The support which Mr. Webster gave to these measures was the regular result of the principles which he laid down in his first speeches against nullification in the debate with Mr. Hayne, and he could not have done less without being derelict to his own principles then avowed. He supported with transcendent ability, the cause of the constitution and of the country, in the person of a President to whom he was politically opposed, whose gratitude and admiration he earned for his patriotic endeavors. The country, without distinction of party, felt the same; and the universality of the feeling was one of the grateful instances of popular applause and justice when great talents are seen exerting themselves for the good of the country. He was the colossal figure on the political stage during that eventful time; and his labors, splendid in their day, survive for the benefit of distant posterity.

During the discussion over the re-charter of the Bank of the United States, which as before mentioned, occupied the attention of Congress for several years, the country suffered from a money panic, and a general financial depression and distress was generally prevalent. In 1834 a measure was introduced into the House, for equalizing the value of gold and silver, and legalizing the tender of foreign coin, of both metals. The good effects of the bill were immediately seen. Gold began to flow into the country through all the channels of commerce, foreign and domestic; the mint was busy; and specie payment, which had been suspended in the country for thirty years, was resumed, and gold and silver became the currency of the land; inspiring confidence in all the pursuits of industry.

As indicative of the position of the democratic party at that date, on the subject of the kind of money authorized by the Constitution, Mr. Benton's speech in the Senate is of interest. He said: "In the first place, he was one of those who believed that the government of the United States was intended to be a hard-money government; that it was the intention and the declaration of the Constitution of the United States, that the federal currency should consist of gold and silver, and that there is no power in Congress to issue, or to authorize any company of individuals to issue, any species of federal paper currency whatsoever. Every clause in the Constitution (said Mr. B.) which bears upon the subject of money—every early statute of Congress which interprets the meaning of these clauses—and every historic recollection which refers to them, go hand in hand in giving to that instrument the meaning which this proposition ascribes to it. The power granted to Congress to coin money is an

authority to stamp metallic money, and is not an authority for emitting slips of paper containing promises to pay money. The authority granted to Congress to regulate the value of coin, is an authority to regulate the value of the metallic money, not of paper. The prohibition upon the States against making anything but gold and silver a legal tender, is a moral prohibition, founded in virtue and honesty, and is just as binding upon the Federal Government as upon the State Governments; and that without a written prohibition; for the difference in the nature of the two governments is such, that the States may do all things which they are not forbid to do; and the Federal Government can do nothing which it is not authorized by the Constitution to do. The framers of the Constitution (said Mr. B.) created a hard-money government. They intended the new government to recognize nothing for money but gold and silver; and every word admitted into the Constitution, upon the subject of money, defines and establishes that sacred intention.

Legislative enactment came quickly to the aid of constitutional intention and historic recollection. The fifth statute passed at the first session of the first Congress that ever sat under the present Constitution was full and explicit on this head. It declared, “that the fees and duties payable to the federal government shall be received in gold and silver coin only.” It was under General Hamilton, as Secretary of the Treasury, in 1791, that the policy of the government underwent a change. In the act constituting the Bank of the United States, he brought forward his celebrated plan for the support of the public credit—that plan which unfolded the entire scheme of the paper system and immediately developed the great political line between the

federalists and the republicans. The establishment of a national bank was the leading and predominant feature of that plan; and the original report of the secretary, in favor of establishing the bank, contained this fatal and deplorable recommendation: “The bills and notes of the bank, originally made payable, or which shall have become payable, on demand, in gold and silver coin, shall be receivable in all payments to the United States.” From the moment of the adoption of this policy, the moneyed character of the government stood changed and reversed. Federal bank notes took the place of hard-money; and the whole edifice of the government slid, at once, from the solid rock of gold and silver money, on which its framers had placed it, into the troubled and tempestuous ocean of paper currency.

The first session of the 35th Congress opened December 1835. Mr. James K. Polk was elected Speaker of the House by a large majority over Mr. John Bell, the previous Speaker; the former being supported by the administration party, and the latter having become identified with those who, on siding with Mr. Hugh L. White as a candidate for the presidency, were considered as having divided from the democratic party. The chief subject of the President’s message was the relations of our country with France relative to the continued non-payment of the stipulated indemnity provided for in the treaty of 1831 for French spoliations of American shipping. The obligation to pay was admitted, and the money even voted for that purpose; but offense was taken at the President’s message, and payment refused until an apology should be made. The President commented on this in his message, and the Senate had under consideration measures authorizing reprisals on French shipping. At this point Great

Britain offered her services as mediator between the nations, and as a result the indemnity was shortly afterwards paid.

Agitation of the slavery question in the United States really began about this time. Evil-disposed persons had largely circulated through the Southern states, pamphlets and circulars tending to stir up strife and insurrection; and this had become so intolerable that it was referred to by the President in his message. Congress at the session of 1836 was flooded with petitions and memorials urging federal interference to abolish slavery in the States; beginning with the petition of the Society of Friends of Philadelphia, urging the abolition of slavery in the District of Columbia. These petitions were referred to Committees after an acrimonious debate as to whether they should be received or not. The position of the government at that time is embodied in the following resolution which was adopted in the House of Representatives as early as 1790, and substantially reaffirmed in 1836, as follows: “That Congress have no authority to interfere in the emancipation of slaves, or in the treatment of them within any of the States; it remaining with the several States to provide any regulations therein which humanity and true policy may require.”

In the Summer preceding the Presidential election of 1836, a measure was introduced into Congress, which became very nearly a party measure, and which in its results proved disastrous to the Democratic party in after years. It was a plan for distributing the public land money among the States either in the shape of credit distribution, or in the disguise of a deposit of surplus revenue; and this for the purpose of enhancing the value of the State stocks held by the United States Bank, which

institution, aided by the party which it favored, led by Mr. Clay, was the prime mover in the plan. That gentleman was the author of the scheme, and great calculations were made by the party which favored the distribution upon its effect in adding to their popularity. The Bill passed the Senate in its original form, but met with less favor in the House where it was found necessary. To effectuate substantially the same end, a Senate Bill was introduced to regulate the keeping of the public money in the deposit banks, and this was turned into distribution of the surplus public moneys with the States, in proportion to their representation in Congress, to be returned when Congress should call for it; and this was called a deposit with the States, and the faith of the States pledged for a return of the money. It was stigmatized by its opponents in Congress, as a distribution in disguise—as a deposit never to be reclaimed; as a miserable evasion of the Constitution; as an attempt to debauch the people with their own money; as plundering instead of defending the country. The Bill passed both houses, mainly by the efforts of a half dozen aspirants to the Presidency, who sought to thus increase their popularity. They were doomed to disappointment in this respect. Politically, it was no advantage to its numerous and emulous supporters, and of no disservice to its few determined opponents. It was a most unfortunate act, a plain evasion of the Constitution for a bad purpose; and it soon gave a sad overthrow to the democracy and disappointed every calculation made upon it. To the States it was no advantage, raising expectations which were not fulfilled, and upon which many of them acted as realities. The Bill was signed by the President, but it is simple justice to him to say that he did it with a repugnance of feeling, and a recoil of judgment,

which it required great efforts of his friends to overcome, and with a regret for it afterwards which he often and publicly expressed. In a party point of view, the passage of this measure was the commencement of calamities, being an efficient cause in that general suspension of specie payments, which quickly occurred, and brought so much embarrassment on the Van Buren administration, ending in the great democratic defeat of 1840.

The presidential election of 1836 resulted in the choice of the democratic candidate, Mr. Van Buren, who was elected by 170 electoral votes; his opponent, General Harrison, receiving seventy-three electoral votes. Scattering votes were given for Mr. Webster, Mr. Mangum, and Mr. Hugh L. White, the last named representing a fragment of the democracy who, in a spirit of disaffection, attempted to divide the democratic party and defeat Mr. Van Buren. At the opening of the second session of the twenty-fourth Congress, December, 1836, President Jackson delivered his last annual message, under circumstances exceedingly gratifying to him. The powerful opposition in Congress had been broken down, and he had the satisfaction of seeing full majorities of ardent and tried friends in each House. The country was in peace and friendship with all the world; all exciting questions quieted at home; industry in all its branches prosperous, and the revenue abundant. And as a happy sequence of this state of affairs, the Senate on the 16th of March, 1837, expunged from the Journal the resolution, adopted three years previously, censuring the President for ordering the removal of the deposits of public money in the United States Bank. He retired from the presidency with high honors, and died eight years afterwards at his home, the celebrated

"Hermitage," in Tennessee, in full possession of all his faculties, and strong to the last in the ruling passion of his soul—love of country.

The 4th of March, 1837, ushered in another Democratic administration—the beginning of the term of Martin Van Buren as President of the United States. In his inaugural address he commented on the prosperous condition of the country, and declared it to be his policy to strictly abide by the Constitution as written—no latitudinarian constructions permitted, or doubtful powers assumed; that his political chart should be the doctrines of the democratic school, as understood at the original formation of parties.

The President, however, was scarcely settled in his new office when a financial panic struck the country with irresistible force. A general suspension of the banks, a depreciated currency, and insolvency of the federal treasury were at hand. The public money had been placed in the custody of the local banks, and the notes of all these banks, and of all others in the country, were received in payment of public dues. On the 10th of May, 1837, the banks throughout the country suspended specie payments. The stoppage of the deposit banks was the stoppage of the Treasury. Non-payment by the government was an excuse for non-payment by others. The suspension was now complete; and it was evident, and as good as admitted by those who had made it, that it was the effect of contrivance on the part of politicians and the so-called Bank of the United States (which, after the expiration of its national charter, had become a State corporation chartered by the Legislature of Pennsylvania in January, 1836) for the purpose of restoring themselves to power. The whole proceeding became clear to those who could see nothing while it

was in progress. Even those of the democratic party whose votes had helped to do the mischief, could now see that the attempt to deposit forty millions with the States was destruction to the deposit banks; that the repeal of President Jackson's order, known as the "specie circular"—requiring payment for public lands to be in coin—was to fill the treasury with paper money, to be found useless when wanted; that distress was purposely created to throw blame of it upon the party in power; that the promptitude with which the Bank of the United States had been brought forward as a remedy for the distress, showed that it had been held in reserve for that purpose; and the delight with which the whig party saluted the general calamity, showed that they considered it their own passport to power. Financial embarrassment and general stagnation of business diminished the current receipts from lands and customs, and actually caused an absolute deficit in the public treasury. In consequence, the President found it an inexorable necessity to issue his proclamation convening Congress in extra session.

The first session of the twenty-fifth Congress met in extra session, at the call of the President, on the first Monday of September, 1837. The message was a review of the events and causes which had brought about the panic; a defense of the policy of the "specie circular," and a recommendation to break off all connection with any bank of issue in any form; looking to the establishment of an Independent Treasury, and that the Government provide for the deficit in the treasury by the issue of treasury notes and by withholding the deposit due to the States under the act then in force. The message and its recommendations were violently assailed both in the Senate and House by able and effective speakers,

notably by Messrs. Clay and Webster, and also by Mr. Caleb Cushing, of Massachusetts, who made a formal and elaborate reply to the whole document under thirty-two distinct heads, and reciting therein all the points of accusation against the democratic policy from the beginning of the government down to that day. The result was that the measures proposed by the Executive were in substance enacted; and their passage marks an era in our financial history—making a total and complete separation of Bank and State, and firmly establishing the principle that the government revenues should be receivable in coin only.

The measures of consequence discussed and adopted at this session, were the graduation of price of public lands under the pre-emption system, which was adopted; the bill to create an independent Treasury, which passed the Senate, but failed in the House; and the question of the re-charter of the district banks, the proportion for reserve, and the establishment of such institutions on a specie basis. The slavery question was again agitated in consequence of petitions from citizens and societies in the Northern States, and a memorial from the General Assembly of Vermont, praying for the abolition of slavery in the District of Columbia and territories, and for the exclusion of future slave states from the Union. These petitions and memorials were disposed of adversely; and Mr. Calhoun, representing the ultra-Southern interest, in several able speeches, approved of the Missouri compromise, he urged and obtained of the Senate several resolutions declaring that the federal government had no power to interfere with slavery in the States; and that it would be inexpedient and impolitic to interfere, abolish or control it in the District of Columbia and the

territories. These movements for and against slavery in the session of 1837–38 deserve to be noticed, as of disturbing effect at the time, and as having acquired new importance from subsequent events.

The first session of the twenty-sixth Congress opened December, 1839. The organization of the House was delayed by a closely and earnestly contested election from the State of New Jersey. Five Democrats claiming seats as against an equal number of Whigs. Neither set was admitted until after the election of Speaker, which resulted in the choice of Robert M. T. Hunter, of Virginia, the Whig candidate, who was elected by the full Whig vote with the aid of a few democrats—friends of Mr. Calhoun, who had for several previous sessions been acting with the Whigs on several occasions. The House excluding the five contested seats from New Jersey, was really Democratic; having 122 members, and the Whigs 113 members. The contest for the Speakership was long and arduous, neither party adhering to its original caucus candidate. Twenty scattering votes, eleven of whom were classed as Whigs, and nine as Democrats, prevented a choice on the earlier ballots, and it was really Mr. Calhoun's Democratic friends uniting with a solid Whig vote on the final ballot that gained that party the election. The issue involved was a vital party question as involving the organization of the House. The chief measure, of public importance, adopted at this session of Congress was an act to provide for the collection, safe-keeping, and disbursing of the public money. It practically revolutionized the system previously in force, and was a complete and effectual separation of the federal treasury and the Government, from the banks and moneyed corporations of the States. It was violently opposed by the Whig members, led by Mr.

Clay, and supported by Mr. Cushing, but was finally passed in both Houses by a close vote.

At this time, and in the House of Representatives, was exhibited for the first time in the history of Congress, the present practice of members "*pairing off*," as it is called; that is to say, two members of opposite political parties, or of opposite views on any particular subject, agreeing to absent themselves from the duties of the House, for the time being. The practice was condemned on the floor of the House by Mr. John Quincy Adams, who introduced a resolution: "That the practice, first openly avowed at the present session of Congress, of pairing off, involves, on the part of the members resorting to it, the violation of the Constitution of the United States, of an express rule of this House, and of the duties of both parties in the transaction, to their immediate constituents, to this House, and to their country." This resolution was placed in the calendar to take its turn, but not being reached during the session, was not voted on. That was the first instance of this justly condemned practice, fifty years after the establishment of the Government; but since then it has become common, even inveterate, and is now carried to great lengths.

The last session of the twenty-sixth Congress was barren of measures, and necessarily so, as being the last of our administration superseded by the popular voice, and soon to expire; and therefore restricted by a sense of propriety, during the brief remainder of its existence, to the details of business and the routine of service. The cause of this was the result of the presidential election of 1840. The same candidates who fought the battle of 1836 were again in the field. Mr. Van Buren was the Democratic candidate. His administration had been satisfactory to his party,

and his nomination for a second term was commended by the party in the different States in appointing their delegates; so that the proceedings of the convention which nominated him were entirely harmonious and formal in their nature. Mr. Richard M. Johnson, the actual Vice-President, was also nominated for Vice-President.

On the Whig ticket, General William Henry Harrison, of Ohio, was the candidate for President, and Mr. John Tyler, of Virginia, for Vice-President. The leading statesmen of the Whig party were again put aside, to make way for a military man, prompted by the example in the nomination of General Jackson, the men who managed presidential elections believing then as now that military renown was a passport to popularity and rendered a candidate more sure of election. Availability—for the purpose—was the only ability asked for. Mr. Clay, the most prominent Whig in the country, and the acknowledged head of the party, was not deemed available; and though Mr. Clay was a candidate before the convention, the proceedings were so regulated that his nomination was referred to a committee, ingeniously devised and directed for the afterwards avowed purpose of preventing his nomination and securing that of General Harrison; and of producing the intended result without showing the design, and without leaving a trace behind to show what was done. The scheme (a modification of which has since been applied to subsequent national conventions, and out of which many bitter dissensions have again and again arisen) is embodied and was executed in and by means of the following resolution adopted by the convention: "*Ordered*, That the delegates from each State be requested to assemble as a delegation, and appoint a

committee, not exceeding three in number, to receive the views and opinions of such delegation, and communicate the same to the assembled committees of all the delegations, to be by them respectively reported to their principals; and that thereupon the delegates from each State be requested to assemble as a delegation, and ballot for candidates for the offices of President and Vice-President, and having done so, to commit the ballot designating the votes of each candidate, and by whom given, to its committee, and thereupon all the committees shall assemble and compare the several ballots, and report the result of the same to their several delegations, together with such facts as may bear upon the nomination; and said delegation shall forthwith reassemble and ballot again for candidates for the above offices, and again commit the result to the above committees, and if it shall appear that a majority of the ballots are for any one man for candidate for President, said committee shall report the result to the convention for its consideration; but if there shall be no such majority, then the delegation shall repeat the balloting until such a majority shall be obtained, and then report the same to the convention for its consideration. That the vote of a majority of each delegation shall be reported as the vote of that State; and each State represented here shall vote its full electoral vote by such delegation in the committee." This was a sum in political algebra, whose quotient was known, but the quantity unknown except to those who planned it; and the result was—for General Scott, 16 votes; for Mr. Clay, 90 votes; for General Harrison, 148 votes. And as the law of the convention impliedly requires the absorption of all minorities, the 106 votes were swallowed up by the 148 votes and made to count

for General Harrison, presenting him as the unanimity candidate of the convention, and the defeated candidates and all their friends bound to join in his support. And in this way the election of 1840 was effected—a process certainly not within the purview of those framers of the constitution who supposed they were giving to the nation the choice of its own chief magistrate.

The contest before the people was a long and bitter one, the severest ever known in the country, up to that time, and scarcely equalled since. The whole Whig party and the large league of suspended banks, headed by the Bank of the United States making its last struggle for a new national charter in the effort to elect a President friendly to it, were arrayed against the Democrats, whose hard-money policy and independent treasury schemes, met with little favor in the then depressed condition of the country. Meetings were held in every State, county and town; the people thoroughly aroused; and every argument made in favor of the respective candidates and parties, which could possibly have any effect upon the voters. The canvass was a thorough one, and the election was carried for the Whig candidates, who received 234 electoral votes coming from 19 States. The remaining 60 electoral votes of the other 9 States, were given to the Democratic candidate; though the popular vote was not so unevenly divided; the actual figures being 1,275,611 for the Whig ticket, against 1,135,761 for the Democratic ticket. It was a complete rout of the Democratic party, but without the moral effect of victory.

On March 4, 1841, was inaugurated as President, Gen'l Wm. H. Harrison, the first Chief Magistrate elected by the Whig party, and the first President who was not a Democrat, since the installation of

Gen'l Jackson, March 4, 1829. His term was a short one. He issued a call for a special session of Congress to convene the 31st of May following, to consider the condition of the revenue and finances of the country, but did not live to meet it. Taken ill with a fatal malady during the last days of March, he died on the 4th of April following, having been in office just one month. He was succeeded by the Vice-President, John Tyler. Then, for the first time in our history as a government, the person elected to the Vice-Presidency of the United States, by the happening of a contingency provided for in the constitution, had devolved upon him the Presidential office.

The twenty-seventh Congress opened in extra session at the call of the late President, May 31, 1841. A Whig member—Mr. White of Kentucky—was elected Speaker of the House of Representatives. The Whigs had a majority of forty-seven in the House and of seven in the Senate, and with the President and Cabinet of the same political party presented a harmony of aspect frequently wanting during the three previous administrations. The first measure of the new dominant party was the repeal of the independent treasury act passed at the previous session; and the next in order were bills to establish a system of bankruptcy, and for distribution of public land revenue. The former was more than a bankrupt law; it was practically an insolvent law for the abolition of debts at the will of the debtor. It applied to all persons in debt, allowed them to institute the proceedings in the district where the petitioner resided, allowed constructive notices to creditors in newspapers—declared the abolition of the debt where effects were surrendered and fraud not proved; and gave exclusive jurisdiction to the federal courts, at the will of the debtor. It was framed upon

the model of the English insolvent debtors' act of George the Fourth, and embodied most of the provisions of that act, but substituting a release from the debt instead of a release from imprisonment. The bill passed by a close vote in both Houses.

The land revenue distribution bill of this session had its origin in the fact that the States and corporations owed about two hundred millions to creditors in Europe. These debts were in stocks, much depreciated by the failure in many instances to pay the accruing interest—in some instances failure to provide for the principal. These creditors, becoming uneasy, wished the federal government to assume their debts. The suggestion was made as early as 1838, renewed in 1839, and in 1840 became a regular question mixed up with the Presidential election of that year, and openly engaging the active exertions of foreigners. Direct assumption was not urged; indirect by giving the public land revenue to the States was the mode pursued, and the one recommended in the message of President Tyler. Mr. Calhoun spoke against the measure with more than usual force and clearness, claiming that it was unconstitutional and without warrant. Mr. Benton on the same side called it a squandering of the public patrimony, and pointed out its inexpediency in the depleted state of the treasury, apart from its other objectionable features. It passed by a party vote.

This session is remarkable for the institution of the hour rule in the House of Representatives—a very great limitation upon the freedom of debate. It was a Whig measure, adopted to prevent delay in the enactment of pending bills. It was a rigorous limitation, frequently acting as a bar to profitable debate and checking members in speeches which really impart information valuable to the House and

the country. No doubt the license of debate has been frequently abused in Congress, as in all other deliberative assemblies, but the incessant use of the previous question, which cuts off all debate, added to the hour rule which limits a speech to sixty minutes (constantly reduced by interruptions) frequently results in the transaction of business in ignorance of what they are about by those who are doing it.

The rule worked so well in the House, for the purpose for which it was devised—made the majority absolute master of the body—that Mr. Clay undertook to have the same rule adopted in the Senate; but the determined opposition to it, both by his political opponents and friends, led to the abandonment of the attempt in that chamber.

Much discussion took place at this session, over the bill offered in the House of Representatives, for the relief of the widow of the late President—General Harrison—appropriating one year's salary. It was strenuously opposed by the Democratic members, as unconstitutional, on account of its principle, as creating a private pension list, and as a dangerous precedent. Many able speeches were made against the bill, both in the Senate and House; among others, the following extract from the speech of an able Senator contains some interesting facts. He said: "Look at the case of Mr. Jefferson, a man than whom no one that ever existed on God's earth were the human family more indebted to. His furniture and his estate were sold to satisfy his creditors. His posterity was driven from house and home, and his bones now lay in soil owned by a stranger. His family are scattered: some of his descendants are married in foreign lands. Look at Monroe—the able, the patriotic Monroe, whose services were revolutionary, whose blood was spilt in the war of

Independence, whose life was worn out in civil service, and whose estate has been sold for debt, his family scattered, and his daughter buried in a foreign land. Look at Madison, the model of every virtue, public or private, and he would only mention in connection with this subject, his love of order, his economy, and his systematic regularity in all his habits of business. He, when his term of eight years had expired, sent a letter to a gentleman (a son of whom is now on this floor) [Mr. Preston], enclosing a note of five thousand dollars, which he requested him to endorse, and raise the money in Virginia, so as to enable him to leave this city, and return to his modest retreat—his patrimonial inheritance—in that State. General Jackson drew upon the consignee of his cotton crop in New Orleans for six thousand dollars to enable him to leave the seat of government without leaving creditors behind him. These were honored leaders of the republican party. They had all been Presidents. They had made great sacrifices, and left the presidency deeply embarrassed; and yet the republican party who had the power and the strongest disposition to relieve their necessities, felt they had no right to do so by appropriating money from the public Treasury. Democracy would not do this. It was left for the era of federal rule and federal supremacy—who are now rushing the country with steam power into all the abuses and corruptions of a monarchy, with its pensioned aristocracy—and to entail upon the country a civil pension list."

There was an impatient majority in the House in favor of the passage of the bill. The circumstances were averse to deliberation—a victorious party, come into power after a heated election, seeing their elected candidate dying on the threshold of his administration, poor and beloved: it was a case for

feeling more than of judgment, especially with the political friends of the deceased—but few of whom could follow the counsels of the head against the impulsions of the heart.

The bill passed, and was approved; and as predicted, it established a precedent which has since been followed in every similar case.

The subject of naval pensions received more than usual consideration at this session. The question arose on the discussion of the appropriation bill for that purpose. A difference about a navy—on the point of how much and what kind—had always been a point of difference between the two great political parties of the Union, which, under whatsoever names, are always the same, each preserving its identity in principles and policy, but here the two parties divided upon an abuse which no one could deny or defend. A navy pension fund had been established under the act of 1832, which was a just and proper law, but on the 3d of March, 1837, an act was passed entitled “An act for the more equitable distribution of the Navy Pension Fund.” That act provided: I. That Invalid naval pensions should commence and date back to the time of receiving the inability, instead of completing the proof. II. It extended the pensions for death to all cases of death, whether incurred in the line of duty or not. III. It extended the widow’s pensions for life, when five years had been the law both in the army and navy. IV. It adopted the English system of pensioning children of deceased marines until they attained their majority.

The effect of this law was to absorb and bankrupt the navy pension fund, a meritorious fund created out of the government share of prize money, relinquished for that purpose, and to throw the

pensions, arrears as well as current and future, upon the public treasury, where it was never intended they were to be. It was to repeal this act, that an amendment was introduced at this session on the bringing forward of the annual appropriation bill for navy pensions, and long and earnest were the debates upon it. The amendment was lost, the Senate dividing on party lines, the Whigs against and the Democrats for the amendment. The subject is instructive, as then was practically ratified and re-enacted the pernicious practice authorized by the act of 1837, of granting pensions to date from the time of injury and not from the time of proof; and has grown up to such proportions in recent years that the last act of Congress appropriating money for arrears of pensions, provided for the payment of such an enormous sum of money that it would have appalled the original projectors of the act of 1837 could they have seen to what their system has led.

Again, at this session, the object of the tariff occupied the attention of Congress. The compromise act, as it was called, of 1833, which was composed of two parts—one to last nine years, for the benefit of manufactures; the other to last for ever, for the benefit of the planting and consuming interest—was passed, as hereinbefore stated, in pursuance of an agreement between Mr. Clay and Mr. Calhoun and their respective friends, at the time the former was urging the necessity for a continuance of high tariff for protection and revenue, and the latter was presenting and justifying before Congress the nullification ordinance adopted by the Legislature of South Carolina. To Mr. Clay and Mr. Calhoun it was a political necessity, one to get rid of a stumbling-block (which protective tariff had become); the other to escape a personal peril which his nullifying

ordinance had brought upon him, and with both, it was a piece of policy, to enable them to combine against Mr. Van Buren, by postponing their own contention; and a device on the part of its author (Mr. Clayton, of Delaware) and Mr. Clay to preserve the protective system. It provided for a reduction of a certain per centage each year, on the duties for the ensuing nine years, until the revenue was reduced to 20 per cent. ad valorem on all articles imported into the country. In consequence the revenue was so reduced that in the last year, there was little more than half what the exigencies of the government required, and different modes, by loans and otherwise, were suggested to meet the deficiency. The Secretary of the Treasury had declared the necessity of loans and taxes to carry on the government; a loan bill for twelve millions had been passed; a tariff bill to raise fourteen millions was depending; and the chairman of the Committee of Ways and Means, Mr. Millard Fillmore, defended its necessity in an able speech. His bill proposed twenty per cent. additional to the existing duty on certain specified articles, sufficient to make up the amount wanted. This encroachment on a measure so much vaunted when passed, and which had been kept inviolate while operating in favor of one of the parties to it, naturally excited complaint and opposition from the other, and Mr. Gilmer, of Virginia, in a speech against the new bill, said: “In referring to the compromise act, the true characteristics of that act which recommended it strongly to him, were that it contemplated that duties were to be levied for revenue only, and in the next place to the amount only necessary to the supply of the economical wants of the government. He begged leave to call the attention of the

committee to the principle recognized as the language of the compromise, a principle which ought to be recognized in all time to come by every department of the government. It is, that duties to be raised for revenue are to be raised to such an amount only as is necessary for an economical administration of the government. Some incidental protection must necessarily be given, and he, for one, coming from an anti-tariff portion of the country, would not object to it."

The bill went to the Senate where it found Mr. Clay and Mr. Calhoun in positions very different from what they occupied when the compromise act was passed—then united, now divided—then concurrent, now antagonistic, and the antagonism general, upon all measures, was to be special upon this one. Their connection with the subject made it their function to lead off in its consideration; and their antagonist positions promised sharp encounters, which did not fail to come. Mr. Clay said that he "observed that the Senator from South Carolina based his abstractions on the theories of books on English authorities, and on the arguments urged in favor of free trade by a certain party in the British Parliament. Now he, (Mr. Clay,) and his friends would not admit of these authorities being entitled to as much weight as the universal practice of nations, which in all parts of the world was found to be in favor of protecting home manufactures to an extent sufficient to keep them in a flourishing condition. This was the whole difference. The Senator was in favor of book theory and abstractions: he (Mr. Clay) and his friends, were in favor of the universal practice of nations, and the wholesome and necessary protection of domestic manufactures."

Mr. Calhoun in reply, referring to his allusion to

the success in the late election of the tory party in England, said: "The interests, objects, and aims of the tory party there and the whig party here, are identical. The identity of the two parties is remarkable. The tory party are the patrons of corporate monopolies; *and are not you?* They are advocates of a high tariff; *and are not you?* They are supporters of a national bank; *and are not you?* They are for corn laws—laws oppressive to the masses of the people, and favorable to their own power; *and are not you?* Witness this bill.*** The success of that party in England, and of the whig party here, is the success of the great money power, which concentrates the interests of the two parties, and identifies their principles."

The bill was passed by a large majority, upon the general ground that the government must have revenue.

The chief measure of the session, and the great object of the whig party—the one for which it had labored for ten years—was for the re-charter of a national bank. Without this all other measures would be deemed to be incomplete, and the victorious election itself but little better than a defeat. The President, while a member of the Democratic party, had been opposed to the United States Bank; and to overcome any objections he might have the bill was carefully prepared, and studiously contrived to avoid the President's objections, and save his consistency—a point upon which he was exceedingly sensitive. The democratic members resisted strenuously, in order to make the measure odious, but successful resistance was impossible. It passed both houses by a close vote; and contrary to all expectation the President disapproved the act, but with such expressions of readiness to approve another bill

which should be free from the objections which he named, as still to keep his party together, and to prevent the resignation of his cabinet. In his veto message the President fell back upon his early opinions against the constitutionality of a national bank, so often and so publicly expressed.

The veto caused consternation among the whig members; and Mr. Clay openly gave expression to his dissatisfaction, in the debate on the veto message, in terms to assert that President Tyler had violated his faith to the whig party, and had been led off from them by new associations. He said: “And why should not President Tyler have suffered the bill to become a law without his signature? Without meaning the slightest possible disrespect to him (nothing is further from my heart than the exhibition of any such feeling towards that distinguished citizen, long my personal friend), it cannot be forgotten that he came into his present office under peculiar circumstances. The people did not foresee the contingency which has happened. They voted for him as Vice-President. They did not, therefore, scrutinize his opinions with the care which they probably ought to have done, and would have done, if they could have looked into futurity. If the present state of the fact could have been anticipated—if at Harrisburg, or at the polls, it had been foreseen that General Harrison would die in one short month after the commencement of his administration; so that Vice-President Tyler would be elevated to the presidential chair; that a bill passed by decisive majorities of the first whig Congress, chartering a national bank, would be presented for his sanction; and that he would veto the bill, do I hazard anything when I express the conviction that he would not have received a solitary vote in the nominating

convention, nor one solitary electoral vote in any State in the Union?"

The vote was taken on the bill over again, as required by the constitution, and so far from receiving a two-thirds vote, it received only a bare majority, and was returned to the House with a message stating his objections to it, where it gave rise to some violent speaking, more directed to the personal conduct of the President than to the objections to the bill stated in his message. The veto was sustained; and so ended the second attempt to resuscitate the old United States Bank under a new name. This second movement to establish the bank has a secret history. It almost caused the establishment of a new party, with Mr. Tyler as its head; earnest efforts having been made in that behalf by many prominent Whigs and Democrats. The entire cabinet, with the exception of Mr. Webster, resigned within a few days after the second veto. It was a natural thing for them to do, and was not unexpected. Indeed Mr. Webster had resolved to tender his resignation also, but on reconsideration determined to remain and publish his reasons therefor in a letter to the National Intelligencer, in the following words:

"Lest any misapprehension should exist, as to the reasons which led me to differ from the course pursued by my late colleagues, I wish to say that I remain in my place, first, because I have seen no sufficient reasons for the dissolution of the late Cabinet, by the voluntary act of its own members. I am perfectly persuaded of the absolute necessity of an institution, under the authority of Congress, to aid revenue and financial operations, and to give the country the blessings of a good currency and cheap exchanges. Notwithstanding what has passed, I have

confidence that the President will co-operate with the legislature in overcoming all difficulties in the attainment of these objects; and it is to the union of the Whig party—by which I mean the whole party, the Whig President, the Whig Congress, and the Whig people—that I look for a realization of our wishes. I can look nowhere else. In the second place if I had seen reasons to resign my office, I should not have done so, without giving the President reasonable notice, and affording him time to select the hands to which he should confide the delicate and important affairs now pending in this department."

The conduct of the President in the matter of the vetoes of the two bank bills produced revolt against him in the party; and the Whigs of the two Houses of Congress held several formal meetings to consider what they should do in the new condition of affairs. An address to the people of the United States was resolved upon. The rejection of the bank bill gave great vexation to one side, and equal exultation to the other. The subject was not permitted to rest, however; a national bank was the life—the vital principle—of the Whig party, without which it could not live as a party; it was the power which was to give them power and the political and financial control of the Union. A second attempt was made, four days after the veto, to accomplish the end by amendments to a bill relating to the currency, which had been introduced early in the session. Mr. Sargeant of Pennsylvania, moved to strike out all after the enacting clause, and insert his amendments, which were substantially the same as the vetoed bill, except changing the amount of capital and prohibiting discounts on notes other than bills of exchange. The bill was pushed to a vote with

astonishing rapidity, and passed by a decided majority. In the Senate the bill went to a select committee which reported it back without alteration, as had been foreseen, the committee consisting entirely of friends of the measure; and there was a majority for it on final passage. Concurred in by the Senate without alteration, it was returned to the House, and thence referred to the President for his approval or disapproval. It was disapproved and it was promulgated in language intended to mean a repudiation of the President, a permanent separation of the Whig party from him, and to wash their hands of all accountability for his acts. An opening paragraph of the address set forth that, for twelve years the Whigs had carried on a contest for the regulation of the currency, the equalization of exchanges, the economical administration of the finances, and the advancement of industry—all to be accomplished by means of a national bank—declaring these objects to be misunderstood by no one and the bank itself held to be secured in the Presidential election, and its establishment the main object of the extra session. The address then proceeds to state how these plans were frustrated:

"It is with profound and poignant regret that we find ourselves called upon to invoke your attention to this point. Upon the great and leading measure touching this question, our anxious endeavors to respond to the earnest prayers of the nation have been frustrated by an act as unlooked for as it is to be lamented. We grieve to say to you that by the exercise of that power in the constitution which has ever been regarded with suspicion, and often with odium, by the people—a power which we had hoped was never to be exhibited on this subject, by a Whig President—we have been defeated in two attempts to

create a fiscal agent, which the wants of the country had demonstrated to us, in the most absolute form of proof to be eminently necessary and proper in the present emergency. Twice have we with the utmost diligence and deliberation matured a plan for the collection, safe-keeping and disbursing of the public moneys through the agency of a corporation adapted to that end, and twice has it been our fate to encounter the opposition of the President, through the application of the veto power.*** We are constrained to say that we find no ground to justify us in the conviction that the veto of the President has been interposed on this question solely upon conscientious and well-considered opinions of constitutional scruple as to his duty in the case presented. On the contrary, too many proofs have been forced upon our observation to leave us free from the apprehension that the President has permitted himself to be beguiled into an opinion that by this exhibition of his prerogative he might be able to divert the policy of his administration into a channel which should lead to new political combinations, and accomplish results which must overthrow the present divisions of party in the country; and finally produce a state of things which those who elected him, at least, have never contemplated.

"In this state of things, the Whigs will naturally look with anxiety to the future, and inquire what are the actual relations between the President and those who brought him into power; and what, in the opinion of their friends in Congress, should be their course hereafter.*** The President by his withdrawal of confidence from his real friends in Congress and from the members of his cabinet; by his bestowal of

it upon others notwithstanding their notorious opposition to leading measures of his administrations has voluntarily separated himself from those by whose exertions and suffrage he was elevated to that office through which he has reached his present exalted station.*** The consequence is, that those who brought the President into power can be no longer, in any manner or degree, justly held responsible or blamed for the administration of the executive branch of the government; and the President and his advisers should be exclusively hereafter deemed accountable.*** The conduct of the President has occasioned bitter mortification and deep regret. Shall the party, therefore, yielding to sentiments of despair, abandon its duty, and submit to defeat and disgrace? Far from suffering such dishonorable consequences, the very disappointment which it has unfortunately experienced should serve only to redouble its exertions, and to inspire it with fresh courage to persevere with a spirit unsubdued and a resolution unshaken, until the prosperity of the country is fully re-established, and its liberties firmly secured against all danger from the abuses, encroachments or usurpations of the executive department of the government."

This was the manifesto, so far as it concerns the repudiation of President Tyler, which Whig members of Congress put forth: it was answered (under the name of an address to his constituents) by Mr. Cushing, in a counter special plea—counter to it on all points—especially on the main question of which party the President was to belong to; the manifesto of the Whigs assigning him to the democracy—the address of Mr. Cushing, claiming him for the Whigs. It was especially severe on Mr. Clay, as setting up a caucus dictatorship to coerce the President; and

charged that the address emanated from this caucus, and did not embody or represent the sentiments of all Whig leaders; and referred to Mr. Webster's letter, and his remaining in the cabinet as proof of this. But it was without avail against the concurrent statements of the retiring senators, and the confirmatory statements of many members of Congress. The Whig party recoiled from the President, and instead of the unity predicted by Mr. Webster, there was diversity and widespread dissension. The Whig party remained with Mr. Clay; Mr. Webster retired, Mr. Cushing was sent on a foreign mission, and the President, seeking to enter the democratic ranks, was refused by them, and left to seek consolation in privacy, for his political errors and omissions.

The extra session, called by President Harrison, held under Mr. Tyler, dominated by Mr. Clay, commenced May 31, and ended Sept. 13, 1841—and was replete with disappointed calculations, and nearly barren of permanent results. The purposes for which it was called into being, failed. The first annual message of President Tyler, at the opening of the regular session in December, 1841, coming in so soon after the termination of the extra session, was brief and meagre of topics, with few points of interest.

In the month of March, 1842, Mr. Henry Clay resigned his place in the Senate, and delivered a valedictory address to that body. He had intended this step upon the close of the previous presidential campaign, but had postponed it to take personal charge of the several measures which would be brought before Congress at the special session—the calling of which he foresaw would be necessary. He resigned not on account of age, or infirmity, or

disinclination for public life; but out of disgust—profound and inextinguishable. He had been basely defeated for the Presidential nomination, against the wishes of the Whig party, of which he was the acknowledged head—he had seen his leading measures vetoed by the President whom his party had elected—the downfall of the Bank for which he had so often pledged himself—and the insolent attacks of the petty adherents of the administration in the two Houses: all these causes acting on his proud and lofty spirit, induced this withdrawal from public life for which he was so well fitted.

The address opened with a retrospect of his early entrance into the Senate, and a grand encomium upon its powers and dignity as he had found it, and left it. Memory went back to that early year, 1806, when just past thirty years of age, he entered the United States Senate, and commenced his high career—a wide and luminous horizon before him, and will and talent to fill it. He said: “From the year 1806, the period of my entering upon this noble theatre of my public service, with but short intervals, down to the present time, I have been engaged in the service of my country. Of the nature and value of those services, which I may have rendered during my long career of public life, it does not become me to speak. History, if she deigns to notice me, and posterity—if a recollection of any humble service which I may have rendered, shall be transmitted to posterity—will be the best, truest, and most impartial judges; and to them I defer for a decision upon their value. But, upon one subject, I may be allowed to speak. As to my public acts and public conduct, they are for the judgment of my fellow-citizens; but my private motives of action—that which prompted me to take the part which I may have done, upon great

measures during their progress in the national councils, can be known only to the Great Searcher of the human heart and myself; and I trust I shall be pardoned for repeating again a declaration which I made thirty years ago: that whatever error I may have committed—and doubtless I have committed many during my public service—I may appeal to the Divine Searcher of hearts for the truth of the declaration which I now make, with pride and confidence, that I have been actuated by no personal motives—that I have sought no personal aggrandizement—no promotion from the advocacy of those various measures on which I have been called to act—that I have had an eye, a single eye, a heart, a single heart, ever devoted to what appeared to be the best interests of the country."

Mr. Clay led a great party, and for a long time, whether he dictated to it or not, and kept it well bound together, without the usual means of forming and leading parties. It was surprising that, without power and patronage, he was able so long and so undividedly to keep so great a party together, and lead it so unresistingly. He had great talents, but not equal to some whom he led. He had eloquence—superior in popular effect, but not equal in high oratory to that of some others. But his temperament was fervid, his will was strong, and his courage daring; and these qualities, added to his talents, gave him the lead and supremacy in his party, where he was always dominant. The farewell address made a deep impression upon the Senators present; and after its close, Mr. Preston brought the ceremony to a conclusion, by moving an adjournment, which was agreed to.

Again at this session was the subject of the tariff considered, but this time, as a matter of absolute

necessity, to provide a revenue. Never before were the coffers and the credit of the treasury at so low an ebb. A deficit of fourteen millions in the treasury—a total inability to borrow, either at home or abroad, the amount of the loan of twelve millions authorized the year before—the treasury notes below par, and the revenues from imports inadequate and decreasing.

The compromise act of 1833 in reducing the duties gradually through nine years, to a fixed low rate; the act of 1837 in distributing the surplus revenue; and the continual and continued distribution of the land revenue, had brought about this condition of things. The remedy was sought in a bill increasing the tariff, and suspending the land revenue distribution. Two such bills were passed in a single month, and both vetoed by the President. It was now near the end of August. Congress had been in session for an unprecedentedly long time. Adjournment could not be deferred, and could not take place without providing for the Treasury. The compromise act and the land distribution were the stumbling-blocks: it was resolved to sacrifice them together; and a bill was introduced raising the duties above the fixed rate of twenty per cent., and that breach of the mutual assurance in relation to the compromise, immediately in terms of the assurance, suspended the land revenue distribution—to continue it suspended while duties above the compromise limit continued to be levied. And as that has been the case ever since, the distribution of the land revenue has been suspended ever since. The bill was passed, and approved by the President, and Congress thereupon adjourned.

The subject of the navy was also under consideration at this session. The naval policy of the

United States was a question of party division from the origin of parties in the early years of the government—the Federal party favoring a strong and splendid navy, the Republican a moderate establishment, adapted to the purposes of defense more than of offense. And this line of division has continued. Under the Whig regime the policy for a great navy developed itself. The Secretary of the Navy recommended a large increase of ships, seamen and officers, involving a heavy expense, though the government was not in a condition to warrant any such expenditure, and no emergency required an increase in that branch of the public service. The vote was taken upon the increase proposed by the Secretary of the Navy, and recommended by the President; and it was carried, the yeas and nays being well defined by the party line.

The first session of the twenty-eighth Congress, which convened December 1843, exhibited in its political complexion, serious losses in the Whig following. The Democratic candidate for Speaker of the House of Representatives, was elected over the Whig candidate—the vote standing 128 to 59. Thus an adverse majority of more than two to one was the result to the Whig party at the first election after the extra session of 1841. The President's message referred to the treaty which had lately been concluded with Great Britain relative to the northwestern territory extending to the Columbia river, including Oregon and settling the boundary lines; and also to a pending treaty with Texas for her annexation to the United States; and concluded with a recommendation for the establishment of a paper currency to be issued and controlled by the Federal government.

For more than a year before the meeting of the

Democratic Presidential Convention in Baltimore, in May 1844, it was evident to leading Democrats that Martin Van Buren was the choice of the party. To overcome this popular current and turn the tide in favor of Mr. Calhoun, who desired the nomination, resort was had to the pending question of the annexation of Texas. Mr. Van Buren was known to be against it, and Mr. Calhoun for it. To gain time, the meeting of the convention was postponed from December previous, which had been the usual time for holding such elections, until the following May. The convention met, and consisted of two hundred and sixty-six delegates, a decided majority of whom were for Mr. Van Buren, and cast their votes accordingly on the first ballot. But a chairman had been selected, who was adverse to his nomination; and aided by a rule adopted by the convention, which required a concurrence of two-thirds to effect a nomination, the opponents of Mr. Van Buren were able to accomplish his defeat. Mr. Calhoun had, before the meeting of the convention, made known his determination, in a public address, not to suffer his name to go before that assemblage as a candidate for the presidency, and stated his reasons for so doing, which were founded mainly on the manner in which the convention was constituted; his objections being to the mode of choosing delegates, and the manner of their giving in their votes—he contending for district elections, and the delegates to vote individually. South Carolina was not represented in the convention. After the first ballot Mr. Van Buren's vote sensibly decreased, until finally, Mr. James K. Polk, who was a candidate for the Vice-Presidency, was brought forward and nominated unanimously for the chief office. Mr. Geo. M. Dallas was chosen as his colleague for the Vice-Presidency. The

nomination of these gentlemen, neither of whom had been mentioned until late in the proceedings of the convention, for the offices for which they were finally nominated, was a genuine surprise to the country. No voice in favor of it had been heard; and no visible sign in the political horizon had announced it.

The Whig convention nominated Henry Clay, for President; and Theodore Frelinghuysen for Vice-President.

The main issues in the election which ensued, were mainly the party ones of Whig and Democrat, modified by the tariff and Texas questions. It resulted in the choice of the Democratic candidates, who received 170 electoral votes as against 105 for their opponents; the popular majority for the Democrats being 238,284, in a total vote of 2,834,108. Mr. Clay received a larger popular vote than had been given at the previous election for the Whig candidate, showing that he would have been elected had he then been the nominee of his party; though the popular vote at this election was largely increased over that of 1840. It is conceded that the 36 electoral votes of New York State gave the election to Mr. Polk. It was carried by a bare majority; due entirely to the Gubernatorial candidacy of Mr. Silas Wright, who had been mentioned for the vice-presidential nomination in connection with Mr. Van Buren, but who declined it after the sacrifice of his friend and colleague; and resigning his seat in the Senate, became a candidate for Governor of New York. The election being held at the same time as that for president, his name and popularity brought to the presidential ticket more than enough votes to make the majority that gave the electoral vote of the State to the Democrats.

President Tyler's annual and last message to Congress, in December 1844, contained, (as did that of the previous year) an elaborate paragraph on the subject of Texas and Mexico; the idea being the annexation of the former to the Union, and the assumption of her causes of grievance against the latter; and a treaty was pending to accomplish these objects. The scheme for the annexation of Texas was framed with a double aspect—one looking to the then pending presidential election, the other to the separation of the Southern States; and as soon as the rejection of the treaty was foreseen, and the nominating convention had acted, the disunion aspect manifested itself over many of the Southern States—beginning with South Carolina. Before the end of May, a great meeting took place at Ashley, in that State, to combine the slave States in a convention to unite the Southern States to Texas, if Texas should not be received into the Union; and to invite the President to convene Congress to arrange the terms of the dissolution of the Union if the rejection of the annexation should be persevered in. Responsive resolutions were adopted in several States, and meetings held. The opposition manifested, brought the movement to a stand, and suppressed the disunion scheme for the time being—only to lie in wait for future occasions. But it was not before the people only that this scheme for a Southern convention with a view to the secession of the slave States was a matter of discussion; it was the subject of debate in the Senate; and there it was further disclosed that the design of the secessionists was to extend the new Southern republic to the Californias.

The treaty of annexation was supported by all the power of the administration, but failed; and it was

rejected by the Senate by a two-thirds vote against it. Following this, a joint resolution was early brought into the House of Representatives for the admission of Texas as a State of the Union, by legislative action; it passed the House by a fair majority, but met with opposition in the Senate unless coupled with a proviso for negotiation and treaty, as a condition precedent. A bill authorizing the President and a commissioner to be appointed to agree upon the terms and conditions of said admission, the question of slavery within its limits, its debts, the fixing of boundaries, and the cession of territory, was coupled or united with the resolution; and in this shape it was finally agreed to, and became a law, with the concurrence of the President, March 3, 1845. Texas was then in a state of war with Mexico, though at that precise point of time an armistice had been agreed upon, looking to a treaty of peace. The House resolution was for an unqualified admission of the State; the Senate amendment or bill was for negotiation; and the bill actually passed would not have been concurred in except on the understanding that the incoming President (whose term began March 4, 1845, and who was favorable to negotiation) would act under the bill, and appoint commissioners accordingly.

Contrary to all expectation, the outgoing President, on the last day of his term, at the instigation of his Secretary of State, Mr. Calhoun, assumed the execution of the act providing for the admission of Texas—adopted the legislative clause—and sent out a special messenger with instructions. The danger of this had been foreseen, and suggested in the Senate; but close friends of Mr. Calhoun, speaking for the administration, and replying to the suggestion, indignantly denied it for them, and declared that

they would not have the “audacity” to so violate the spirit and intent of the act, or so encroach upon the rights of the new President. These statements from the friends of the Secretary and President that the plan by negotiation would be adopted, quieted the apprehension of those Senators opposed to legislative annexation or admission, and thus secured their votes, without which the bill would have failed of a majority. Thus was Texas incorporated into the Union. The legislative proposition sent by Mr. Tyler was accepted: Texas became incorporated with the United States, and in consequence the state of war was established between the United States and Mexico; it only being a question of time and chance when the armistice should end and hostilities begin. Although Mr. Calhoun was not in favor of war with Mexico—he believing that a money payment would settle the differences with that country—the admission of Texas into the Union under the legislative annexation clause of the statute, was really his act and not that of the President’s; and he was, in consequence, afterwards openly charged in the Senate with being the real author of the war which followed.

The administration of President Polk opened March 4, 1845; and on the same day, the Senate being convened for the purpose, the cabinet ministers were nominated and confirmed. In December following the 29th Congress was organized. The House of Representatives, being largely Democratic, elected the Speaker, by a vote of 120, against 70 for the Whig candidate. At this session the “American” party—a new political organization—first made its appearance in the National councils, having elected six members of the House of Representatives, four from New York and

two from Pennsylvania. The President's first annual message had for its chief topic, the admission of Texas, then accomplished, and the consequent dissatisfaction of Mexico; and referring to the preparations on the part of the latter with the apparent intention of declaring war on the United States, either by an open declaration, or by invading Texas. The message also stated causes which would justify this government in taking the initiative in declaring war—mainly the non-compliance by Mexico with the terms of the treaty of indemnity of April 11, 1839, entered into between that State and this government relative to injuries to American citizens during the previous eight years. He also referred to the fact of a minister having been sent to Mexico to endeavor to bring about a settlement of the differences between the nations, without a resort to hostilities. The message concluded with a reference to the negotiations with Great Britain relative to the Oregon boundary; a statement of the finances and the public debt, showing the latter to be slightly in excess of seventeen millions; and a recommendation for a revision of the tariff, with a view to revenue as the object, with protection to home industry as the incident.

At this session of Congress, the States of Florida and Iowa were admitted into the Union; the former permitting slavery within its borders, the latter denying it. Long before this, the free and the slave States were equal in number, and the practice had grown up—from a feeling of jealousy and policy to keep them evenly balanced—of admitting one State of each character at the same time. Numerically the free and the slave States were thus kept even: in political power a vast inequality was going on—the increase of population being so much greater in the

northern than in the southern region.

The Ashburton treaty of 1842 omitted to define the boundary line, and permitted, or rather did not prohibit, the joint occupation of Oregon by British and American settlers. This had been a subject of dispute for many years. The country on the Columbia River had been claimed by both. Under previous treaties the American northern boundary extended "to the latitude of 49 degrees north of the equator, and along that parallel indefinitely to the west." Attempts were made in 1842 and continuing since to 1846, to settle this boundary line, by treaty with Great Britain. It had been assumed that we had a dividing line, made by previous treaty, along the parallel of 54 degrees 40 minutes from the sea to the Rocky mountains. The subject so much absorbed public attention, that the Democratic National convention of 1844 in its platform of principles declared for that boundary line, or war as the consequence. It became known as the 54–40 plank, and was a canon of political faith. The negotiations between the governments were resumed in August, 1844. The Secretary of State, Mr. Calhoun, proposed a line along the parallel of 49 degrees of north latitude to the summit of the Rocky mountains and continuing that line thence to the Pacific Ocean; and he made this proposition notwithstanding the fact that the Democratic party—to which he belonged—were then in a high state of exultation for the boundary of 54 degrees 40 minutes, and the presidential canvass, on the Democratic side, was raging upon that cry.

The British Minister declined this proposition in the part that carried the line to the ocean, but offered to continue it from the summit of the mountains to the Columbia River, a distance of some

three hundred miles, and then follow the river to the ocean. This was declined by Mr. Calhoun. The President had declared in his inaugural address in favor of the 54–40 line. He was in a dilemma; to maintain that position meant war with Great Britain; to recede from it seemed impossible. The proposition for the line of 49 degrees having been withdrawn by the American government on its non-acceptance by the British, had appeased the Democratic storm which had been raised against the President. Congress had come together under the loud cry of war, in which Mr. Cass was the leader, but followed by the body of the democracy, and backed and cheered by the whole democratic newspaper press. Under the authority and order of Congress notice had been served on Great Britain which was to abrogate the joint occupation of the country by the citizens of the two powers. It was finally resolved by the British Government to propose the line of 49 degrees, continuing to the ocean, as originally offered by Mr. Calhoun; and though the President was favorable to its acceptance, he could not, consistently with his previous acts, accept and make a treaty, on that basis. The Senate, with whom lies the power, under the constitution, of confirming or restricting all treaties, being favorable to it, without respect to party lines, resort was had, as in the early practice of the Government, to the President, asking the advice of the Senate upon the articles of a treaty before negotiation. A message was accordingly sent to the Senate, by the President, stating the proposition, and asking its advice, thus shifting the responsibility upon that body, and making the issue of peace or war depend upon its answer. The Senate advised the acceptance of the proposition, and the treaty was concluded.

The conduct of the Whig Senators, without whose votes the advice would not have been given nor the treaty made, was patriotic in preferring their country to their party—in preventing a war with Great Britain—and saving the administration from itself and its party friends.

The second session of the 29th Congress was opened in December, 1847. The President's message was chiefly in relation to the war with Mexico, which had been declared by almost a unanimous vote in Congress. Mr. Calhoun spoke against the declaration in the Senate, but did not vote upon it. He was sincerely opposed to the war, although his conduct had produced it. Had he remained in the cabinet, to do which he had not concealed his wish, he would, no doubt, have labored earnestly to have prevented it. Many members of Congress, of the same party with the administration, were extremely averse to the war, and had interviews with the President, to see if it was inevitable, before it was declared. Members were under the impression that the war could not last above three months.

The reason for these impressions was that an intrigue was laid, with the knowledge of the Executive, for a peace, even before the war was declared, and a special agent dispatched to bring about a return to Mexico of its exiled President, General Santa Anna, and conclude a treaty of peace with him, on terms favorable to the United States. And for this purpose Congress granted an appropriation of three millions of dollars to be placed at the disposal of the President, for negotiating for a boundary which should give the United States additional territory.

While this matter was pending in Congress, Mr. Wilmot of Pennsylvania introduced and moved a

proviso, "*that no part of the territory to be acquired should be open to the introduction of slavery*." It was a proposition not necessary for the purpose of excluding slavery, as the only territory to be acquired was that of New Mexico and California, where slavery was already prohibited by the Mexican laws and constitution. The proviso was therefore nugatory, and only served to bring on a slavery agitation in the United States. For this purpose it was seized upon by Mr. Calhoun and declared to be an outrage upon and menace to the slaveholding States. It occupied the attention of Congress for two sessions, and became the subject of debate in the State Legislatures, several of which passed disunion resolutions. It became the watchword of party—the synonym of civil war, and the dissolution of the Union. Neither party really had anything to fear or to hope from the adoption of the proviso—the soil was free, and the Democrats were not in a position to make slave territory of it, because it had just enunciated as one of its cardinal principles, that there was "*no power in Congress to legislate upon slavery in Territories*." Never did two political parties contend more furiously about nothing. Close observers, who had been watching the progress of the slavery agitation since its inauguration in Congress in 1835, knew it to be the means of keeping up an agitation for the benefit of the political parties —the abolitionists on one side and the disunionists or nullifiers on the other—to accomplish their own purposes. This was the celebrated Wilmot Proviso, which for so long a time convulsed the Union; assisted in forcing the issue between the North and South on the slavery question, and almost caused a dissolution of the Union. The proviso was defeated; that chance of the nullifiers to force the issue was

lost; another had to be made, which was speedily done, by the introduction into the Senate on the 19th February, 1847, by Mr. Calhoun of his new slavery resolutions, declaring the Territories to be the common property of the several States; denying the right of Congress to prohibit slavery in a Territory, or to pass any law which would have the effect to deprive the citizens of any slave State from emigrating with his property (slaves) into such Territory. The introduction of the resolutions was prefaced by an elaborate speech by Mr. Calhoun, who demanded an immediate vote upon them. They never came to a vote; they were evidently introduced for the mere purpose of carrying a question to the slave States on which they could be formed into a unit against the free States; and so began the agitation which finally led to the abrogation of the Missouri Compromise line, and arrayed the States of one section against those of the other.

The Thirtieth Congress, which assembled for its first session in December, 1847, was found, so far as respects the House of Representatives, to be politically adverse to the administration. The Whigs were in the majority, and elected the Speaker; Robert C. Winthrop, of Massachusetts, being chosen. The President's message contained a full report of the progress of the war with Mexico; the success of the American arms in that conflict; the victory of Cerro Gordo, and the capture of the City of Mexico; and that negotiations were then pending for a treaty of peace. The message concluded with a reference to the excellent results from the independent treasury system.

The war with Mexico was ended by the signing of a treaty of peace, in February, 1848, by the terms of which New Mexico and Upper California were ceded

to the United States, and the lower Rio Grande, from its mouth to El Paso, taken for the boundary of Texas. For the territory thus acquired, the United States agreed to pay to Mexico the sum of fifteen million dollars, in five annual installments; and besides that, assumed the claims of American citizens against Mexico, limited to three and a quarter million dollars, out of and on account of which claims the war ostensibly originated. The victories achieved by the American commanders, Generals Zachary Taylor and Winfield Scott, during that war, won for them national reputations, by means of which they were brought prominently forward for the Presidential succession.

The question of the power of Congress to legislate on the subject of slavery in the Territories, was again raised, at this session, on the bill for the establishment of the Oregon territorial government. An amendment was offered to insert a provision for the extension of the Missouri compromise line to the Pacific Ocean; which line thus extended was intended by the amendment to be permanent, and to apply to all future territories established in the West. This amendment was lost, but the bill was finally passed with an amendment incorporating into it the anti-slavery clause of the ordinance of 1787. Mr. Calhoun, in the Senate, declared that the exclusion of slavery from any territory was a subversion of the Union; openly proclaimed the strife between the North and South to be ended, and the separation of the States accomplished. His speech was an open invocation to disunion, and from that time forth, the efforts were regular to obtain a meeting of the members from the slave States, to unite in a call for a convention of the slave States to redress themselves. He said: “The great strife between the North and the

South is ended. The North is determined to exclude the property of the slaveholder, and, of course, the slaveholder himself, from its territory. On this point there seems to be no division in the North. In the South, he regretted to say, there was some division of sentiment. The effect of this determination of the North was to convert all the Southern population into slaves; and he would never consent to entail that disgrace on his posterity. He denounced any Southern man who would not take the same course. Gentlemen were greatly mistaken if they supposed the Presidential question in the South would override this more important one. The separation of the North and the South is completed. The South has now a most solemn obligation to perform—to herself—to the constitution—to the Union. She is bound to come to a decision not to permit this to go on any further, but to show that, dearly as she prizes the Union, there are questions which she regards as of greater importance than the Union. This is not a question of territorial government, but a question involving the continuance of the Union." The President, in approving the Oregon bill, took occasion to send in a special message, pointing out the danger to the Union from the progress of the slavery agitation, and urged an adherence to the principles of the ordinance of 1787—the terms of the Missouri compromise of 1820—as also that involved and declared in the Texas case in 1845, as the means of averting that danger.

The Presidential election of 1848 was coming on. The Democratic convention met in Baltimore in May of that year; each State being represented in the convention by the number of delegates equal to the number of electoral votes it was entitled to; saving only New York, which sent two sets of delegates, and

both were excluded. The delegates were, for the most part, members of Congress and office-holders. The two-thirds rule, adopted by the previous convention, was again made a law of the convention. The main question which arose upon the formation of the platform for the campaign, was the doctrine advanced by the Southern members of non-interference with slavery in the States or in the Territories. The candidates of the party were, Lewis Cass, of Michigan, for President, and General Wm. O. Butler, of Kentucky, for Vice-President.

The Whig convention, taking advantage of the popularity of Genl. Zachary Taylor, for his military achievements in the Mexican war, then just ended; and his consequent availability as a candidate, nominated him for the Presidency, over Mr. Clay, Mr. Webster and General Scott, who were his competitors before the convention. Millard Fillmore was selected as the Vice-presidential candidate.

A third convention was held, consisting of the disaffected Democrats from New York who had been excluded from the Baltimore convention. They met at Utica, New York, and nominated Martin Van Buren for President, and Charles Francis Adams for Vice-President. The principles of its platform, were, that Congress should abolish slavery wherever it constitutionally had the power to do so—[which was intended to apply to the District of Columbia]—that it should not interfere with it in the slave States—and that it should prohibit it in the Territories. This party became known as “Free-soilers,” from their doctrines thus enumerated, and their party cry of “free-soil, free-speech, free-labor, free-men.” The result of the election, as might have been foreseen, was to lose New York State to the Baltimore candidate, and give it to the Whigs, who were

triumphant in the reception of 163 electoral votes for their candidates, against 127 for the democrats; and none for the free-soilers.

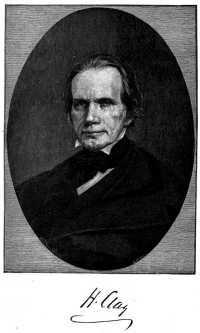
The last message of President Polk, in December following, gave him the opportunity to again urge upon Congress the necessity for some measure to quiet the slavery agitation, and he recommended the extension of the Missouri compromise line to the Pacific Ocean, passing through the new Territories of California and New Mexico, as a fair adjustment, to meet as far as possible the views of all parties. The President referred also to the state of the finances; the excellent condition of the public treasury; government loans, commanding a high premium; gold and silver the established currency; and the business interests of the country in a prosperous condition. And this was the state of affairs, only one year after emergency from a foreign war. It would be unfair not to give credit to the President and to Senator Benton and others equally prominent and courageous, who at that time had to battle against the bank theory and national paper money currency, as strongly urged and advocated, and to prove eventually that the money of the Constitution—gold and silver—was the only currency to ensure a successful financial working of the government, and prosperity to the people.

The new President, General Zachary Taylor, was inaugurated March 4, 1849. The Senate being convened, as usual, in extra session, for the purpose, the Vice-President elect, Millard Fillmore, was duly installed; and the Whig cabinet officers nominated by the President, promptly confirmed. An additional member of the Cabinet was appointed by this administration to preside over the new “Home Department” since called the “Interior,” created at

the previous session of Congress.

The following December Congress met in regular session—the 31st since the organization of the federal government. The Senate consisted of sixty members, among whom were Mr. Webster, Mr. Calhoun, and Mr. Clay, who had returned to public life. The House had 230 members; and although the Whigs had a small majority, the House was so divided on the slavery question in its various phases, that the election for Speaker resulted in the choice of the Democratic candidate, Mr. Cobb, of Georgia, by a majority of three votes. The annual message of the President plainly showed that he comprehended the dangers to the Union from a continuance of sectional feeling on the slavery question, and he averred his determination to stand by the Union to the full extent of his obligations and powers. At the previous session Congress had spent six months in endeavoring to frame a satisfactory bill providing territorial governments for California and New Mexico, and had adjourned finally without accomplishing it, in consequence of inability to agree upon whether the Missouri compromise line should be carried to the ocean, or the territories be permitted to remain as they were—slavery prohibited under the laws of Mexico. Mr. Calhoun brought forward, in the debate, a new doctrine—extending the Constitution to the territory, and arguing that as that instrument recognized the existence of slavery, the settlers in such territory should be permitted to hold their slave property taken there, and be protected. Mr. Webster's answer to this was that the Constitution was made for States, not territories; that it cannot operate anywhere, not even in the States for which it was made, without acts of Congress to enforce it. The proposed

extension of the constitution to territories, with a view to its transportation of slavery along with it, was futile and nugatory without the act of Congress to vitalize slavery under it. The early part of the year had witnessed ominous movements—nightly meetings of large numbers of members from the slave States, led by Mr. Calhoun, to consider the state of things between the North and the South. They appointed committees who prepared an address to the people. It was in this condition of things, that President Taylor expressed his opinion, in his message, of the remedies required. California, New Mexico and Utah, had been left without governments. For California, he recommended that having a sufficient population and having framed a constitution, she be admitted as a State into the Union; and for New Mexico and Utah, without mixing the slavery question with their territorial governments, they be left to ripen into States, and settle the slavery question for themselves in their State constitutions.



With a view to meet the wishes of all parties, and arrive at some definite and permanent adjustment of the slavery question, Mr. Clay early in the session

introduced compromise resolutions which were practically a tacking together of the several bills then on the calendar, providing for the admission of California—the territorial government for Utah and New Mexico—the settlement of the Texas boundary —slavery in the District of Columbia—and for a fugitive slave law. It was seriously and earnestly opposed by many, as being a concession to the spirit of disunion—a capitulation under threat of secession; and as likely to become the source of more contentions than it proposed to quiet.

The resolutions were referred to a special committee, who promptly reported a bill embracing the comprehensive plan of compromise which Mr. Clay proposed. Among the resolutions offered, was the following: “Resolved, that as slavery does not exist by law and is not likely to be introduced into any of the territory acquired by the United States from the Republic of Mexico, it is inexpedient for Congress to provide by law either for its introduction into or exclusion from any part of the said territory; and that appropriate territorial governments ought to be established by Congress in all of the said territory, and assigned as the boundaries of the proposed State of California, without the adoption of any restriction or condition on the subject of slavery.” Mr. Jefferson Davis of Mississippi, objected that the measure gave nothing to the South in the settlement of the question; and he required the extension of the Missouri compromise line to the Pacific Ocean as the least that he would be willing to take, with the specific recognition of the right to hold slaves in the territory below that line; and that, before such territories are admitted into the Union as States, slaves may be taken there from any of the United States at the option of their owner.

Mr. Clay in reply, said: “Coming from a slave State, as I do, I owe it to myself, I owe it to truth, I owe it to the subject, to say that no earthly power could induce me to vote for a specific measure for the introduction of slavery where it had not before existed, either south or north of that line.*** If the citizens of those territories choose to establish slavery, and if they come here with constitutions establishing slavery, I am for admitting them with such provisions in their constitutions; but then it will be their own work, and not ours, and their posterity will have to reproach them, and not us, for forming constitutions allowing the institution of slavery to exist among them.”

Mr. Seward of New York, proposed a renewal of the Wilmot Proviso, in the following resolution: “Neither slavery nor involuntary servitude, otherwise than by conviction for crime, shall ever be allowed in either of said territories of Utah and New Mexico;” but his resolution was rejected in the Senate by a vote of 23 yeas to 33 nays. Following this, Mr. Calhoun had read for him in the Senate, by his friend James M. Mason of Virginia, his last speech. It embodied the points covered by the address to the people, prepared by him the previous year; the probability of a dissolution of the Union, and presenting a case to justify it. The tenor of the speech is shown by the following extracts from it: “I have, Senators, believed from the first, that the agitation of the subject of slavery would, if not prevented by some timely and effective measure, end in disunion. Entertaining this opinion, I have, on all proper occasions, endeavored to call the attention of each of the two great parties which divide the country to adopt some measure to prevent so great a disaster, but without success. The agitation has been

permitted to proceed, with almost no attempt to resist it, until it has reached a period when it can no longer be disguised or denied that the Union is in danger. You have had forced upon you the greatest and gravest question that can ever come under your consideration: How can the Union be preserved?*** Instead of being weaker, all the elements in favor of agitation are stronger now than they were in 1835, when it first commenced, while all the elements of influence on the part of the South are weaker. Unless something decisive is done, I again ask what is to stop this agitation, before the great and final object at which it aims—the abolition of slavery in the States—is consummated? Is it, then, not certain that if something decisive is not now done to arrest it, the South will be forced to choose between abolition and secession? Indeed as events are now moving, it will not require the South to secede to dissolve the Union.*** If the agitation goes on, nothing will be left to hold the States together except force." He answered the question, *How can the Union be saved?* with which his speech opened, by suggesting: "To provide for the insertion of a provision in the constitution, by an amendment, which will restore to the South in substance the power she possessed of protecting herself, before the equilibrium between the sections was destroyed by the action of the government." He did not state of what the amendment should consist, but later on, it was ascertained from reliable sources that his idea was a dual executive—one President from the free, and one from the slave States, the consent of both of whom should be required to all acts of Congress before they become laws. This speech of Mr. Calhoun's, is important as explaining many of his previous actions; and as furnishing a guide to those who ten years

afterwards attempted to carry out practically the suggestions thrown out by him.

Mr. Clay's compromise bill was rejected. It was evident that no compromise of any kind whatever on the subject of slavery, under any one of its aspects separately, much less under all put together, could possibly be made. There was no spirit of concession manifested. The numerous measures put together in Mr. Clay's bill were disconnected and separated. Each measure received a separate and independent consideration, and with a result which showed the injustice of the attempted conjunction; for no two of them were passed by the same vote, even of the members of the committee which had even unanimously reported favorably upon them as a whole.

Mr. Calhoun died in the spring of 1850; before the separate bill for the admission of California was taken up. His death took place at Washington, he having reached the age of 68 years. A eulogy upon him was delivered in the Senate by his colleague, Mr. Butler, of South Carolina. Mr. Calhoun was the first great advocate of the doctrine of secession. He was the author of the nullification doctrine, and an advocate of the extreme doctrine of States Rights. He was an eloquent speaker—a man of strong intellect. His speeches were plain, strong, concise, sometimes impassioned, and always severe. Daniel Webster said of him, that "he had the basis, the indispensable basis of all high characters, and that was unspotted integrity, unimpeached honor and character!"

In July of this year an event took place which threw a gloom over the country. The President, General Taylor, contracted a fever from exposure to the hot sun at a celebration of Independence Day, from which he died four days afterwards. He was a

man of irreproachable private character, undoubted patriotism, and established reputation for judgment and firmness. His brief career showed no deficiency of political wisdom nor want of political training. His administration was beset with difficulties, with momentous questions pending, and he met the crisis with firmness and determination, resolved to maintain the Federal Union at all hazards. His first and only annual message, the leading points of which have been stated, evinces a spirit to do what was right among all the States. His death was a public calamity. No man could have been more devoted to the Union nor more opposed to the slavery agitation; and his position as a Southern man and a slaveholder—his military reputation, and his election by a majority of the people as well as of the States, would have given him a power in the settlement of the pending questions of the day which no President without these qualifications could have possessed.

In accordance with the Constitution, the office of President thus devolved upon the Vice-President, Mr. Millard Fillmore, who was duly inaugurated July 10, 1850. The new cabinet, with Daniel Webster as Secretary of State, was duly appointed and confirmed by the Senate.

The bill for the admission of California as a State in the Union, was called up in the Senate and sought to be amended by extending the Missouri Compromise line through it, to the Pacific Ocean, so as to authorize slavery in the State below that line. The amendment was introduced and pressed by Southern friends of the late Mr. Calhoun, and made a test question. It was lost, and the bill passed by a two-third vote; whereupon ten Southern Senators offered a written protest, the concluding clause of

which was: “We dissent from this bill, and solemnly protest against its passage, because in sanctioning measures so contrary to former precedents, to obvious policy, to the spirit and intent of the constitution of the United States, for the purpose of excluding the slaveholding States from the territory thus to be erected into a State, this government in effect declares that the exclusion of slavery from the territory of the United States is an object so high and important as to justify a disregard not only of all the principles of sound policy, but also of the constitution itself. Against this conclusion we must now and for ever protest, as it is destructive of the safety and liberties of those whose rights have been committed to our care, fatal to the peace and equality of the States which we represent, and must lead, if persisted in, to the dissolution of that confederacy, in which the slaveholding States have never sought more than equality, and in which they will not be content to remain with less.” On objection being made, followed by debate, the Senate refused to receive the protest, or permit it to be entered on the Journal. The bill went to the House of Representatives, was readily passed, and promptly approved by the President. Thus was virtually accomplished the abrogation of the Missouri compromise line; and the extension or non-extension of slavery was then made to form a foundation for future political parties.

The year 1850 was prolific with disunion movements in the Southern States. The Senators who had joined with Mr. Calhoun in the address to the people, in 1849, united with their adherents in establishing at Washington a newspaper entitled “The Southern Press,” devoted to the agitation of the slavery question; to presenting the advantages of

disunion, and the organization of a confederacy of Southern States to be called the “United States South.” Its constant aim was to influence the South against the North, and advocated concert of action by the States of the former section. It was aided in its efforts by newspapers published in the South, more especially in South Carolina and Mississippi. A disunion convention was actually held, in Nashville, Tennessee, and invited the assembly of a Southern Congress. Two States, South Carolina and Mississippi responded to the appeal; passed laws to carry it into effect, and the former went so far as to elect its quota of Representatives to the proposed new Southern Congress. These occurrences are referred to as showing the spirit that prevailed, and the extraordinary and unjustifiable means used by the leaders to mislead and exasperate the people. The assembling of a Southern “Congress” was a turning point in the progress of disunion. Georgia refused to join; and her weight as a great Southern State was sufficient to cause the failure of the scheme. But the seeds of discord were sown, and had taken root, only to spring up at a future time when circumstances should be more favorable to the accomplishment of the object.

Although the Congress of the United States had in 1790 and again in 1836 formally declared the policy of the government to be non-interference with the States in respect to the matter of slavery within the limits of the respective States, the subject continued to be agitated in consequence of petitions to Congress to abolish slavery in the District of Columbia, which was under the exclusive control of the federal government; and of movements throughout the United States to limit, and finally abolish it. The subject first made its appearance in

national politics in 1840, when a presidential ticket was nominated by a party then formed favoring the abolition of slavery; it had a very slight following which was increased tenfold at the election of 1844 when the same party again put a ticket in the field with James G. Birney of Michigan, as its candidate for the Presidency; who received 62,140 votes. The efforts of the leaders of that faction were continued, and persisted in to such an extent, that when in 1848 it nominated a ticket with Gerritt Smith for President, against the Democratic candidate, Martin Van Buren, the former received 296,232 votes. In the presidential contest of 1852 the abolition party again nominated a ticket, with John P. Hale as its candidate for President, and polled 157,926 votes. This large following was increased from time to time, until uniting with a new party then formed, called the Republican party, which latter adopted a platform endorsing the views and sentiments of the abolitionists, the great and decisive battle for the principles involved, was fought in the ensuing presidential contest of 1856; when the candidate of the Republican party, John C. Fremont, supported by the entire abolition party, polled 1,341,812 votes. The first national platform of the Abolition party, upon which it went into the contest of 1840, favored the abolition of slavery in the District of Columbia and Territories; the inter-state slave trade, and a general opposition to slavery to the full extent of constitutional power.

Following the discussion of the subject of slavery, in the Senate and House of Representatives, brought about by the presentation of petitions and memorials, and the passage of the resolutions in 1836 rejecting such petitions, the question was again raised by the presentation in the House, by Mr. Slade

of Vermont, on the 20th December 1837, of two memorials praying the abolition of slavery in the District of Columbia, and moving that they be referred to a select committee. Great excitement prevailed in the chamber, and of the many attempts by the Southern members an adjournment was had. The next day a resolution was offered that thereafter all such petitions and memorials touching the abolition of slavery should, when presented, be laid on the table; which resolution was adopted by a large vote. During the 24th Congress, the Senate pursued the course of laying on the table the motion to receive all abolition petitions; and both Houses during the 25th Congress continued the same course of conduct; when finally on the 25th of January 1840, the House adopted by a vote of 114 to 108, an amendment to the rules, called the 21st Rule, which provided:—"that no petition, memorial or resolution, or other paper, praying the abolition of slavery in the District of Columbia, or any state or territory, or the slave-trade between the States or territories of the United States, in which it now exists, shall be received by this House, or entertained in any way whatever." This rule was afterwards, on the 3d of December, 1844, rescinded by the House, on motion of Mr. J. Quincy Adams, by a vote of 108 to 80; and a motion to re-instate it, on the 1st of December 1845, was rejected by a vote of 84 to 121. Within five years afterwards—on the 17th September 1850, —the Congress of the United States enacted a law, which was approved by the President, abolishing slavery in the District of Columbia.

On the 25th of February, 1850, there was presented in the House of Representatives, two petitions from citizens of Pennsylvania and Delaware, setting forth that slavery, and the

constitution which permits it, violates the Divine law; is inconsistent with republican principles; that its existence has brought evil upon the country; and that no union can exist with States which tolerate that institution; and asking that some plan be devised for the immediate, peaceful dissolution of the Union. The House refused to receive and consider the petitions; as did also the Senate when the same petitions were presented the same month.

The presidential election of 1852 was the last campaign in which the Whig party appeared in National politics. It nominated a ticket with General Winfield Scott as its candidate for President. His opponent on the Democratic ticket was General Franklin Pierce. A third ticket was placed in the field by the Abolition party, with John P. Hale as its candidate for President. The platform and declaration of principles of the Whig party was in substance a ratification and endorsement of the several measures embraced in Mr. Clay's compromise resolutions of the previous session of Congress, before referred to; and the policy of a revenue for the economical administration of the government, to be derived mainly from duties on imports, and by these means to afford protection to American industry. The main plank of the platform of the Abolition party (or Independent Democrats, as they were called) was for the non-extension and gradual extinction of slavery. The Democratic party equally adhered to the compromise measure. The election resulted in the choice of Franklin Pierce, by a popular vote of 1,601,474, and 254 electoral votes, against a popular aggregate vote of 1,542,403 (of which the abolitionists polled 157,926) and 42 electoral votes, for the Whig and Abolition candidates. Mr. Pierce was duly inaugurated as President, March 4, 1853.

The first political parties in the United States, from the establishment of the federal government and for many years afterwards, were denominated Federalists and Democrats, or Democratic-Republicans. The former was an anti-alien party. The latter was made up to a large extent of naturalized foreigners; refugees from England, Ireland and Scotland, driven from home for hostility to the government or for attachment to France. Naturally, aliens sought alliance with the Democratic party, which favored the war against Great Britain. The early party contests were based on the naturalization laws; the first of which, approved March 26, 1790, required only two years' residence in this country; a few years afterwards the time was extended to five years; and in 1798 the Federalists taking advantage of the war fever against France, and then being in power, extended the time to fourteen years. (See Alien and Sedition Laws of 1798). Jefferson's election and Democratic victory of 1800, brought the period back to five years in 1802, and reinforced the Democratic party. The city of New York, especially, from time to time became filled with foreigners; thus naturalized; brought into the Democratic ranks; and crowded out native Federalists from control of the city government, and to meet this condition of affairs, the first attempt at a Native American organization was made. Beginning in 1835; ending in failure in election of Mayor in 1837, it was revived in April, 1844, when the Native American organization carried New York city for its Mayoralty candidate by a good majority. The success of the movement there, caused it to spread to New Jersey and Pennsylvania. In Philadelphia, it was desperately opposed by the Democratic, Irish and Roman Catholic element, and so furiously, that it resulted in

riots, in which two Romish Churches were burned and destroyed. The adherents of the American organization were not confined to Federalists or Whigs, but largely of native Democrats; and the Whigs openly voted with Democratic Natives in order to secure their vote for Henry Clay for the Presidency; but when in November, 1844, New York and Philadelphia both gave Native majorities, and so sapped the Whig vote, that both places gave majorities for the Democratic Presidential electors, the Whigs drew off. In 1845, at the April election in New York, the natives were defeated, and the new party disappeared there. As a result of the autumn election of 1844, the 29th Congress, which organized in December, 1845, had six Native Representatives; four from New York and two from Pennsylvania. In the 30th Congress, Pennsylvania had one. Thereafter for some years, with the exception of a small vote in Pennsylvania and New York, Nativism disappeared. An able writer of that day—Hon. A. H. H. Stuart, of Virginia—published under the nom-de-plume of "Madison" several letters in vindication of the American party (revived in 1852,) in which he said: "The vital principle of the American party is *Americanism*—developing itself in a deep-rooted attachment to our own country—its constitution, its union, and its laws—to American men, and American measures, and American interests—or, in other words, a fervent patriotism—which, rejecting the transcendental philanthropy of abolitionists, and that kindred batch of wild enthusiasts, who would seek to embroil us with foreign countries, in righting the wrongs of Ireland, or Hungary, or Cuba—would guard with vestal vigilance American institutions and American interests against the baneful effects of foreign influence."

About 1852, when the question of slavery in the territories, and its extension or its abolition in the States, was agitated and causing sectional differences in the country, many Whigs and Democrats forsook their parties, and took sides on the questions of the day. This was aggravated by the large number of alien naturalized citizens constantly added to the ranks of voters, who took sides with the Democrats and against the Whigs. Nativism then re-appeared, but in a new form—that of a secret fraternity. Its real name and objects were not revealed—even to its members, until they reached a high degree in the order; and the answer of members on being questioned on these subjects was, “I don’t know”—which gave it the popular name, by which it is yet known, of “Know-nothing.” Its moving causes were the growing power and designs of the Roman Catholic Church in America; the sudden influx of aliens; and the greed and incapacity of naturalized citizens for office. Its cardinal principle was: “Americans must rule America”; and its countersign was the order of General Washington on a critical occasion during the war: “Put none but Americans on guard to-night.” Its early nominations were not made public, but were made by select committees and conventions of delegates. At first these nominations were confined to selections of the best Whig or best Democrat on the respective tickets; and the choice not being made known, but quietly voted for by all the members of the order, the effect was only visible after election, and threw all calculation into chaos. For a while it was really the arbiter of elections.

On February 8, 1853, a bill passed the House of Representatives providing a territorial government for Nebraska, embracing all of what is now Kansas and Nebraska. It was silent on the subject of the

repeal of the Missouri Compromise. The bill was tabled in the Senate; to be revived at the following session. In the Senate it was amended, on motion of Mr. Douglas, to read: "That so much of the 8th section of an act approved March 6, 1820, (the Missouri compromise) *** which, being inconsistent with the principles of non-intervention by Congress with slavery in the States and Territories, as recognized by the legislature of 1850, commonly called the Compromise measures, is hereby declared inoperative and void; it being the true intent and meaning of this act not to legislate slavery into any Territory or State, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States." It was further amended, on motion of Senator Clayton, to prohibit "alien suffrage." In the House this amendment was not agreed to; and the bill finally passed without it, on the 25th May, 1854.

So far as Nebraska was concerned, no excitement of any kind marked the initiation of her territorial existence. The persons who emigrated there seemed to regard the pursuits of business as of more interest than the discussion of slavery. Kansas was less fortunate. Her territory became at once the battle-field of a fierce political conflict between the advocates of slavery, and the free soil men from the North who went there to resist the establishment of that institution in the territory. Differences arose between the Legislature and the Governor, brought about by antagonisms between the Pro-slavery party and the Free State party; and the condition of affairs in Kansas assumed so frightful a mien in January, 1856, that the President sent a special message to Congress on the subject, January 24, 1856; followed

by a Proclamation, February 11, 1856, “warning all unlawful combinations (in the territory) to retire peaceably to their respective abodes, or he would use the power of the local militia, and the available forces of the United States to disperse them.”

Several applications were made to Congress for several successive years, for the admission of Kansas as a state in the Union; upon the basis of three separate and distinct constitutions, all differing as to the main questions at issue between the contending factions. The name of Kansas was for some years synonymous with all that is lawless and anarchical. Elections became mere farces, and the officers thus fraudulently placed in power, used their authority only for their own or their party’s interest. The party opposed to slavery at length triumphed; a constitution excluding slavery was adopted in 1859, and Kansas was admitted into the Union January 29, 1861.

Under the fugitive slave law, which was passed by Congress at the session of 1850, as one of the Compromise measures, introduced by Mr. Clay, a long and exciting litigation occurred to test the validity and constitutionality of the act, and the several laws on which it depended. The suit was instituted by Dred Scott, a negro slave, in the Circuit Court of the United States for the District of Missouri, in April Term, 1854, against John F. A. Sanford, his alleged owner, for trespass *vi et armis*, in holding the plaintiff and his wife and daughters in slavery in said District of Missouri, where by law slavery was prohibited; they having been previously lawfully held in slavery by a former owner—Dr. Emerson—in the State of Illinois, from whence they were taken by him to Missouri, and sold to the defendant, Sanford. The case went up on appeal to

the Supreme Court of the United States, and was clearly and elaborately argued. The majority opinion, delivered by Chief Justice Taney, as also the dissenting opinions, are reported in full in Howard's U. S. Supreme Court Reports, Volume 19, page 393. In respect to the territories the Constitution grants to Congress the power "to make all needful rules and regulations concerning the territory and *other property* belonging to the United States." The Court was of opinion that the clause of the Constitution applies only to the territory within the original States at the time the Constitution was adopted, and that it did not apply to future territory acquired by treaty or conquest from foreign nations. They were also of opinion that the power of Congress over such future territorial acquisitions was not unlimited, that the citizens of the States migrating to a territory were not to be regarded as colonists, subject to absolute power in Congress, but as citizens of the United States, with all the rights of citizenship guarantied by the Constitution, and that no legislation was constitutional which attempted to deprive a citizen of his property on his becoming a resident of a territory. This question in the case arose under the act of Congress prohibiting slavery in the territory of upper Louisiana, (acquired from France, afterwards the State), and of which the territory of Missouri was formed. Any obscurity as to what constitutes citizenship, will be removed by attending to the distinction between local rights of citizenship of the United States according to the Constitution. Citizenship at large in the sense of the Constitution can be conferred on a foreigner only by the naturalization laws of Congress. But each State, in the exercise of its local and reserved sovereignty, may place foreigners or other persons on a footing

with its own citizens, as to political rights and privileges to be enjoyed within its own dominion. But State regulations of this character do not make the persons on whom such rights are conferred citizens of the United States or entitle them to the privileges and immunities of citizens in another State. See 5 Wheaton, (U. S. Supreme Court Reports), page 49.

The Court said in The Dred Scott case, above referred to, that:—"The right of property in a slave is distinctly and expressly affirmed in the Constitution. The right to traffic in it like the ordinary article of merchandise and property was guarantied to the citizens of the United States, in every State that might desire it for twenty years, and the government in express terms is pledged to protect it in all future time if the slave escapes from his owner. This is done in plain words—too plain to be misunderstood, and no word can be found in the Constitution which gives Congress a greater power over slave property, or which entitles property of that kind to less protection than the property of any other description. The only power conferred is the power coupled with the duty of guarding and protecting the owner in his rights. Upon these considerations, it is the opinion of the Court that the Act of Congress which prohibited a citizen from holding and owning property of this kind in the territory of the United States north of the line therein mentioned, is not warranted by the Constitution and is therefore void; and that neither Dred Scott himself, nor any of his family were made free by being carried into this territory; even if they had been carried there by the owner with the intention of becoming a permanent resident." The abolition of slavery by the 13th amendment to the Constitution of the United States

ratified and adopted December 18, 1865, has put an end to these discussions formerly so numerous.

As early as 1854, the Kansas-Nebraska controversy on the territorial government bill, resulted in a division of the Whig party in the North. Those not sufficiently opposed to slavery to enter the new Republican party, then in its incipiency, allied themselves with the Know-Nothing order, which now accepting the name of American party established a separate and independent political existence. The party had no hold in the West; it was entirely Middle State at this time, and polled a large vote in Massachusetts, Delaware and New York. In the State elections of 1855 the American party made a stride Southward. In 1855, the absence of naturalized citizens was universal in the South, and even so late as 1881 the proportion of foreign born population in the Southern States, with the exception of Florida, Louisiana, and Texas was under two per cent. At the early date—1855—the nativist feeling among the Whigs of that section, made it easy to transfer them to the American party, which thus secured in both the Eastern and Southern States, the election of Governor and Legislature in the States of New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, California and Kentucky; and also elected part of its State ticket in Maryland, and Texas; and only lost the States of Virginia, Alabama, Mississippi, Louisiana, and Texas, by small majorities against it.

The order began preparations for a campaign as a National party, in 1856. It aimed to introduce opposition to aliens and Roman Catholicism as a national question. On the 21st of February, 1856, the National Council held a session at Philadelphia, and proceeded to formulate a declaration of principles,

and make a platform, which were as follows:

"An humble acknowledgement to the Supreme Being, for his protecting care vouchsafed to our fathers in their successful Revolutionary struggle, and hitherto manifested to us, their descendants, in the preservation of the liberties, the independence, and the union of these States.

2d. The perpetuation of the Federal Union, as the palladium of our civil and religious liberties, and the only sure Bulwark of American independence.

3d. Americans must rule America, and to this end, native-born citizens should be selected for all state, federal, and municipal offices or government employment, in preference to all others; nevertheless,

4th. Persons born of American parents residing temporarily abroad, should be entitled to all the rights of native-born citizens; but,

5th. No person shall be selected for political station (whether of native or foreign birth), who recognizes any allegiance or obligation, of any description, to any foreign prince, potentate, or power, or who refuses to recognize the Federal and State constitutions (each within its sphere) as paramount to all other laws, as rules of political action.

6th. The unqualified recognition and maintenance of the reserved rights of the several States, and the cultivation of harmony and fraternal good will, between the citizens of the several States, and to this end, non-interference by congress with questions appertaining solely to the individual States, and non-intervention by each State with the affairs of any other State.

7th. The recognition of the right of the native-born

and naturalized citizens of the United States, permanently residing in any territory thereof, to frame their constitution and laws, and to regulate their domestic and social affairs in their own mode, subject only to the provisions of the Federal Constitution, with the privilege of admission into the Union, whenever they have the requisite population for one representative in Congress.—Provided always, that none but those who are citizens of the United States, under the Constitution and laws thereof, and who have a fixed residence in any such territory, ought to participate in the formation of the Constitution, or in the enactment of laws for said Territory or State.

8th. An enforcement of the principle that no State or Territory ought to admit others than citizens of the United States to the right of suffrage, or of holding political office.

9th. A change in the laws of naturalization, making a continued residence of twenty-one years, of all not hereinbefore provided for, an indispensable requisite for citizenship hereafter, and excluding all paupers, and persons convicted of crime, from landing upon our shores; but no interference with the vested rights of foreigners.

10th. Opposition to any union between Church and State; no interference with religious faith, or worship, and no test oaths for office.

11th. Free and thorough investigation into any and all alleged abuses of public functionaries, and a strict economy in public expenditures.

12th. The maintenance and enforcement of all laws constitutionally enacted, until said laws shall be repealed, or shall be declared null and void by competent judicial authority.

The American Ritual, or Constitution, rules, regulations, and ordinances of the Order were as follows:—

AMERICAN RITUAL.

Constitution of the National Council of the United States of North America.

ART. 1st. This organization shall be known by the name and title of THE NATIONAL COUNCIL OF THE UNITED STATES OF NORTH AMERICA, and its jurisdiction and power shall extend to all the states, districts, and territories of the United States of North America.

ART. 2d. The object of this organization shall be to protect every American citizen in the legal and proper exercise of all his civil and religious rights and privileges; to resist the insidious policy of the Church of Rome, and all other foreign influence against our republican institutions in all lawful ways; to place in all offices of honor, trust, or profit, in the gift of the people, or by appointment, none but native-born Protestant citizens, and to protect, preserve, and uphold the union of these states and the constitution of the same.

ART. 3d. Sec. 1.—A person to become a member of any subordinate council must be twenty-one years of age; he must believe in the existence of a Supreme Being as the Creator and preserver of the universe. He must be a native-born citizen; a Protestant, either born of Protestant parents, or reared under Protestant influence; and not united in marriage with a Roman Catholic; provided, nevertheless, that in this last respect, the state, district, or territorial councils shall be authorized to so construct their respective constitutions as shall best promote the interests of the American cause in their several jurisdictions; and provided, moreover, that no member who may have a Roman Catholic wife shall be eligible to office in this order; and provided, further, should any state, district, or territorial

council prefer the words “Roman Catholic” as a disqualification to membership, in place of “Protestant” as a qualification, they may so consider this constitution and govern their action accordingly.

Sec. 2.—There shall be an interval of three weeks between the conferring of the first and second degrees; and of three months between the conferring of the second and third degrees—provided, that this restriction shall not apply to those who may have received the second degree previous to the first day of December next; and provided, further, that the presidents of state, district, and territorial councils may grant dispensations for initiating in all the degrees, officers of new councils.

Sec. 3.—The national council shall hold its annual meetings on the first Tuesday in the month of June, at such place as may be designated by the national council at the previous annual meeting, and it may adjourn from time to time. Special meetings may be called by the President, on the written request of five delegations representing five state councils; provided, that sixty days’ notice shall be given to the state councils previous to said meeting.

Sec. 4.—The national council shall be composed of seven delegates from each state, to be chosen by the state councils; and each district or territory where a district or territorial council shall exist, shall be entitled to send two delegates, to be chosen from said council—provided that in the nomination of candidates for President and Vice-President of the United States, and each state shall be entitled to cast the same number of votes as they shall have members in both houses of Congress. In all sessions of the national council, thirty-two delegates, representing thirteen states, territories, or districts, shall constitute a quorum for the transaction of

business.

Sec. 5.—The national council shall be vested with the following powers and privileges:

It shall be the head of the organization for the United States of North America, and shall fix and establish all signs, grips, pass-words, and such other secret work, as may seem to it necessary.

It shall have the power to decide all matters appertaining to national politics.

It shall have the power to exact from the state councils, quarterly or annual statements as to the number of members under their jurisdictions, and in relation to all other matters necessary for its information.

It shall have the power to form state, territorial, or district councils, and to grant dispensations for the formation of such bodies, when five subordinate councils shall have been put in operation in any state, territory, or district, and application made.

It shall have the power to determine upon a mode of punishment in case of any dereliction of duty on the part of its members or officers.

It shall have the power to adopt cabalistic characters for the purpose of writing or telegraphing. Said characters to be communicated to the presidents of the state councils, and by them to the presidents of the subordinate councils.

It shall have the power to adopt any and every measure it may deem necessary to secure the success of the organization; provided that nothing shall be done by the said national council in violation of the constitution; and provided further, that in all political matters, its members may be instructed by the state councils, and if so instructed, shall carry out such instructions of the state councils which they

represent until overruled by a majority of the national council.

Art. 4. The President shall always preside over the national council when present, and in his absence the Vice-President shall preside, and in the absence of both the national council shall appoint a president *pro tempore*; and the presiding officers may at all times call a member to the chair, but such appointment shall not extend beyond one sitting of the national council.

Art. 5. Sec. 1.—The officers of the National Council shall be a President, Vice-President, Chaplain, Corresponding Secretary, Recording Secretary, Treasurer, and two Sentinels, with such other officers as the national council may see fit to appoint from time to time; and the secretaries and sentinels may receive such compensation as the national council shall determine.

Sec. 2.—The duties of the several officers created by this constitution shall be such as the work of this organization prescribes.

Art. 6. Sec. 1.—All officers provided for by this constitution, except the sentinels, shall be elected annually by ballot. The president may appoint sentinels from time to time.

Sec. 2.—A majority of all the votes cast shall be requisite to an election for an office.

Sec. 3.—All officers and delegates of this council, and of all state, district, territorial, and subordinate councils, must be invested with all the degrees of this order.

Sec. 4.—All vacancies in the elective offices shall be filled by a vote of the national council, and only for the unexpired term of the said vacancy.

Art. 7. Sec. 1.—The national council shall entertain

and decide all cases of appeal, and it shall establish a form of appeal.

Sec. 2.—The national council shall levy a tax upon the state, district, or territorial councils, for the support of the national council, to be paid in such manner and at such times as the national council shall determine.

Art. 8.—This national council may alter and amend this constitution at its regular annual meeting in June next, by a vote of the majority of the whole number of the members present. (Cincinnati, Nov. 24, 1854.)

RULES AND REGULATIONS.

Rule 1.—Each State, District, or Territory, in which there may exist five or more subordinate councils working under dispensations from the National Council of the United States of North America, or under regular dispensations from some State, District, or Territory, are duly empowered to establish themselves into a State, District, or Territorial council, and when so established, to form for themselves constitutions and by-laws for their government, in pursuance of, and in consonance with the Constitution of the National Council of the United States; provided, however, that all State, District, or Territorial constitutions shall be subject to the approval of the National Council of the United States. (June, 1854.)

Rule 2.—All State, District, or Territorial councils, when established, shall have full power and authority to establish all subordinate councils within their respective limits; and the constitutions and by-laws of all such subordinate councils must be

approved by their respective State, District, or Territorial councils. (June, 1854.)

Rule 3.—All State, District, or Territorial councils, when established and until the formation of constitutions, shall work under the constitution of the National Council of the United States. (June, 1854.)

Rule 4.—In all cases where, for the convenience of the organization, two State or Territorial councils may be established, the two councils together shall be entitled to but thirteen delegates[3] in the National Council of the United States—the proportioned number of delegates to depend on the number of members in the organizations; provided, that no State shall be allowed to have more than one State council, without the consent of the National Council of the United States. (June, 1854.)

Rule 5.—In any State, District, or Territory, where there may be more than one organization working on the same basis, (to wit, the lodges and "councils,") the same shall be required to combine; the officers of each organization shall resign and new officers be elected; and thereafter these bodies shall be known as State councils, and subordinate councils, and new charters shall be granted to them by the national council. (June, 1854.)

Rule 6.—It shall be considered a penal offence for any brother not an officer of a subordinate council, to make use of the sign or summons adopted for public notification, except by direction of the President; or for officers of a council to post the same at any other time than from midnight to one hour before daybreak, and this rule shall be incorporated into the by-laws of the State, District, and Territorial councils. (June, 1854.)

Rule 7.—The determination of the necessity and mode of issuing the posters for public notification shall be intrusted to the State, District, or Territorial councils. (June, 1854.)

Rule 8.—The respective State, District, or Territorial councils shall be required to make statements of the number of members within their respective limits, at the next meeting of this national council, and annually thereafter, at the regular annual meeting. (June, 1854.)

Rule 9.—The delegates to the National Council of the United States of North America shall be entitled to three dollars per day for their attendance upon the national council, and for each day that may be necessary in going and returning from the same; and five cents per mile for every mile they may necessarily travel in going to, and returning from the place of meeting of the national council; to be computed by the nearest mail route: which shall be paid out of the treasury of the national council. (November, 1854.)

Rule 10.—Each State, District, or Territorial council shall be taxed four cents per annum for every member in good standing belonging to each subordinate council under its jurisdiction on the first day of April, which shall be reported to the national council, and paid into the national treasury, on or before the first day of the annual session, to be held in June; and on the same day in each succeeding year. And the first fiscal year shall be considered as commencing on the first day of December, 1854, and ending on the fifteenth day of May, 1855. (November, 1854.)

Rule 11.—The following shall be the key to determine and ascertain the purport of any

communication that may be addressed to the President of a State, District, or Territorial council by the President of the national council, who is hereby instructed to communicate a knowledge of the same to said officers:

A	B	C	D	E	F	G	H	I	J	K	L	M
1	7	13	19	25	2	8	14	20	26	3	9	15
N	O	P	Q	R	S	T	U	V	W	X	Y	Z
21	4	10	16	22	5	11	17	23	6	12	18	24

Rule 12.—The clause of the article of the constitution relative to belief in the Supreme Being is obligatory upon every State and subordinate council, as well as upon each individual member. (June, 1854.)

Rule 13.—The following shall be the compensation of the officers of this council:

1st. The Corresponding Secretary shall be paid two thousand dollars per annum, from the 17th day of June, 1854.

2d. The Treasurer shall be paid five hundred dollars per annum, from the 17th day of June, 1854.

3d. The Sentinels shall be paid five dollars for every day they may be in attendance on the sittings of the national council.

4th. The Chaplain shall be paid one hundred dollars per annum, from the 17th day of June, 1854.

5th. The Recording Secretary shall be paid five hundred dollars per annum, from the 17th day of June, 1854.

6th. The Assistant Secretary shall be paid five dollars per day, for every day he may be in attendance on the sitting of the national council. All

of which is to be paid out of the national treasury, on the draft of the President. (November, 1854.)

SPECIAL VOTING.

Vote 1st.—This national council hereby grants to the State of Virginia two State councils, the one to be located in Eastern and the other in Western Virginia, the Blue Ridge Mountains being the geographical line between the two jurisdictions. (June, 1854.)

Vote 2d.—The President shall have power, till the next session of the national council, to grant dispensations for the formation of State, District, or Territorial councils, in form most agreeable to his own discretion, upon proper application being made. (June, 1854.)

Vote 3d.—The seats of all delegates to and members of the present national council shall be vacated on the first Tuesday in June, 1855, at the hour of six o'clock in the forenoon; and the national council convening in annual session upon that day, shall be composed exclusively of delegates elected under and in accordance with the provisions of the constitution, as amended at the present session of this national council; provided, that this resolution shall not apply to the officers of the national council. (November, 1854.)

Vote 4th.—The Corresponding Secretary of this council is authorized to have printed the names of the delegates to this national council; also, those of the Presidents of the several State, District, and Territorial councils, together with their address, and to forward a copy of the same to each person named; and further, the Corresponding Secretaries of each State, District, and Territory are requested to forward

a copy of their several constitutions to each other. (November, 1854.)

Vote 5th.—In the publication of the constitution and the ritual, under the direction of the committee —brothers Deshler, Damrell, and Stephens—the name, signs, grips, and pass-words of the order shall be indicated by [* * *], and a copy of the same shall be furnished to each State, District, and Territorial council, and to each member of that body. (November, 1854.)

Vote 6th.—A copy of the constitution of each State, District, and Territorial council, shall be submitted to this council for examination. (November, 1854.)

Vote 7th.—It shall be the duty of the Treasurer, at each annual meeting of this body, to make a report of all moneys received or expended in the interval. (November, 1854.)

Vote 8th.—Messrs. Gifford of Pa., Barker of N. Y., Deshler of N. J., Williamson of Va., and Stephens of Md., are appointed a committee to confer with similar committees that have been appointed for the purpose of consolidating the various American orders, with power to make the necessary arrangement for such consolidation—subject to the approval of this national council, at its next session. (November, 1854.)

Vote 9th.—On receipt of the new ritual by the members of this national council who have received the third degree, they or any of them may, and they are hereby empowered to, confer the third degree upon members of this body in their respective states, districts, and territories, and upon the presidents and other officers of their state, district, and territorial councils. And further, the presidents of the state,

district, and territorial councils shall in the first instance confer the third degree upon as many of the presidents and officers of their subordinate councils as can be assembled together in their respective localities; and afterwards the same may be conferred upon officers of other subordinate councils, by any presiding officer of a council who shall have previously received it under the provisions of the constitution. (November, 1854.)

Vote 10th.—To entitle any delegate to a seat in this national council, at its annual session in June next, he must present a properly authenticated certificate that he was duly elected as a delegate to the same, or appointed a substitute in accordance with the requirements of the constitutions of state, territorial, or district councils. And no delegate shall be received from any state, district, or territorial council which has not adopted the constitution and ritual of this national council. (November, 1854.)

Vote 11th.—The committee on printing the constitution and ritual is authorized to have a sufficient number of the same printed for the use of the order. And no state, district, or territorial council shall be allowed to reprint the same. (November, 1854.)

Vote 12th.—The right to establish all subordinate councils in any of the states, districts, and territories represented in this national council, shall be confined to the state, district, and territorial councils which they represent. (November, 1854.)

Constitution for the Government of Subordinate Councils.

Art. I. Sec. 1.—Each subordinate council shall be composed of not less than thirteen members, all of

whom shall have received all the degrees of the order, and shall be known and recognised as —— Council, No. ——, of the —— of the county of ——, and State of North Carolina.

Sec. 2.—No person shall be a member of any subordinate council in this state, unless he possesses all the qualifications, and comes up to all the requirements laid down in the constitution of the national council, and whose wife (if he has one), is not a Roman Catholic.

Sec. 3. No application for membership shall be received and acted on from a person residing out of the state, or resides in a county where there is a council in existence, unless upon special cause to be stated to the council, to be judged of by the same; and such person, if the reasons be considered sufficient, may be initiated the same night he is proposed, provided he resides five miles or more from the place where the council is located. But no person can vote in any council, except the one of which he is a member.

Sec. 4. Every person applying for membership, shall be voted for by ballot, in open council, if a ballot is requested by a single member. If one-third of the votes cast be against the applicant, he shall be rejected. If any applicant be rejected, he shall not be again proposed within six months thereafter. Nothing herein contained shall be construed to prevent the initiation of applicants privately, by those empowered to do so, in localities where there are no councils within a convenient distance.

Sec. 5. Any member of one subordinate council wishing to change his membership to another council, shall apply to the council to which he belongs, either in writing or orally through another

member, and the question shall be decided by the council. If a majority are in favor of granting him an honorable dismission, he shall receive the same in writing, to be signed by the president and countersigned by the secretary. But until a member thus receiving an honorable dismission has actually been admitted to membership in another council, he shall be held subject to the discipline of the council from which he has received the dismission, to be dealt with by the same, for any violation of the requirements of the order. Before being received in the council to which he wishes to transfer his membership, he shall present said certificate of honorable dismission, and shall be received as new members are.

Sec. 6. Applications for the second degree shall not be received except in second degree councils, and voted on by second and third degree members only, and applications for the third degree shall be received in third degree councils, and voted on by third degree members only.

Art. II.—Each subordinate council shall fix on its own time and place for meeting: and shall meet at least once a month, but where not very inconvenient, it is recommended that they meet once a week. Thirteen members shall form a quorum for the transaction of business. Special meetings may be called by the president at any time, at the request of four members of the order.

Art. III.—Sec. 1. The members of each subordinate council shall consist of a president, vice-president, instructor, secretary, treasurer, marshal, inside and outside sentinel, and shall hold their offices for the term of six months, or until their successors are elected and installed.

Sec. 2. The officers of each subordinate council (except the sentinels, who shall be appointed by the president), shall be elected at the first regular meetings in January and July, separately, and by ballot; and each shall receive a majority of all the votes cast to entitle him to an election. No member shall be elected to any office, unless he be present and signify his assent thereto at the time of his election. Any vacancy which may occur by death, resignation, or otherwise, shall be filled at the next meeting thereafter, in the manner and form above described.

Sec. 3. The President.—It shall be the duty of the president of each subordinate council, to preside in the council, and enforce a due observance of the constitution and rules of the order, and a proper respect for the state council and the national council; to have sole and exclusive charge of the charter and the constitution and ritual of the order, which he must always have with him when his council is in session, to see that all officers perform their respective duties; to announce all ballotings to the council; to decide all questions of order; to give the casting vote in all cases of a tie; to convene special meetings when deemed expedient; to draw warrants on the treasurer for all sums, the payment of which is ordered by the council; and to perform such other duties as are demanded of him by the Constitutions and ritual of the order.

Sec. 4. The vice-president of each subordinate council shall assist the president in the discharge of his duties, whilst his council is in session; and, in his absence, shall perform all the duties of the president.

Sec. 5. The instructor shall perform the duties of the president in the absence of the president and vice-president, and shall, under the direction of the

president, perform such duties as may be assigned to him by the ritual.

Sec. 6. The secretary shall keep an accurate record of the proceedings of the council. He shall write all communications, fill all notices, attest all warrants drawn by the president for the payment of money; he shall keep a correct roll of all the members of the council, together with their age, residence, and occupation, in the order in which they have been admitted; he shall, at the expiration of every three months, make out a report of all work done during that time, which report he shall forward to the secretary of the state council; and when superseded in his office shall deliver all books, papers, &c., in his hands to his successor.

Sec. 7. The treasurer shall hold all moneys raised exclusively for the use of the state council, which he shall pay over to the secretary of the state council at its regular sessions, or whenever called upon by the president of the state council. He shall receive all moneys for the use of the subordinate council, and pay all amounts drawn for on him, by the president of the subordinate council, if attested by the secretary.

Sec. 8. The marshal shall perform such duties, under the direction of the president, as may be required of him by the ritual.

Sec. 9. The inside sentinel shall have charge of the inner door, and act under the directions of the president. He shall admit no person, unless he can prove himself a member of this order, and of the same degree in which the council is opened, or by order of the president, or is satisfactorily vouched for.

Sec. 10. The outside sentinel shall have charge of

the outer door, and act in accordance with the orders of the president. He shall permit no person to enter the outer door unless he give the pass-word of the degree in which the council is at work, or is properly vouched for.

Sec. 11. The secretary, treasurer, and sentinels, shall receive such compensation as the subordinate councils may each conclude to allow.

Sec. 12. Each subordinate council may levy its own fees for initiation, to raise a fund to pay its dues to the state council, and to defray its own expenses. Each council may, also, at its discretion, initiate without charging the usual fee, those it considers unable to pay the same.

Sec. 13. The president shall keep in his possession the constitution and ritual of the order. He shall not suffer the same to go out of his possession under any pretence whatever, unless in case of absence, when he may put them in the hands of the vice-president or instructor, or whilst the council is in session, for the information of a member wishing to see it, for the purpose of initiation, or conferring of degrees.

Art. IV. Each subordinate council shall have power to adopt such by-laws, rules, and regulations, for its own government, as it may think proper, not inconsistent with the constitutions of the national and state councils.

Form of Application for a Charter to Organize a new Council.

Post Office —— county,
Date ——.

To ——

President of the State Council of North Carolina:—

We, the undersigned, members of the Third Degree, being desirous of extending the influence and usefulness of our organization, do hereby ask for a warrant of dispensation, instituting and organizing us as a subordinate branch of the order, under the jurisdiction of the State Council of the State of North Carolina, to be known and hailed as Council No. ——, and to be located at ——, in the county of ——, State of North Carolina.

And we do hereby pledge ourselves to be governed by the Constitution of the State Council of the State of North Carolina, and of the Grand Council of the U. S. N. A., and that we will in all things conform to the rules and usages of the order.

Names. Residences.

FORM OF DISMISSION FROM ONE COUNCIL TO ANOTHER.

This is to certify that Brother ——, a member of —— Council, No. ——, having made an application to change his membership from this council to that of —— Council, No. ——, at ——, in the county of ——, I do hereby declare, that said brother has received an honorable dismission from this council, and is hereby recommended for membership in —— Council, No. ——, in the county of ——, N. C.; provided, however, that until Brother —— has been admitted to membership in said council, he is to be considered subject to the discipline of this council, to be dealt with by the same for any violation of the requirements of the order. This the —— day of ——, 185—, and the —— year of American Independence.

—— President, —— Council,
No. ——.

—— Secretary.

FORM OF CERTIFICATE FOR DELEGATES TO THE STATE COUNCIL.

—— Council, No. ——,
—— county of ——, N. C.

This is to certify that —— and —— were at the regular meeting of this council, held on the ——, 185—, duly elected delegates to represent this council in the next annual meeting of the state council, to be held in ——, on the 3d Monday in November next. And by virtue of the authority in me reposed, I do hereby declare the said —— and —— to be invested with all the rights, powers, and privileges of the delegates as aforesaid. This being the —— day of ——, 185—, and the —— year of our national independence.

—— —— President of
—— Council, No. ——

—— —— Secretary.

FORM OF NOTICE

From the Subordinate Council to the State Council, whenever any Member of a Subordinate Council is expelled.

—— Council, No. ——,
—— county of ——, N. C.

To the President of the State Council of North Carolina:

Sir:—This is to inform you that at a meeting of this council, held on the —— day of ——, 185—, —— —— was duly expelled from membership in said council, and thus deprived of all the privileges, rights, and benefits of this organization.

In accordance with the provisions of the constitution of the state council, you are hereby duly notified of the same, that you may officially notify all the subordinate councils of the state to be upon their guard against the said ——, as one unworthy to associate with patriotic and good men, and (*if expelled for violating his obligation*) as a perjurer to God and his country. The said —— is about —— years of age, and is by livelihood a ——.

Duly certified, this the —— day of —— 185—, and in the —— year of our national independence.

—— —— President of
—— Council, No. ——.

—— Secretary.

First Degree Council.

To be admitted to membership in this order, the applicant shall be—

1st. Proposed and found acceptable.

2nd. Introduced and examined under the guarantee of secrecy.

3rd. Placed under the obligation which the order imposes.

4th. Required to enrol his name and place of residence.

5th. Instructed in the forms and usages and ceremonies of the order.

6th. Solemnly charged as to the objects to be obtained, and his duties.

[A recommendation of a candidate to this order shall be received only from a brother of approved integrity. It shall be accompanied by minute particulars as to name, age, calling, and residence, and by an explicit voucher for his qualifications, and a personal pledge for his fidelity. These particulars shall be recorded by the secretary in a book kept for that purpose. The recommendation may be referred, and the ballot taken at such time and in such a manner as the state council may prescribe; but no communication shall be made to the candidate until the ballot has been declared in his favor. Candidates shall be received in the ante-room by the marshal and secretary.]

OUTSIDE.

Marshal.—Do you believe in a Supreme Being, the Creator and Preserver of the universe?

Ans.—I do.

Marshal.—Before proceeding further, we require a solemn obligation of secrecy and truth. If you will take such an obligation, you will lay your right hand upon the Holy Bible and cross.

(When it is known that the applicant is a Protestant, the cross may be omitted, or affirmation may be allowed.)

OBLIGATION.

You do solemnly swear (or affirm) that you will never reveal anything said or done in this room, the names of any persons present, nor the existence of this society, whether found worthy to proceed or not, and that all your declarations shall be true, so help you God?

Ans.—"I do."

Marshal.—Where were you born?

Marshal.—Where is your permanent residence?

(If born out of the jurisdiction of the United States, the answer shall be written, the candidate dismissed with an admonition of secrecy, and the brother vouching for him suspended from all the privileges of the order, unless upon satisfactory proof that he has been misinformed.)

Marshal.—Are you twenty-one years of age?

Ans.—"I am."

Marshal.—Were you born of Protestant parents, or were you reared under Protestant influence?

Ans.—"Yes."

Marshal.—If married, is your wife a Roman Catholic?

("No" or "Yes"—the answer to be valued as the Constitution of the State Council shall provide.)

Marshal.—Are you willing to use your influence and vote only for native-born American citizens for all offices of honor, trust, or profit in the gift of the people, to the exclusion of all foreigners and aliens, and Roman Catholics in particular, and without regard to party predilections?

Ans.—"I am."

INSIDE.

(The marshal shall then repair to the council in session, and present the written list of names, vouchers, and answers to the president, who shall cause them to be read aloud, and a vote of the council to be taken on each name, in such manner as prescribed by its by-laws. If doubts arise in the ante-room, they shall be referred to the council. If a candidate be dismissed, he shall be admonished to secrecy. The candidates declared elected shall be conducted to seats within the council, apart from the brethren. When all are present the president by one blow of the gavel, shall call to order and say:)

President.—Brother marshal, introduce the candidates to the vice-president.

Marshal.—Worthy Vice-President, I present to you these candidates, who have duly answered all questions.

Vice-President, rising in his place.—Gentlemen, it is my office to welcome you as friends. When you shall have assumed the patriotic vow by which we are all bound, we will embrace you as brothers. I am authorized to declare that our obligations enjoin nothing which is inconsistent with the duty which every good man owes to his Creator, his country, his family, or himself. We do not compel you, against your convictions, to act with us in our good work; but should you at any time wish to withdraw, it will be our duty to grant you a dismissal in good faith. If satisfied with this assurance, you will rise upon your feet (*pausing till they do so*), place the left hand upon the breast, and raise the right hand towards heaven.

(The brethren to remain seated till called up.)

OBLIGATION.

In the presence of Almighty God and these witnesses, you do solemnly promise and swear, that you will never betray any of the secrets of this society, nor communicate them even to proper candidates, except within a lawful council of the order; that you never will permit any of the secrets of this society to be written, or in any other manner made legible, except for the purpose of official instruction; that you will not vote, nor give your influence for any man for any office in the gift of the people, unless he be an American born citizen, in favor of Americans ruling America, nor if he be a Roman Catholic; that you will in all political matters, so far as this order is concerned, comply with the will of the majority, though it may conflict with your personal preference, so long as it does not conflict with the Constitution of the United States of America, or that of the state in which you reside; that you will not, under any circumstances whatever, knowingly recommend an unworthy person for initiation, nor suffer it to be done, if in your power to prevent it; that you will not, under any circumstances, expose the name of any member of this order, nor reveal the existence of such an association; that you will answer an *imperative notice* issued by the proper authority; obey the command of the state council, president, or his deputy, while assembled by such notice, and respond to the claim of a *sign* or *cry* of the order, unless it be physically impossible; and that you will acknowledge the State Council of —— as the legislative head, the ruling authority, and the supreme tribunal of the order in the state of ——, acting under the jurisdiction of the National Council of the United States of North America.

Binding yourself in the penalty of

excommunication from the order, the forfeiture of all intercourse with its members, and being denounced in all the societies of the same, as a wilful traitor to your God and your country.

(The president shall call up every person present, by three blows of the gavel, when the candidates shall all repeat after the vice-president in concert:)

All this I voluntarily and sincerely promise, with a full understanding of the solemn sanctions and penalties.

Vice-President.—You have now taken solemn oaths, and made as sacred promises as man can make, that you will keep all our secrets inviolate; and we wish you distinctly to understand that he that takes these oaths and makes these promises, and then violates them, leaves the foul, the deep and blighting stain of perjury resting on his soul.

President.—(Having seated all by one blow of the gavel.)—Brother Instructor, these new brothers having complied with the demand of the order, are entitled to the secrets and privileges of the same. You will, therefore, invest them with everything appertaining to the first degree.

Instructor.—Brothers: the practices and proceedings in our order are as follows:

We have pass-words necessary to be used to obtain admission to our councils; forms for our conduct while there; means of recognizing each other when abroad; means of mutual protection; and methods for giving notices to members.

At the outer door you will[4] (*make any ordinary alarm* to attract the attention of the outside sentinel).

When the wicket is opened you will pronounce the (*words—what's the pass*), in a whisper. The outside sentinel will reply (*Give it*), when you will give the

term pass-word and be admitted to the ante-room. You will then proceed to the inner door and give (one rap). When the wicket is opened, give your name, the number of, and location of your council, the explanation of the term pass, and the degree pass-word.

If these be found correct, you will be admitted; if not, your name will be reported to the vice president, and must be properly vouched for before you can gain admission to the council. You will then proceed to the centre of the room and address the (*President*) with the countersign, which is performed thus (*placing the right hand diagonally across the mouth*). When this salutation is recognized, you will quietly take your seat.

This sign is peculiar to this degree, and is never to be used outside the council room, nor during the conferring of this degree. When retiring, you will address the (*Vice-President*) in the same manner, and also give the degree pass-word to the inside sentinel.

The “term pass-word” is (*We are*).

(The pass-word and explanation is to be established by each State Council for its respective subordinates.)

The “explanation” of the “term pass,” to be used at the inner door, is (*our country’s hope*).

The “degree pass-word” is (*Native*).

The “traveling pass-word” is (*The memory of our pilgrim fathers*).

(This word is changed annually by the President of the National Council of the United States, and is to be made and used only when the brother is traveling beyond the jurisdiction of his own state, district, or territory. It and all other pass-words must be communicated in a whisper, and no brother is

entitled to communicate them to another, without authority from the presiding officer.)

"The sign of recognition" is (*grasping the right lappel of the coat with the right hand, the fore finger being extended inwards*).

The "answer" is given by (*a similar action with the left hand*).

The "grip" is given by (*an ordinary shake of the hand*).

The person challenging shall (*then draw the fore finger along the palm of the hand*). The answer will be given by (*a similar action forming a link by hooking together the ends of the fore finger*); when the following conversation ensues—the challenging party first saying (*is that yours?*). The answer, (*it is*). Then the response (*how did you get it?*), followed by the rejoinder (*it is my birthright*).

Public notice for a meeting is given by means of a (*piece of white paper the shape of a heart*).

(In cities[5] the *** of the *** where the meeting is to be held, will be written legibly upon the notice; and upon the election day said *** will denote the *** where your presence is needed. This notice will never be passed, but will be *** or thrown upon the sidewalk with a *** in the centre.)

If information is wanting of the object of the gathering, or of the place, &c., the inquirer will ask of an undoubted brother (*where's when?*) The brother will give the information if possessed of it; if not it will be yours and his duty to continue the inquiry, and thus disseminate the call throughout the brotherhood.

If the color of *the paper* (be *red*), it will denote actual trouble, which requires that you come prepared to meet it.

The “cry of distress”—to be used only in time of danger, or where the American interest requires an immediate assemblage of the brethren—is (*oh, oh, oh*). The response is (*hio, hio, h-i-o*).

The “sign of caution”—to be given when a brother is speaking unguardedly before a stranger—is (*drawing the fore finger and thumb together across the eyes, the rest of the hand being closed*), which signifies “keep dark.”

Brothers, you are now initiated into and made acquainted with the work and organization of a council of this degree of the order; and the marshal will present you to the worthy president for admonition.

President.—It has no doubt, been long apparent to you, brothers, that foreign influence and Roman Catholicism have been making steady and alarming progress in our country. You cannot have failed to observe the significant transition of the foreigner and Romanist from a character quiet, retiring, and even abject, to one bold, threatening, turbulent, and despotic in its appearance and assumptions. You must have become alarmed at the systematic and rapidly augmenting power of these dangerous and unnatural elements of our national condition. So it is, brothers, with others beside yourselves in every state of the Union. A sense of danger has struck the great heart of the nation. In every city, town, and hamlet, the danger has been seen and the alarm sounded. And hence true men have devised this order as a means of disseminating patriotic principles, of keeping alive the fire of national virtue, of fostering the national intelligence, and of advancing America and the American interest on the one side, and on the other of checking the strides of the foreigner or alien, or thwarting the machinations and subverting

the deadly plans of the papist and Jesuit.

Note.—The President shall impress upon the initiates the importance of secrecy, the manner of proceeding in recommending candidates for initiation, and the responsibility of the duties which they have assumed.

Second Degree Council.

Marshal.—Worthy President: These brothers have been duly elected to the second degree of this order. I present them to you for obligation.

President.—Brothers: You will place your left hand upon your right breast, and extend your right hand towards the flag of our country, preparatory to obligation. (Each council room should have a neat American flag festooned over the platform of the President.)

OBLIGATION.

You, and each of you, of your own free will and accord, in the presence of Almighty God and these witnesses, your left hand resting upon your right breast, and your right hand extended to the flag of your country, do solemnly and sincerely swear, that you will not under any circumstances disclose in any manner, nor suffer it to be done by others, if in your power to prevent it, the name, signs, pass-words, or other secrets of this degree, except in open council for the purpose of instruction; that you will in all things conform to all the rules and regulations of this order, and to the constitution and by-laws of this or any other council to which you may be attached, so long as they do not conflict with the Constitution of

the United States, nor that of the State in which you reside; that you will under all circumstances, if in your power so to do, attend to all regular signs or summons that may be thrown or sent to you by a brother of this or any other degree of this order; that you will support in all political matters, for all political offices, members of this order in preference to other persons; that if it may be done legally, you will, when elected or appointed to any official station conferring on you the power to do so remove all foreigners, aliens, or Roman Catholics from office or place, and that you will in no case appoint such to any office or place in your gift. You do also promise and swear that this and all other obligations which you have previously taken in this order shall ever be kept through life sacred and inviolate. All this you promise and declare, as Americans, to sustain and abide by, without any hesitation or mental reservation whatever. So help you God and keep you steadfast.

(Each will answer "I do.")

President.—Brother Marshal, you will now present the brothers to the instructor for instructions in the second degree of the order.

Marshal.—Brother Instructor, by direction of our worthy president, I present these brothers before you that you may instruct them in the secrets and mysteries of the second degree of the order.

Instructor.—Brothers, in this degree we have an entering sign and a countersign. At the outer door proceed (*as in the first degree*). At the inner door you will make (*two raps*), and proceed as in the first degree, giving the second degree pass-word, which is *American*, instead of that of the first degree. If found to be correct, you will then be admitted, and proceed

(*to the centre of the room*), giving the countersign, which is made thus (*extending the right arm to the national flag over the president, the palm of the hand being upwards*).

The sign of recognition in this degree is the same as in the first degree, with the addition of (*the middle finger*), and the response to be made in a (*similar manner*).

Marshal, you will now present the brothers to the worthy president for admonition.

Marshal.—Worthy President, I now present these candidates to you for admonition.

President.—Brothers, you are now duly initiated into the second degree of this order. Renewing the congratulations which we extended to you upon your admission to the first degree, we admonish you by every tie that may nerve patriots, to aid us in our efforts to restore the political institutions of our country to their original purity. Begin with the youth of our land. Instil into their minds the lessons of our country's history—the glorious battles and the brilliant deeds of patriotism of our fathers, through which we received the inestimable blessings of civil and religious liberty. Point them to the example of the sages and the statesmen who founded our government. Implant in their bosoms an ardent love for the Union. Above all else, keep alive in their bosoms the memory, the maxims, and the deathless example of our illustrious WASHINGTON.

Brothers, recalling to your minds the solemn obligations which you have severally taken in this and the first degree, I now pronounce you entitled to all the privileges of membership in this the second degree of our order.

Third Degree Council.

Marshal.—Worthy President, these brothers having been duly elected to the third degree of this order, I present them before you for obligation.

President.—Brothers, you will place yourselves in a circle around me, each one crossing your arms upon your breasts, and grasping firmly each other's hands, holding the right hand of the brother on the right and the left hand of the brother on the left, so as to form a circle, symbolical of the links of an unbroken chain, and of a ring which has no end.

Note.—This degree is to be conferred with the national flag elevated in the centre of the circle, by the side of the president or instructor, and not on less than five at any one time, in order to give it solemnity, and also for the formation of the circle—except in the first instance of conferring it on the officers of the state and subordinate councils, that they may be empowered to progress with the work.

The obligation and charge in this degree may be given by the president or instructor, as the president may prefer.

OBLIGATION.

You, and each of you, of your own free will and accord, in the presence of Almighty God and these witnesses, with your hands joined in token of that fraternal affection which should ever bind together the States of this Union—forming a ring, in token of your determination that, so far as your efforts can avail, this Union shall have no end—do solemnly and sincerely swear [or affirm] that you will not under any circumstances disclose in any manner, nor suffer

it to be done by others if in your power to prevent it, the name, signs, pass-words, or other secrets of this degree, except to those to whom you may prove on trial to be brothers of the same degree, or in open council, for the purpose of instruction; that you do hereby solemnly declare your devotion to the Union of these States; that in the discharge of your duties as American citizens, you will uphold, maintain, and defend it; that you will discourage and discountenance any and every attempt, coming from any and every quarter, which you believe to be designed or calculated to destroy or subvert it, or to weaken its bonds; and that you will use your influence, so far as in your power, in endeavoring to procure an amicable and equitable adjustment of all political discontents or differences which may threaten its injury or overthrow. You further promise and swear [or affirm] that you will not vote for any one to fill any office of honor, profit or trust of a political character, whom you know or believe to be in favor of a dissolution of the Union of these States, or who is endeavoring to produce that result; that you will vote for and support for all political offices, third or union degree members of this order in preference to all others; that if it may be done consistently with the constitution and laws of the land, you will, when elected or appointed to any official station which may confer on you the power to do so, remove from office or place all persons whom you know or believe to be in favor of a dissolution of the Union, or who are endeavoring to produce that result; and that you will in no case appoint such person to any political office or place whatever. All this you promise and swear [or affirm] upon your honor as American citizens and friends of the American Union, to sustain and abide by without

any hesitation or mental reservation whatever. You also promise and swear [or affirm] that this and all other obligations which you have previously taken in this order, shall ever be kept sacred and inviolate. To all this you pledge your lives, your fortunes, and your sacred honors. So help you God and keep you steadfast.

(Each one shall answer, “I do.”)

President.—Brother Marshal, you will now present the brothers to the instructor for final instruction in this third degree of the order.

Marshal.—Instructor, by direction of our worthy president, I present these brothers before you that you may instruct them in the secrets and mysteries of this the third degree of our order.

Instructor.—Brothers, in this degree as in the second, we have an entering pass-word, a degree pass-word, and a token of salutation. At the outer door (*make any ordinary alarm*. The outside sentinel will say *U*; you say *ni*; the sentinel will rejoin *on*). This will admit you to the inner door. At the inner door you will make (*three*) distinct (*raps*), Then announce your name, with the number (or name) and location of the council to which you belong, giving the explanation to the pass-word, which is (*safe*). If found correct, you will then be admitted, when you will proceed to the centre of the room, and placing the (*hands on the breast with the fingers interlocked*), give the token of salutation, which is (*by bowing to the president*). You will then quietly take your seat.

The sign of recognition is made by the same action as in the second degree, with the addition of (*the third finger*), and the response is made by (a similar action with *the left hand*).

(The grip is given by taking hold of the *hand in the usual way*, and then by *slipping the finger around on the top of the thumb*; then extending the *little finger and pressing the inside* of the *wrist*. The person challenging shall say, *do you know what that is?* The answer is *yes*. The challenging party shall say, further, *what is it?* The answer is, *Union*.)

[The instructor will here give the grip of this degree, with explanations, and also the true password of this degree, which is (*Union*).]

CHARGE.

To be given by the president.

Brothers, it is with great pleasure that I congratulate you upon your advancement to the third degree of our order. The responsibilities you have now assumed, are more serious and weighty than those which preceded, and are committed to such only as have been tried and found worthy. Our obligations are intended as solemn avowals of our duty to the land that gave us birth; to the memories of our fathers; and to the happiness and welfare of our children. Consecrating to your country a spirit unselfish and a fidelity like that which distinguished the patriots of the Revolution, you have pledged your aid in cementing the bonds of a Union which we trust will endure for ever. Your deportment since your initiation has attested your devotion to the principles we desire to establish, and has inspired a confidence in your patriotism, of which we can give no higher proof than your reception here.

The dangers which threaten American liberty arise from foes without and from enemies within. The first degree pointed out the source and nature of our most

imminent peril, and indicated the first measure of safety. The second degree defined the next means by which, in coming time, such assaults may be rendered harmless. The third degree, which you have just received, not only reiterates the lessons of the other two, but it is intended to avoid and provide for a more remote, but no less terrible danger, from domestic enemies to our free institutions.

Our object is briefly this:—to perfect an organization modeled after that of the Constitution of the United States, and coextensive with the confederacy. Its object and principles, in all matters of national concern, to be uniform and identical whilst in all local matters the component parts shall remain independent and sovereign within their respective limits.

The great result to be attained—the only one which can secure a perfect guarantee as to our future —is UNION; permanent, enduring, fraternal UNION! Allow me, then, to impress upon your minds and memories the touching sentiments of the Father of his Country, in his Farewell Address:—

"The unity of government which constitutes you one people," says Washington, "is justly dear to you, for it is the main pillar in the edifice of your real independence, the support of your tranquillity at home, of your peace abroad, of your safety, your prosperity—even that liberty you so justly prize.

"* * * It is of infinite moment that you should properly estimate the immense value of your *National Union*, to your collective and individual happiness. You should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it, as the palladium of your political safety and prosperity; watching for

its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned; and indignantly frowning upon the dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now bind together the various parts."

Let these words of paternal advice and warning, from the greatest man that ever lived, sink deep into your hearts. Cherish them, and teach your children to reverence them, as you cherish and reverence the memory of Washington himself. The Union of these states is the great conservator of that liberty so dear to the American heart. Without it, our greatness as a nation would disappear, and our boasted self-government prove a signal failure. The very name of liberty, and the hopes of struggling freedom throughout the world, must perish in the wreck of this Union. Devote yourselves, then, to its maintenance, as our fathers did to the cause of independence; consecrating to its support, as you have sworn to do, your lives, your fortunes, and your sacred honors.

Brothers: Recalling to your minds the solemn obligations which you have severally taken in this and the preceding degrees, I now pronounce you entitled to all the privileges of membership in this organization, and take pleasure in informing you that you are now members of the order of (*the American Union.*)

American, Whig, Republican and

Democratic Nominations of 1856.

The American convention met the next day after the session of the National Council of the Order, on the 22d February, 1856. It was composed of 227 delegates; all the States being represented except Maine, Vermont, Georgia and South Carolina. Hon. Millard Fillmore was nominated for President, and Andrew J. Donelson for Vice-President.

The Whig Convention met at Baltimore, September 17, 1856, and endorsed the nominations made by the American party, and in its platform declared that "without adopting or referring to the peculiar doctrines of the party which has already selected Mr. Fillmore as a candidate" * * * Resolved, that in the present exigency of political affairs, we are not called upon to discuss the subordinate questions of the administration in the exercising of the constitutional powers of the government. It is enough to know that civil war is raging, and that the Union is in peril; and proclaim the conviction that the restoration of Mr. Fillmore to the Presidency will furnish the best if not the only means of restoring peace.

The first National Convention of the new Republican party met at Philadelphia, June 18, 1856, and nominated John C. Fremont for President, and William L. Dayton for Vice-President. Since the previous Presidential election, a new party consisting of the disaffected former adherents of the other parties—Native and Independent Democrats, Abolitionists, and Whigs opposed to slavery—had sprung into existence, and was called by its adherents and friends, the Republican party.

This convention of delegates assembled in pursuance of a call addressed to the people of the

United States, without regard to past political differences or divisions, who were opposed to the repeal of the Missouri Compromise. To the policy of President Pierce's administration: To the extension of slavery into free territory: In favor of the admission of Kansas as a free State: Of restoring the action of the federal government to the principles of Washington and Jefferson.

It adopted a platform, consisting of a set of resolutions, the principal one of which was: "That we deny the authority of Congress, of a territorial legislature, of any individual, or association of individuals, to give legal existence to slavery in any territory of the United States, while the present Constitution shall be maintained." And closed with a resolution: "That we invite the approbation and co-operation of the men of all parties, however different from us in other respects, in support of the principles herein declared; and believing that the spirit of our institutions, as well as the Constitution of our country, guaranties liberty of conscience and equality of rights among citizens, we oppose all legislation impairing their security."

The Democratic Convention, met at Cincinnati, in May 1856, and nominated James Buchanan for President, and John C. Breckenridge for Vice-President. It adopted a platform which contained the material portions of all its previous platforms, and also defined its position on the new issues of the day, and declared (1) that the revenue to be raised should not exceed the actual necessary expenses of the government, and for the gradual extinction of the public debt; (2) that the Constitution does not confer upon the general government the power to commence and carry on a general system of internal improvements; (3) for a strict construction of the

powers granted by the Constitution to the federal government; (4) that Congress has no power to charter a national bank; (5) that Congress has no power to interfere with slavery in the States and Territories; the people of which have the exclusive right and power to settle that question for themselves. (6) Opposition to native Americanism.

At the election which followed, in November, 1856, the Democratic candidates were elected, though by a popular minority vote, having received 1,838,160 popular votes, and 174 electoral votes, against 2,215,768 popular votes, and 122 electoral votes for John C. Fremont, the Republican candidate, and Mr. Fillmore, the Whig and American candidate.

The aggregate vote cast for Mr. Fillmore, who was the nominee on both the Whig and American tickets, was 874,534, and his electoral vote was eight; that of the State of Maryland. This was the last national election at which the Whigs appeared as a party, under that name; they having joined with the American and with the Republican parties, and finally united with the latter after the downfall and extinction of the former. In the State elections of that year, (1856) the American party carried Rhode Island and Maryland; and in the 35th Congress, which met in December, 1857, the party had 15 to 20 Representatives and five Senators. When the 36th Congress met, in 1859, it had become almost a border State or Southern party, having two Senators; one from Kentucky and one from Maryland; and 23 Representatives, five from Kentucky, seven from Tennessee, three from Maryland, one from Virginia, four from North Carolina, two from Georgia, and one from Louisiana. The American party had none of the elements of persistence. It made another desperate effort, however, in the next Presidential campaign,

but having failed to carry the South, disappeared finally from politics.

The new Republican party polled a very large vote —1,341,234 out of a total vote of 4,053,928—and its candidates received 114 votes out of 296, in the electoral college; having secured majorities in all the free States, except Illinois, Indiana, Pennsylvania, New Jersey and California.

The successful candidate, Mr. James Buchanan, was duly inaugurated as President of the United States, and entered upon the discharge of his duties as such, March 4, 1857.

After the election of November, 1856, the Republican Association of Washington issued an address to the people, in which the results of the election were examined, and the future policy of the party stated. It is an interesting paper, as laying the foundation of the campaign of 1860, which followed, and is here given in full:

"Republican Association of Washington.

Address to the Republicans of the United States.

"WASHINGTON, *Nov. 27, 1856.*

"The Presidential contest is over, and at last we have some materials to enable us to form a judgment of the results.

"Seldom have two parties emerged from a conflict with less of joy in the victors, more of hope in the vanquished. The pro-slavery party has elected its Presidential candidate, only, however, by the votes of a minority, and

that of such a character as to stamp the victory as the offspring of sectionalism and temporary causes. The Republicans, wherever able to present clearly to the public the real issue of the canvass—slavery restriction or slavery extension—have carried the people with them by unprecedented majorities; almost breaking up in some States the organization of their adversaries. A sudden gathering together of the people, alarmed at the inroads of the slave power, rather than a well organized party, with but a few months to attend to the complicated details of party warfare; obstructed by a secret Order, which had pre-occupied the field, and obtained a strong hold of the national and religious prejudices of the masses; opposed to an old party, commencing the canvass with the united support of a powerful section, hardened by long party drill, accustomed to victory, wielding the whole power of the federal administration—a party which only four years ago carried all but four of the States, and a majority of the popular vote—still, under all these adverse circumstances, they have triumphed in eleven, if not twelve of the free States, pre-eminent for enterprise and general intelligence, and containing one-half of the whole population of the country; given to their Presidential candidate nearly three times as many electoral votes as were cast by the Whig party in 1852; and this day control the governments of fourteen of the most powerful States of the Union.

"Well may our adversaries tremble in the hour of their victory. 'The Democratic and Black Republican parties,' they say, 'are nearly balanced in regard to power. The former was victorious in the recent struggle, but success was hardly won, with the aid of important accidental advantages. The latter has abated nothing of its zeal, and has suffered no pause in its preparations for another battle.'

"With such numerical force, such zeal, intelligence, and harmony in counsel; with so many great States, and more than a million voters rallied to their standard by the efforts of a few months, why may not the Republicans confidently expect a victory in the next contest?

"The necessity for their organization still exists in all its

force. Mr. Buchanan has always proved true to the demands of his party. He fully accepted the Cincinnati platform, and pledged himself to its policy—a policy of filibustering abroad, propagandism at home. Prominent and controlling among his supporters are men committed, by word and deed, to that policy; and what is there in his character, his antecedents, the nature of his northern support, to authorize the expectation that he will disregard their will? Nothing will be so likely to restrain him and counteract their extreme measures, as a vigorous and growing Republican organization, as nothing would be more necessary to save the cause of freedom and the Union, should he, as we have every reason to believe, continue the pro-slavery policy of the present incumbent. Let us beware of folding our arms, and waiting to see what he will do. We know the ambition, the necessities, the schemes of the slave power. Its policy of extension and aggrandizement and universal empire, is the law of its being, not an accident—is settled, not fluctuating. Covert or open, moderate or extreme, according to circumstances, it never changes in spirit or aim. With Mr. Buchanan, the elect of a party controlled by this policy, administering the government, the safety of the country and of free institutions must rest in the organization of the Republican party.

“What, then, is the duty before us? Organization, vigilance, action; action on the rostrum, through the press, at the ballot-box; in state, county, city, and town elections; everywhere, at all times; in every election, making Republicanism, or loyalty to the policy and principles it advocates, the sole political test. No primary or municipal election should be suffered to go by default. The party that would succeed nationally must triumph in states—triumph in the state elections, must be prepared by municipal success.

“Next to the remaining power in the states already under their control, let the Republicans devote themselves to the work of disseminating their principles, and initiating the true course of political action in the states which have decided the election against them. This time we have

failed, for reasons nearly all of which may be removed by proper effort. Many thousand honest, but not well-informed voters, who supported Mr. Buchanan under the delusive impression that he would favor the cause of free Kansas will soon learn their mistake, and be anxious to correct it. The timid policy of the Republicans in New Jersey, Pennsylvania, and Indiana, in postponing their independent action, and temporizing with a party got up for purposes not harmonizing with their own, and the conduct of Mr. Fillmore's friends in either voting for Mr. Buchanan, or dividing the opposition by a separate ticket, can hardly be repeated again. The true course of the Republicans is to organize promptly, boldly, and honestly upon their own principles, so clearly set forth in the Philadelphia platform, and, avoiding coalitions with other parties, appeal directly to the masses of all parties to ignore all organizations and issues which would divert the public mind from the one danger that now threatens the honor and interests of the country, and the subtlety of the Union—slavery propagandism allied with disunionism.

"Let us not forget that it is not the want of generous sentiment, but of sufficient information, that prevents the American people from being united in action against the aggressive policy of the slave power. Were these simple questions submitted to-day to the people of the United States:—Are you in favor of the extension of slavery? Are you in favor of such extension by the aid or connivance of the federal government? And could they be permitted to record their votes in response, without embarrassment, without constraint of any kind, nineteen-twentieths of the people of the free States, and perhaps more than half of the people of the slave States, would return a decided negative to both.

"Let us have faith in the people. Let us believe, that at heart they are hostile to the extension of slavery, desirous that the territories of the Union be consecrated to free labor and free institutions; and that they require only enlightenment as to the most effectual means of securing this end, to convert their cherished sentiment into a fixed principle of action.

"The times are pregnant with warning. That a disunion party exists in the South, no longer admits of a doubt. It accepts the election of Mr. Buchanan as affording time and means to consolidate its strength and mature its plans, which comprehend not only the enslavement of Kansas, and the recognition of slavery in all territory of the United States, but the conversion of the lower half of California into a slave State, the organization of a new slavery territory in the Gadsden purchase, the future annexation of Nicaragua and subjugation of Central America, and the acquisition of Cuba; and, as the free States are not expected to submit to all this, ultimate dismemberment of the Union, and the formation of a great slaveholding confederacy, with foreign alliances with Brazil and Russia. It may assume at first a moderate tone, to prevent the sudden alienation of its Northern allies; it may delay the development of its plot, as it did under the Pierce administration; but the repeal of the Missouri compromise came at last, and so will come upon the country inevitably the final acts of the dark conspiracy. When that hour shall come, then will the honest Democrats of the free States be driven into our ranks, and the men of the slave States who prefer the republic of Washington, Adams and Jefferson—a republic of law, order and liberty—to an oligarchy of slaveholders and slavery propagandists, governed by Wise, Atchison, Soulé, and Walker, founded in fraud and violence and seeking aggrandizement by the spoliation of nations, will bid God speed to the labors of the Republican party to preserve liberty and the Union, one and inseparable, perpetual and all powerful.

"Washington, D. C., Nov. 27, 1856."

The Kansas Struggle.

It was the removal of the interdiction against

slavery, in all the territory north of 36° 30′, by the repeal of the Missouri Compromise which gave legality to the struggle for Kansas, and it was the doctrine of popular sovereignty which gave an impartial invitation to both sides to enter the struggle. The aggressive men of both parties hurried emigrants to the Territory. Each accused the other of organized efforts, and soon in the height of the excitement these charges were rather confessed than denied.

A new question was soon evolved by the struggle, for some who entered from the South took their slaves with them. The Free State men now contended that slavery was a local institution and confined to the States where it existed, and that if an emigrant passed into the territory with his slaves these became free. The Southern view was, that slaves were recognized as property by the National Constitution; that therefore their masters had a right to take them there and hold them under constitutional guarantees, the same as any other property; that to assert anything else would be to deny the equality of the States within their common territory, and degrade them from the rank of equals to that of inferiors. This last proposition had such force that it would doubtless have received more general recognition if the North had not felt that the early compact dedicating the territories north of 36° 30′ to freedom, had been violated. In answer to this proposition they therefore proclaimed in their platforms and speeches, and there was no other logical answer, “that freedom was National, and slavery Sectional.”

We cannot enter upon a full description of the scenes in Kansas, but bloodshed and rapine soon followed the attempts of the opposing parties to get control of its government. What were called the

“Border Ruffians” by the Free State men, because of active and warlike organization in Missouri and upon its borders, in the earlier parts of the struggle, seemed to have the advantage. They were supported by friends near at hand at all times, and warlike raids were frequent. The Free State men had to depend mainly upon New England for supplies in arms and means, but organizations were in turn rapidly completed to meet their calls, and the struggle soon became in the highest degree critical.

The pro-slavery party sustained the Territorial government appointed by the administration; the anti-slavery party repudiated it, because of its presumed committal to slavery. The election for members of the Territorial legislature had been attended with much violence and fraud, and it was claimed that these things properly annulled any action taken by that body. A distinct and separate convention was called at Topeka to frame a State constitution, and the Free State men likewise elected their own Governor and Legislature to take the place of those appointed by Buchanan, and when the necessary preliminaries were completed, they applied for admission into the Union. After a long and bitter struggle Congress decided the question by refusing to admit Kansas under the Topeka Constitution, and by recognizing the authority of the territorial government. These proceedings took place during the session of 1856–7, which terminated immediately before the inauguration of President Buchanan.

At the beginning of Buchanan’s administration in 1857, the Republicans almost solidly faced the Democrats. There still remained part of the division caused by the American or Know-Nothing party, but its membership in Congress had already been

compelled to show at least the tendency of their sentiments on the great question which was now rapidly dividing the two great sections of the Union. The result of the long Congressional struggle over the admission of Kansas and Nebraska was simply this: “That Congress was neither to legislate slavery into any Territory or State, nor to exclude it therefrom; but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States,”[6] and it was specially prescribed that when the Territory of Kansas shall be admitted as a State, it shall be admitted into the Union with or without slavery as the constitution adopted should prescribe at the time of admission.

This was, as it proved, but a temporary settlement on the principle of popular sovereignty, and was regarded at the time as a triumph of the views of Stephen A. Douglas by the friends of that great politician. The more radical leaders of the South looked upon it with distrust, but the blood of the more excitable in both sections was rapidly rising toward fever heat, and the border men from the Free and Slave States alike were preparing to act upon a compromise which in effect invited a conflict.

The Presidential election in 1856 had singularly enough encouraged the more aggressive of both sections. Buchanan’s election was a triumph for the South; Fremont’s large vote showed the power of a growing party as yet but partially organized, and crippled by schisms which grew out of the attempt to unite all elements of opposition to the Democrats. The general plan of the latter was now changed into an attempt to unite all of the free-soil elements into a party organization against slavery, and from that time forward until its total abolition slavery was the

paramount issue in the minds of the more aggressive men of the north. Lincoln voiced the feelings of the Republicans when he declared in one of his Illinois speeches:—

"We will, hereafter, speak for freedom, and against slavery, as long as the Constitution guaranties free speech; until everywhere, on this wide land, the sun shall shine, and the rain shall fall, and the wind shall blow upon no man who goes forth to unrequited toil."

In the Congressional battle over the admission of Kansas and Nebraska, Douglas was the most conspicuous figure, and the language which we have quoted from Buchanan's inaugural was the literal meaning which Douglas had given to his idea of "popular" or "squatter sovereignty."

Prior to the Kansas struggle the Free Soilers of the North had regarded Douglas as an ally of the South, and his admitted ambition for the Presidency gave color to this suspicion. He it was who reported and carried through Congress the bill for the repeal of the Missouri Compromise, a measure which at that time was thought to obstruct Southern designs in the territories of the great West, but this repeal proved in fact the first plain steps toward the freedom of the territories. Having repealed that compromise, something must take its place, and what better than "popular sovereignty," thought Douglas. Territories contiguous to the Slave States, or in the same latitude, would thus naturally revert to slavery; while those farther north, and at that time least likely of early settlement, would be dedicated to freedom. There was a grave miscalculation just here. Slave-owners were not apt to change their homesteads, and could not with either profit or convenience carry their property to new lands which might or might

not be fruitful in the crops best adapted to slave labor. Slave-owners were few in number compared with the free citizens of the North and the thousands of immigrants annually landing on our shores. People who had once moved from the New England or Middle States westward, were rather fond of it, and many of these swelled the tide which constantly sought homes in the territories; and where these did not go in person their sons and daughters were quite willing to imitate the early adventures of their parents. All these counted for the North under the doctrine of "popular sovereignty," and it was the failure of that doctrine to aid the South which from this time forward caused that section to mistrust the friendship of Douglas.

No political writer has since questioned his motives, and we doubt if it can be done successfully. His views may have undergone some change since 1850, and it would be singular if they had not; for a mind as discerning as his could hardly fail to note the changes going on all about him, and no where more rapidly than in his own State. He thought his doctrine at least adapted to the time, and he stood by it with rare bravery and ability. If it had been accepted by the Republicans, it would have been fatal to their organization as a party. We doubt the ability of any party to stand long upon any mere compromise, made to suit the exigencies and avoid the dangers of the moment. It may be said that our government, first based on a confederacy and then a constitution, with a system of checks and balances, with a division of power between the people and the States, is but a compromise; but the assertion will not hold good. These things were adopted because of a belief at the time that they were in themselves right, or as nearly right as those who participated in

their adoption were given to see the right. There was certainly no attempt at a *division of right and wrong*, and the closest investigation will show nothing beyond a surrender of power for the good of all, which is in itself the very essence and beginning of government.

We have said that Douglas fought bravely for his idea, and every movement in his most remarkable campaign with Lincoln for the U. S. Senate demonstrated the fact. The times were full of agitation and excitement, and these were increased when it became apparent that Buchanan's administration would aid the effort to make Kansas a slave State. Douglas was the first to see that the application of administration machinery to his principle, would degrade and rob it of its fairness. He therefore resented Buchanan's interference, and in turn Buchanan's friends sought to degrade him by removing him from the chairmanship of the Senate Committee on Territories, the position which had given him marked control over all questions pertaining to the organization of territories and the admission of new States.

The Lincoln and Douglas Debate.

The Senatorial term of Douglas was drawing near to its close, when in July, 1858, he left Washington to enter upon the canvass for re-election. The Republican State Convention of Illinois had in the month previous met at Springfield, and nominated Abraham Lincoln as a candidate for United States

Senator, this with a view to pledge all Republican members of the Legislature to vote for him—a practice since gone into disuse in most of the States, because of the rivalries which it engenders and the aggravation of the dangers of defeat sure to follow in the selection of a candidate in advance. “First get your goose, then cook it,” inelegantly describes the basic principles of improved political tactics. But the Republicans, particularly of the western part of Illinois, had a double purpose in the selection of Lincoln. He was not as radical as they, but he well represented the growing Republican sentiment, and he best of all men could cope with Douglas on the stump in a canvass which they desired should attract the attention of the Nation, and give shape to the sentiment of the North on all questions pertaining to slavery. The doctrine of “popular sovereignty” was not acceptable to the Republicans, the recent repeal of the Missouri compromise having led them, or the more radical portion of them, to despise all compromise measures.

The plan of the Illinois Republicans, if indeed it was a well-settled plan, accomplished even more than was anticipated, though it did not result in immediate success. It gave to the debate which followed between Lincoln and Douglas a world-wide celebrity, and did more to educate and train the anti-slavery sentiment, taken in connection with the ever-growing excitement in Kansas, than anything that could have happened.

Lincoln’s speech before the convention which nominated him, gave the first clear expression to the idea that there was an “irrepressible conflict” between freedom and slavery. Wm. H. Seward on October 25th following, at Rochester, N. Y., expressed the same idea in these words:

"It is an *irrepressible conflict* between opposing and enduring forces, and it means that the United States will sooner or later become either an entire slaveholding Nation, or an entirely free labor Nation."

Lincoln's words at Springfield, in July, 1858, were:

"If we could first know where we are, and whither we are tending, we could better judge what to do, and how to do it. We are now far into the fifth year, since a policy was initiated with the avowed object, and confident promise of putting an end to the slavery agitation. Under the operation of that policy, that agitation has not only not ceased, but has constantly augmented. In my opinion it will not cease, until a crisis shall have been reached and passed. 'A house divided against itself cannot stand.' I believe this government cannot endure permanently half slave and half free. I do not expect the Union to be dissolved—I do not expect the house to fall—but I do expect it will cease to be divided. It will become all one thing, or all the other. Either the opponents of slavery will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction; or its advocates will push it forward, till it shall become alike lawful in all the States, old as well as new—North as well as South."

Douglas arrived in Chicago on the 9th of July, and was warmly received by enthusiastic friends. His doctrine of "popular sovereignty" had all the attractions of novelty and apparent fairness. For months it divided many Republicans, and at one time the New York *Tribune* showed indications of endorsing the position of Douglas—a fact probably traceable to the attitude of jealousy and hostility manifested toward him by the Buchanan

administration. Neither of the great debaters were to be wholly free in the coming contest. Douglas was undermined by Buchanan, who feared him as a rival, and by the more bitter friends of slavery, who could not see that the new doctrine was safely in their interest; but these things were dwarfed in the State conflict, and those who shared such feelings had to make at least a show of friendship until they saw the result. Lincoln was at first handicapped by the doubts of that class of Republicans who thought "popular sovereignty" not bad Republican doctrine.

On the arrival of Douglas he replied to Lincoln's Springfield speech; on the 16th he spoke at Bloomington, and on the 17th, in the afternoon, at Springfield. Lincoln had heard all three speeches, and replied to the last on the night of the day of its delivery. He next addressed to Douglas the following challenge to debate:

CHICAGO, July 24th, 1858.

HON. S. A. DOUGLAS:—*My Dear Sir*:—Will it be agreeable to you to make an arrangement to divide time, and address the same audience, during the present canvass? etc. Mr. Judd is authorized to receive your answer, and if agreeable to you, to enter into terms of such agreement, etc.

Your obedient servant,
A. LINCOLN.

Douglas promptly accepted the challenge, and it was arranged that there should be seven joint debates, each alternately opening and closing, the opening speech to occupy one hour, the reply one hour and a half, and the closing half an hour. They spoke at Ottawa, August 21st; Freeport, August 27th; Jonesboro', September 15th; Charleston, September

18th; Galesburg, October 7th; Quincy, October 13th; and Alton, October 15th. We give in Book III of this volume their closing speeches in full.

Great crowds attended, and some of the more enterprising daily journals gave phonographic reports of the speeches. The enthusiasm of the North soon ran in Lincoln's favor, though Douglas had hosts of friends; but then the growing and the aggressive party was the Republican, and even the novelty of a new and attractive doctrine like that of "popular sovereignty" could not long divert their attention. The prize suspended in view of the combatants was the United States Senatorship, and to close political observers this was plainly within the grasp of Douglas by reason of an apportionment which would give his party a majority in the Legislature, even though the popular majority should be twenty thousand against him—a system of apportionment, by the way, not confined to Illinois alone, or not peculiar to it in the work of any of the great parties at any period when party lines were drawn.

Buchanan closely watched the fight, and it was charged and is still believed by the friends of the "Little Giant," that the administration secretly employed its patronage and power to defeat him. Certain it is that a few prominent Democrats deserted the standard of Douglas, and that some of them were rewarded. In the heat of the battle, however, Douglas' friends were careless of the views of the administration. He was a greater leader than Buchanan, and in Illinois at least he overshadowed the administration. He lacked neither money nor friends. Special trains of cars, banners, cannon, bands, processions, were all supplied with lavish hands. The democracy of Illinois, nor yet of any

other State, ever did so well before or since, and if the administration had been with him this enthusiasm might have spread to all other States and given his doctrine a larger and more glorious life. Only the border States of the South, however, saw opportunity and glory in it, while the office-holders in other sections stood off and awaited results.

Lincoln's position was different. He, doubtless, early realized that his chances for election were remote indeed, with the apportionment as it was, and he sought to impress the nation with the truth of his convictions, and this without other display than the force of their statement and publication. Always a modest man, he was never more so than in this great battle. He declared that he did not care for the local result, and in the light of what transpired, the position was wisely taken. Douglas was apparently just as earnest, though more ambitious; for he declared in the vehemence of the advocacy of his doctrine, that "he did not care whether slavery was voted up or voted down." Douglas had more to lose than Lincoln—a place which his high abilities had honored in the United States Senate, and which intriguing enemies in his own party made him doubly anxious to hold. Beaten, and he was out of the field for the Presidency, with his enthroned rival a candidate for re-election. Successful, and that rival must leave the field, with himself in direct command of a great majority of the party. This view must have then been presented, but the rapid rise in public feeling made it in part incorrect. The calculation of Douglas that he could at one and the same time retain the good will of all his political friends in Illinois and those of the South failed him, though he did at the time, and until his death, better represent the majority of his party in the whole country than

any other leader.

At the election which followed the debate, the popular choice in the State as a whole was for Lincoln by 126,084 to 121,940 for Douglas; but the apportionment of 1850 gave to Douglas a plain majority of the Senators and Representatives.

At the Freeport meeting, August 27th, there were sharp questions and answers between the debaters. They were brought on by Lincoln, who, after alluding to some questions propounded to him at Ottawa, said:

"I now propose that I will answer any of the interrogatories, upon condition that he will answer questions from me not exceeding the same number, to which I give him an opportunity to respond. The judge remains silent; I now say that I will answer his interrogatories, whether he answer mine or not, and that after I have done so I shall propound mine to him.

"I have supposed myself, since the organization of the Republican party at Bloomington in May, 1856, bound as a party man by the platforms of the party, there, and since. If, in any interrogatories which I shall answer, I go beyond the scope of what is within these platforms, it will be perceived that no one is responsible but myself.

"Having said thus much, I will take up the judge's interrogatories as I find them printed in the *Chicago Times*, and answer them *seriatim*. In order that there may be no mistake about it, I have copied the interrogatories in writing, and also my answers to them. The first one of these interrogatories is in these words:

Question 1.—I desire to know whether Lincoln to-day stands, as he did in 1854, in favor of the

unconditional repeal of the Fugitive Slave Law?

Answer.—I do not now, nor ever did, stand in favor of the unconditional repeal of the Fugitive Slave Law.

Q. 2.—I desire him to answer whether he stands pledged to-day, as he did in 1854, against the admission of any more slave States into the Union, even if the people want them?

A.—I do not now, nor ever did, stand pledged against the admission of any more slave States into the Union.

Q. 3—I want to know, whether he stands pledged against the admission of a new State into the Union, with such a Constitution as the people of the State may see fit to make?

A.—I do not stand pledged against the admission of a new State into the Union, with such a Constitution as the people of the State may see fit to make.

Q. 4.—I want to know whether he stands to-day pledged to the abolition of slavery in the District of Columbia?

A.—I do not stand to-day pledged to the abolition of slavery in the District of Columbia.

Q. 5.—I desire him to answer whether he stands pledged to the prohibition of the slave trade between the different States?

A.—I do not stand pledged to prohibition of the slave trade between the different States.

Q. 6.—I desire to know whether he stands pledged to prohibit slavery in all the Territories of the United States, North as well as South of the Missouri Compromise line?

A.—I am impliedly, if not expressly, pledged to a

belief in the RIGHT and DUTY of Congress to prohibit slavery in all of the United States' Territories.

Q. 7.—I desire him to answer, whether he is opposed to the acquisition of any new territory, unless slavery is first prohibited therein?

A.—I am not generally opposed to honest acquisition of territory; and in any given case, I would or would not oppose such acquisition, according as I might think such acquisition would or would not aggravate the slavery question among ourselves.

"Now, my friends, it will be perceived upon an examination of these questions and answers, that so far, I have only answered that I was not *pledged* to this, that, or the other.

The judge has not framed his interrogatories to ask me anything more than this and I have answered in strict accordance with the interrogatories, and have answered truly, that I am not *pledged* at all upon any of the points to which I have answered. But I am not disposed to hang upon the exact form of his interrogatories. I am rather disposed to take up, at least some of these questions, and state what I really think upon them.

"The fourth one is in regard to the abolition of slavery in the District of Columbia. In relation to that, I have my mind very distinctly made up. I should be very glad to see slavery abolished in the District of Columbia. I believe that Congress possesses the constitutional power to abolish it. Yet, as a member of Congress, I should not, with my present views, be in favor of *endeavoring* to abolish slavery in the District of Columbia, unless it should be upon these conditions: FIRST, That the abolition should be gradual; SECOND, That it should be on a

vote of a majority of qualified voters in the District; and THIRD, That compensation should be made to unwilling owners. With these three conditions, I confess I would be exceedingly glad to see Congress abolish slavery in the District of Columbia, and in the language of Henry Clay, 'sweep from our Capital that foul blot upon our nation.'

I now proceed to propound to the judge the interrogatories, so far as I have framed them. I will bring forward a new instalment when I get them ready. I will bring now only four. The first one is:—

1. If the people of Kansas shall, by means entirely unobjectionable in all other respects, adopt a State Constitution and ask admission into the Union under it *before* they have the requisite number of inhabitants, according to the English bill—some ninety-three thousand—will he vote to admit them?

2. Can the people of the United States Territory, in any lawful way, against the wish of any citizen of the United States, exclude slavery from its limits prior to the formation of a State Constitution?

3. If the Supreme Court of the United States shall decide that States cannot exclude slavery from their limits, are you in favor of acquiescing in, adopting and following such decision as a rule of political action?

4. Are you in favor of acquiring additional territory in disregard of how much acquisition may affect the nation on the slavery question?

To these questions Mr. Douglas said: "In reference to Kansas, it is my opinion that, as she has population enough to constitute a slave State, she has people enough for a free State. I hold it to be a sacred rule of universal application, to require a Territory to contain the requisite population for a

member of Congress, before it is admitted as a State into the Union.

2. “It matters not what way the Supreme Court may hereafter decide, as to the abstract question whether slavery may or may not go into a Territory under the Constitution, the people have the lawful means to introduce it, or exclude it as they please, for the reason that slavery cannot exist a day, or an hour, anywhere, unless it is supported by local police regulations. These police regulations can only be established by the local legislature, and if the people are opposed to slavery, they will elect representatives to that body, who will, by unfriendly legislation, effectually prevent the introduction of it into their midst. If, on the contrary, they are for it, their legislation will favor its extension. Hence, no matter what the decision of the Supreme Court may be on that abstract question, still the right of the people to make a slave Territory or a free Territory is perfect and complete under the Nebraska bill.

“3. The third question which Mr. Lincoln presented is, if the Supreme Court of the United States shall decide that a State of this Union cannot exclude slavery from its own limits, will I submit to it? I am amazed that Mr. Lincoln should ask such a question.

“He casts an imputation upon the Supreme Court of the United States by supposing that they would violate the constitution of the United States. I tell him that such a thing is not possible. It would be an act of moral treason that no man on the bench could ever descend to. Mr. Lincoln, himself, would never, in his partisan feelings, so far forget what was right as to be guilty of such an act.

“4. With our natural increase, growing with a rapidity unknown in any other part of the globe,

with the tide of emigration that is fleeing from despotism in the old world, to seek refuge in our own, there is a constant torrent pouring into this country that requires more land, more territory upon which to settle, and just as fast as our interests and our destiny require an additional territory in the North, in the South, or on the Island of the Ocean, I am for it, and when we require it, will leave the people, according to the Nebraska bill, free to do as they please on the subject of slavery, and every other question."

The bitterness of the feelings aroused by the canvass and boldness of Douglas, can both be well shown by a brief abstract from his speech at Freeport. He had persisted in calling the Republicans "*Black* Republicans," although the crowd, the great majority of which was there against him, insisted that he should say "*White* Republican." In response to these oft repeated demands, he said:—

"Now, there are a great many Black Republicans of you who do not know this thing was done. ("White, white," and great clamor). I wish to remind you that while Mr. Lincoln was speaking, there was not a Democrat vulgar and blackguard enough to interrupt him. But I now that the shoe is pinching you. I am clinching Lincoln now, and you are scared to death for the result. I have seen this thing before. I have seen men make appointments for discussions and the moment their man has been heard, try to interrupt and prevent a fair hearing of the other side. I have seen your mobs before and defy your wrath. (Tremendous applause.)

"My friends, do not cheer, for I need my whole time.

"I have been put to severe tests. I have stood by

my principles in fair weather and in foul, in the sunshine and in the rain. I have defended the great principle of self-government here among you when Northern sentiment ran in a torrent against me, and I have defended that same great principle when Southern sentiment came down like an avalanche upon me. I was not afraid of any test they put to me. I knew I was right—I knew my principles were sound —I knew that the people would see in the end that I had done right, and I knew that the God of Heaven would smile upon me if I was faithful in the performance of my duty."

As an illustration of the earnestness of Lincoln's position we need only quote two paragraphs from his speech at Alton:—

"Is slavery wrong? That is the real issue. That is the issue that will continue in this country when these poor tongues of Judge Douglas and myself shall be silent. It is the eternal struggle between these two principles—right and wrong—throughout the world. They are two principles that have stood face to face from the beginning of time; and will ever continue to struggle. The one is the common right of humanity, and the other the divine right of Kings. It is the same principle in whatever shape it develops itself. It is the same spirit that says, 'you work and toil, and earn bread, and I'll eat it.' No matter in what shape it comes, whether from the mouth of a King who seeks to bestride the people of his own nation and life by the fruit of their labor, or from one race of men as an apology for enslaving another race, it is the same tyrannical principle."

And again:—

"On this subject of treating it as a wrong, and limiting its spread, let me say a word. Has anything

ever threatened the existence of this Union save and except this very institution of slavery? What is it that we hold most dear among us? Our own liberty and prosperity. What has ever threatened our liberty and prosperity save and except this institution of slavery? If this is true, how do you propose to improve the condition of things? by enlarging slavery?—by spreading it out and making it bigger? You may have a wen or cancer upon your person and not be able to cut it out, lest you bleed to death; but surely it is no way to cure it, to engraft it and spread it over your whole body. That is no proper way of treating what you regard a wrong. You see this peaceful way of dealing with it as a wrong—restricting the spread of it, and not allowing it to go into new countries where it has not already existed. That is the peaceful way, the old-fashioned way, the way in which the fathers themselves set us the example."

The administration of Pierce had left that of Buchanan a dangerous legacy. He found the pro-slavery party in Congress temporarily triumphant, it is true, and supported by the action of Congress in rejecting the Topeka constitution and recognizing the territorial government, but he found that that decision was not acceptable either to the majority of the people in the country or to a rapidly rising anti-slavery sentiment in the North. Yet he saw but one course to pursue, and that was to sustain the territorial government, which had issued the call for the Lecompton convention. He was supported in this view by the action of the Supreme Court, which had decided that slavery existed in Kansas under the constitution of the United States, and that the people therein could only relieve themselves of it by the election of delegates who would prohibit it in the constitution to be framed by the Lecompton

convention. The Free State men refused to recognize the call, made little, if any, preparation for the election, yet on the last day a number of them voted for State officials and a member of Congress under the Lecompton constitution. This had the effect of suspending hostilities between the parties, yet peace was actually maintained only by the intervention of U. S. troops, under the command of Col. Sumner, who afterwards won distinction in the war of the rebellion. The Free State people stood firmly by their Topeka constitution, and refused to vote on questions affecting delegates to the Lecompton convention. They had no confidence in Governor Walker, the appointee of President Buchanan, and his proclamations passed unheeded. They recognized their own Governor Robinson, who in a message dated December 7th, 1857, explained and defended their position in these words:

"The convention which framed the constitution at Topeka originated with the people of Kansas territory. They have adopted and ratified the same twice by a direct vote, and also indirectly through two elections of State officers and members of the State Legislature. Yet it has pleased the administration to regard the whole proceeding as revolutionary."

The Lecompton convention, proclaimed by Governor Walker to be lawfully constituted, met for the second time, Sept. 4th, 1857, and proceeded to frame a constitution, and adjourned finally Nov. 7th. A large majority of the delegates, as in the first, were of course pro-slavery, because of the refusal of the anti-slavery men to participate in the election. It refused to submit the whole constitution to the people, it is said, in opposition to the desire of President Buchanan, and part of his Cabinet. It

submitted only the question of whether or not slavery should exist in the new State, and this they were required to do under the Kansas-Nebraska act, if indeed they were not required to submit it all. Yet such was the hostility of the pro-slavery men to submission, that it was only by three majority the proposition to submit the main question was adopted —a confession in advance that the result was not likely to favor their side of the controversy. But six weeks' time was also allowed for preparation, the election being ordered for Dec. 21st, 1857. Still another advantage was taken in the printing of the ballots, as ordered by the convention. The method prescribed was to endorse the ballots, "Constitution with Slavery," and "Constitution with no Slavery," thus compelling the voter, however adverse his views, as to other parts of the Constitution, to vote for it as a whole. As a consequence, (at least this was given as one of the reasons) the Free State men as a rule refused to participate in the election, and the result as returned was 6,143 votes in favor of slavery, and 589 against it. The constitution was announced as adopted, an election was ordered on the first Monday of January, 1858, for State officers, members of the Legislature, and a member of Congress. The opponents of the Lecompton constitution did not now refrain from voting, partly because of their desire to secure the representative in Congress, but mainly to secure an opportunity, as advised by their State officers, to vote down the Lecompton constitution. Both parties warmly contested the result, but the Free State men won, and with their general victory secured a large majority in the Legislature.

The ballots of the Free State men were now headed with the words "Against the Lecompton

Constitution," and they returned 10,226 votes against it, to 134 for it with slavery, and 24 for it against slavery. This return was certified by J. W. Denver, "Secretary and Acting Governor," and its validity was endorsed by Douglas in his report from the Senate Territorial Committee. It was in better accord with his idea of popular sovereignty, as it showed almost twice as large a vote as that cast under the Lecompton plan, the fairness of the return not being disputed, while that of the month previous was disputed.

But their previous refusal to vote on the Lecompton constitution gave their opponents an advantage in position strangely at variance with the wishes of a majority of the people. The President of that convention, J. Calhoun, forwarded the document to the President with an official request that it be submitted to Congress. This was done in a message dated 2d February, 1858, and the President recommended the admission of Kansas under it.

This message occasioned a violent debate in Congress, which continued for three months. It was replete with sectional abuse and bitterness, and nearly all the members of both Houses participated. It finally closed with the passage of the "Act for the admission of the State of Kansas into the Union," passed May 4th, 1858. This Act had been reported by a committee of conference of both Houses, and was passed in the Senate by 31 to 22, and in the House by 112 to 103. There was a strict party vote in the Senate with the exception of Mr. Douglas, C. E. Stuart of Michigan, and D. C. Broderick of California, who voted with the Republican minority. In the House several anti-Lecompton democrats voted with the Republican minority. These were Messrs. Adrian of New Jersey; Chapman of Pennsylvania; Clark of

New York; Cockerill of Ohio; Davis of Indiana; Harris of Illinois; Haskin of New York; Hickman of Pennsylvania; McKibben of California; Marshall of Illinois; Morgan of New York; Morris, Shaw, and Smith of Illinois. The Americans who voted with the Republicans were Crittenden of Kentucky; Davis of Maryland; Marshall of Kentucky; Ricaud of Maryland; Underwood of Kentucky. A number of those previously classed as Anti-Lecompton Democrats voted against their colleagues of the same faction, and consequently against the bill. These were Messrs. Cockerill, Gwesheck, Hall, Lawrence, Pendleton and Cox of Ohio; English and Foley of Indiana; and Jones of Pennsylvania. The Americans who voted against the bill were Kennedy of Maryland; Anderson of Missouri; Eustis of Louisiana; Gilmer of North Carolina; Hill of Georgia; Maynard, Ready and Zollicoffer of Tennessee; and Trippe of Georgia.

Lecompton Constitution.

The following are the political features of the Lecompton constitution:

Article VII.—*Slavery.*

SEC. 1. The right of property is before and higher than any constitutional sanction, and the right of the owner of a slave to such slave and its increase is the same, and as inviolable as the right of the owner of any property whatever.

SEC. 2. The legislature shall have no power to pass laws for the emancipation of slaves without the consent of the owners, or without paying the owners previous to their emancipation a full equivalent in money for the slaves so emancipated. They shall have no power to prevent emigrants to the state from bringing with them such persons as are deemed slaves by the laws of any one of the United States or territories, so long as any person of the same age or description shall be continued in slavery by the laws of this state: *Provided*, That such person or slave be the bona fide property of such emigrants: *And provided, also*, That laws may be passed to prohibit the introduction into this state of slaves who have committed high crimes in other states or territories. They shall have power to pass laws to permit the owners of slaves to emancipate them, saving the rights of creditors, and preventing them from becoming a public charge. They shall have power to oblige the owners of slaves to treat them with humanity, to provide for them necessary food and clothing, to abstain from all injuries to them extending to life or limb, and, in case of their neglect or refusal to comply with the direction of such laws, to have such slave or slaves sold for the benefit of the owner or owners.

SEC. 3. In the prosecution of slaves for crimes of higher grade than petit larceny, the legislature shall have no power to deprive them of an impartial trial by a petit jury.

SEC. 4. Any person who shall maliciously dismember, or deprive a slave of life, shall suffer such punishment as would be inflicted in case the like offence had been committed on a free white person, and on the like proof, except in case of insurrection of such slave.

Free Negroes.

Bill of Rights, SEC. 23. Free negroes shall not be allowed to live in this state under any circumstances.

Article VIII.—*Elections and Rights of Suffrage.*

SEC. 1. Every male citizen of the United States, above the age of twenty-one years, having resided in this state one year, and in the county, city, or town in which he may offer to vote, three months next preceding any election, shall have the qualifications of an elector, and be entitled to vote at all elections. And every male citizen of the United States, above the age aforesaid, who may be a resident of the state at the time this constitution shall be adopted, shall have the right of voting as aforesaid; but no such citizen or inhabitant shall be entitled to vote except in the county in which he shall actually reside at the time of the election.

The Topeka Constitution.

The following are the political features of the Topeka constitution:

Slavery.

Bill of Rights, SEC. 6. There shall be no slavery in this state, nor involuntary servitude, unless for the punishment of crime.

Amendments to the Constitution.

SEC. 1. All propositions for amendments to the constitution shall be made by the General Assembly.

SEC. 2. A concurrence of two-thirds of the members elected to each house shall be necessary, after which such proposed amendments shall be again referred to the legislature elected next succeeding said publication. If passed by the second legislature by a majority of two-thirds of the members elected to each house, such amendments shall be republished as aforesaid, for at least six months prior to the next general election, at which election such proposed amendments shall be submitted to the people for their approval or rejection; and if a majority of the electors voting at such election shall adopt such amendments, the same shall become a part of the constitution.

SEC. 3. When more than one amendment is submitted at the same time, they shall be so submitted as to enable the electors to vote upon each amendment separately. No convention for the formation of a new constitution shall be called, and no amendment to the constitution shall be, by the general assembly, made before the year 1865, nor more than once in five years thereafter.

Submission of Constitution to the People.

Schedule, SEC. 2. That this constitution shall be submitted to the people of Kansas for ratification on the 15th day of December next. That each qualified elector shall express his assent or dissent to the constitution by voting a written or printed ticket, labelled “Constitution,” or “No Constitution;” which

election shall be held by the same judges, and conducted under the same regulations and restrictions as is hereinafter provided for the election of members of the general assembly.

The Douglas Amendment.

The following is the Douglas amendment, which really formed the basis of the bill for admission:

"It being the true intent and meaning of this act not to legislate slavery into any state or territory, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States."

The bill which passed on the 4th of May was known as the English bill, and it met the approval of Buchanan. To the measure was attached "a fundamental condition precedent," which arose from the fact that the ordinance of the convention accompanying the constitution claimed for the new State a cession of the public lands six times greater than had been granted to other States, amounting in all to 23,500,000 acres. In lieu of this Congress proposed to submit to a vote of the people a proposition specifying the number of acres and the purposes for which the money arising from their sale were to be used, and the acceptance of this was to be followed by a proclamation that "thereafter, and without further proceedings from Congress the admission of the State of Kansas, into the Union, upon an equal footing with the original States in all

respects whatever, shall be complete and absolute." The condition was never fulfilled, for the people at the election on the 2d of August, 1858, rejected it by a majority of 9,513, and Kansas was not admitted under the Lecompton constitution.

Finally, and after continued agitation, more peaceful, however, than that which characterized the earlier stages of the struggle, the territorial legislature of Kansas called an election for delegates to meet and form a constitution. They assembled in convention at Wyandot, in July, 1859, and reported a constitution prohibiting slavery. This was adopted by a majority exceeding 4000, and under it Kansas was admitted to the Union on the 29th of January, 1861.

The comparative quiet between the rejection of the English proposition and the adoption of the Wyandot constitution, was at one time violently disturbed by a raid made by John Brown at Harper's Ferry, with a view to excite the slaves to insurrection. This failed, but not before Gov. Wise, of Virginia, had mustered his militia, and called for the aid of United States troops. The more radical anti-slavery men of the North were at first shocked by the audacity of an offense which many looked upon as an act of treason, but the anxiety oi Virginia to hang Brown and all his followers who had been captured alive, changed a feeling of conservatism in the North to one of sympathy for Brown and deeper hatred of slavery. It is but fair to say that it engendered hostility to the Union in the South. The right and wrong of slavery was thereafter more generally discussed than ever. The talent of the South favored it; while, with at least a large measure of truth it can be said that the talent of the North opposed it. So bitter grew the feeling that soon the churches of the

sections began to divide, no other political question having ever before disturbed the Union.

We have not pretended to give a complete history of the Kansas trouble either in that State or in Congress, nor yet a full history of the many issues raised on questions which were but subsidiary to the main one of slavery. Our object is to show the relation of the political parties throughout that struggle, for we are dealing with the history of parties from a national view, and not with battles and the minor questions or details of parliamentary struggles. The contest had cemented the Democrats of the South as it had the Republicans of the North; it divided both the Democrats of the North and the Americans in all sections. John Bell, of Tennessee, and Sam Houston of Texas, recognized leaders of the Americans, had shown their sympathy with the new stand taken by Douglas, as early as 1854. Bell, however, was less decided than Houston, and took his position with many qualifications. Houston opposed even the repeal of the Missouri Compromise, and made the last speech against it in the Senate. He closed with these words:

“In the discharge of my duty I have acted fearlessly. The events of the future are left in the hands of a wise Providence, and, in my opinion, on the decision which we make upon this question must depend union or disunion.”

These sentiments were shared by many Americans, and the great majority of them drifted into the Republican party. The Abolitionists from the beginning of the struggle, allied themselves with the Republicans, a few of their leaders proclaiming, however, that this party was not sufficiently advanced in its views.

The Charleston Convention.

Such was the condition of the parties when the Democratic national convention met at Charleston, S. C., on the 23d of April, 1860, it being then the custom of the Democratic party, as it is of all majority parties, to call its convention first. It was composed of delegates from all the thirty-three States of the Union, the whole number of votes being 303. After the example of former Democratic conventions it adopted the two-third rule, and 202 votes were required to make nominations for President and Vice-President. Caleb Cushing, of Mass., presided. From the first a radical difference of opinion was exhibited among the members on the question of slavery in the Territories. Almost the entire Southern and a minority of the Northern portion believed in the Dred Scott decision, and held that slave property was as valid under the constitution as any other class of property. The Douglas delegates stood firmly by the theory of popular sovereignty, and avowed their indifference to the fact whether it would lead to the protection of slave property in the territories or not. On the second day a committee on resolutions consisting of one member from each State, selected by the State delegates, was named, and then a resolution was resolved unanimously “that this convention will not proceed to ballot for a candidate for the Presidency until the platform shall have been adopted.” On the fifth day the committee on resolutions presented majority and minority reports.

After a long discussion on the respective merits of the two reports, they were both, on motion of Mr. Bigler, of Pennsylvania, recommitted to the Committee on Resolutions, with a view, if possible,

to promote harmony; but this proved to be impracticable. On the sixth day of the Convention (Saturday, April 28th,) at an evening session, Mr. Avery, of North Carolina, and Mr. Samuels, of Iowa, from the majority and minority of the committee, again made opposite and conflicting report on the question of slavery in the Territories. On this question the committee had divided from the beginning, the one portion embracing the fifteen members from the slaveholding States, with those from California and Oregon, and the other consisting of the members from all the free States east of the Rocky Mountains. On all other questions both reports substantially agreed.

The following is the report of the majority made on this subject by Mr. Avery, of North Carolina, the chairman of the committee: "*Resolved*, That the platform adopted by the Democratic party at Cincinnati be affirmed with the following explanatory resolutions: 1st. That the Government of a Territory, organized by an act of Congress, is provisional and temporary, and during its existence all citizens of the United States have an equal right to settle with their property in the Territory, without their rights, either of person or property, being destroyed or impaired by Congressional or Territorial legislation. 2d. That it is the duty of the Federal Government, in all its departments, to protect, when necessary, the rights of persons and property in the Territories, and wherever else its constitutional authority extends. 3d. That when the settlers in a Territory having an adequate population form a State Constitution, the right of sovereignty commences, and being consummated by admission into the Union, they stand on an equal footing with the people of other States, and the State thus organized

ought to be admitted into the Federal Union whether its constitution prohibits or recognizes the institution of slavery."

The following is the report of the minority, made by Mr. Samuels, of Iowa. After reaffirming the Cincinnati platform by the first resolution, it proceeds: "Inasmuch as differences of opinion exist in the Democratic party, as to the nature and extent of the powers of a Territorial Legislature, and as to the powers and duties of Congress, under the Constitution of the United States, over the institution of slavery within the Territories, *Resolved*, That the Democratic party will abide by the decisions of the Supreme Court of the United States upon questions of constitutional law."

After some preliminary remarks, Mr. Samuels moved the adoption of the minority report as a substitute for that of the majority. This gave rise to an earnest and excited debate. The difference between the parties was radical and irreconcilable. The South insisted that the Cincinnati platform, whose true construction in regard to slavery in the Territories had always been denied by a portion of the Democratic party, should be explained and settled by an express recognition of the principles decided by the Supreme Court. The North, on the other hand, refused to recognize this decision, and still maintained the power to be inherent in the people of a Territory to deal with the question of slavery according to their own discretion. The vote was then taken, and the minority report was substituted for that of the majority by a vote of one hundred and sixty-five to one hundred and thirty-eight. The delegates from the six New England States, as well as from New York, Ohio, Indiana, Illinois, Michigan, Wisconsin, Iowa, and Minnesota,

fourteen free States, cast their entire vote in favor of the minority report. New Jersey and Pennsylvania alone among the free States east of the Rocky Mountains, refused to vote as States, but their delegates voted as individuals.

The means employed to attain this end were skillfully devised by the minority of the Pennsylvania delegation in favor of nominating Mr. Douglas. The entire delegation had, strangely enough, placed this power in their hands, by selecting two of their number, Messrs. Cessna and Wright, to represent the whole on the two most important committees of the Convention—that of organization and that of resolutions. These gentlemen, by adroitness and parliamentary tact, succeeded in abrogating the former practice of casting the vote of the State as a unit. In this manner, whilst New York indorsed with her entire thirty-five votes the peculiar views of Mr. Douglas, notwithstanding there was in her delegation a majority of only five votes in their favor on the question of Territorial sovereignty, the effective strength of Pennsylvania recognizing the judgment of the Supreme Court, was reduced to three votes, this being the majority of fifteen on the one side over twelve on the other.

The question next in order before the Convention was upon the adoption of the second resolution of the minority of the committee, which had been substituted for the report of the majority. On this question Georgia, Louisiana, Alabama, Arkansas, Texas, Florida, and Mississippi refused to vote. Indeed, it soon appeared that on the question of the final adoption of this second resolution, which in fact amounted to nothing, it had scarcely any friends of either party in the Convention. The Douglas party, without explanation or addition, voted against it. On

the other hand, the old Democracy could not vote for it without admitting that the Supreme Court had not already placed the right over slave property in the Territories on the same footing with all other property, and therefore they also voted against it. In consequence the resolution was negatived by a vote of only twenty-one in its favor to two hundred and thirty-eight. Had the seven Southern States just mentioned voted, the negatives would have amounted to two hundred and eighty-two, or more than thirteen to one. Thus both the majority and the minority resolutions on the Territorial question were rejected, and nothing remained before the Convention except the Cincinnati platform.

At this stage of the proceedings (April 30th), the States of Louisiana, Alabama, South Carolina, Mississippi, Florida, Texas, and Arkansas, having assigned their reasons for the act, withdrew in succession from the Convention. After these seven States had retired, the delegation from Virginia made an effort to restore harmony. Mr. Russell, their chairman, addressed the Convention and portrayed the alarming nature of the crisis. He expressed his fears that we were on the eve of a revolution, and if this Convention should prove a failure it would be the last National Convention of any party which would ever assemble in the United States. “Virginia,” said he, “stands in the midst of her sister States, in garments red with the blood of her children slain in the first outbreak of the ‘irrepressible conflict.’ But, sir, not when her children fell at midnight beneath the weapon of the assassin, was her heart penetrated with so profound a grief as that which will wring it when she is obliged to choose between a separate destiny with the South, and her common destiny with the entire Republic.”

Mr. Russell was not then prepared to answer, in behalf of his delegation, whether the events of the day (the defeat of the majority report, and the withdrawal of the seven States) were sufficient to justify her in taking the irrevocable step in question. In order, therefore, that they might have time to deliberate, and if they thought proper make an effort to restore harmony in the Convention, he expressed a desire that it might adjourn and afford them an opportunity for consultation. The Convention accordingly adjourned until the next day, Tuesday, May 1st; and immediately after its reassembling the delegation from Georgia, making the eighth State, also withdrew.

In the mean time the Virginia delegation had consulted among themselves, and had conferred with the delegation of the other Southern States which still remained in the Convention, as to the best mode of restoring harmony. In consequence Mr. Howard, of Tennessee, stated to the Convention that "he had a proposition to present in behalf of the delegation from Tennessee, whenever, under parliamentary rules, it would be proper to present it." In this Tennessee was joined by Kentucky and Virginia. He should propose the following resolution whenever it would be in order: '*Resolved*, That the citizens of the United States have an equal right to settle with their property in the Territories of the United States; and that, under the decision of the Supreme Court of the United States, which we recognize as the correct exposition of the Constitution of the United States, neither the rights of person nor property can be destroyed or impaired by Congressional or Territorial legislation.'

On a subsequent day (May 3d), Mr. Russell informed the Convention that this resolution had,

"he believed, received the approbation of all the delegations from the Southern States which remained in the Convention, and also received the approbation of the delegation from New York. He was informed there was strength enough to pass it when in order."

Mr. Howard, however, in vain attempted to obtain a vote on his resolution. When he moved to take it up on the evening of the day it had been offered, he was met by cries of "Not in order," "Not in order." The manifest purpose was to postpone its consideration until the hour should arrive which had been fixed by a previous order of the Convention, in opposition to its first order on the same subject, for the balloting to commence for a Presidential candidate, when it would be too late. This the friends of Mr. Douglas accomplished, and no vote was ever taken upon it either at Charleston or Baltimore.

Before the balloting commenced Mr. Howard succeeded, in the face of strong opposition, with the aid of the thirty-five votes from New York, in obtaining a vote of the Convention in re-affirmance of the two-thirds rule. On his motion they resolved, by 141, to 112 votes, "that the President of the Convention be and he is hereby directed not to declare any person nominated for the office of President or Vice-President, unless he shall have received a number of votes equal to two-thirds of the votes of all the electoral colleges." It was well known at the time that this resolution rendered the regular nomination of Mr. Douglas impossible.

The balloting then commenced (Tuesday evening, May 1st), on the eighth day of the session. Necessary to a nomination, under the two-thirds rule, 202 votes. On the first ballot Mr. Douglas received 145½ votes; Mr. Hunter, of Virginia, 42; Mr. Guthrie, of Kentucky, 35½; Mr. Johnson, of Tennessee, 12; Mr.

Dickinson, of New York, 7; Mr. Lane, of Oregon, 6; Mr. Toucey, of Connecticut, 2½; Mr. Davis, of Mississippi, 1½; and Mr. Pearce, of Maryland, 1 vote.

The voting continued until May 3d, during which there were fifty-four additional ballotings. Mr. Douglas never rose to more than 152½, and ended in 151½ votes, 202 votes being necessary to a nomination.

Until 1824 nominations had been made by Congressional caucus. In these none participated except Senators and Democratic States, and Representatives from Democratic Congressional districts. The simple majority rule governed in these caucuses, because it was morally certain that, composed as they were, no candidate could be selected against the will of the Democratic States on whom his election depended. But when a change was made to National Conventions, it was at once perceived that if a mere majority could nominate, then the delegates from Anti-Democratic States might be mainly instrumental in nominating a candidate for whom they could not give a single electoral vote. Whilst it would have been harsh and inexpedient to exclude these States from the Convention altogether, it would have been unjust to confer on them a controlling power over the nomination. To compromise this difficulty, the two-thirds rule was adopted. Under its operation it would be almost impossible that a candidate could be selected, without the votes of a simple majority of delegates from the Democratic States. This was the argument of its friends.

It had now become manifest that it was impossible to make a nomination at Charleston. The friends of Mr. Douglas adhered to him and would vote for him and him alone, whilst his opponents, apprehending

the effect of his principles should he be elected President, were equally determined to vote against his nomination.

In the hope that some compromise might yet be effected, the Convention, on the motion of Mr. Russell, of Virginia, resolved to adjourn to meet at Baltimore on Monday, the 18th June; and it was "respectfully recommended to the Democratic party of the several States, to make provision for supplying all vacancies in their respective delegations to this Convention when it shall reassemble."

The Convention reassembled at Baltimore on the 18th June, 1860, according to its adjournment, and Mr. Cushing, the President, took the chair.

Immediately after the reorganization of the Convention, Mr. Howard, of Tennessee, offered a resolution, "that the President of this Convention direct the sergeant-at-arms to issue tickets of admission to the delegates of the Convention, as originally constituted and organized at Charleston." Thus the vitally important question was distinctly presented. It soon, however, became manifest that no such resolution could prevail. In the absence of the delegates who had withdrawn at Charleston, the friends of Mr. Douglas constituted a controlling majority. At the threshold they resisted the admission of the original delegates, and contended that by withdrawing they had irrevocably resigned their seats. In support of this position, they relied upon the language of the resolution adjourning the Convention to Baltimore, which, as we have seen, "recommended to the Democratic party of the several States to make provision for supplying all vacancies in their respective delegations to this Convention, when it shall reassemble." On the other hand, the advocates of their readmission contended

that a simple withdrawal of the delegates was not a final renunciation of their seats, but they were still entitled to reoccupy them, whenever, in their judgment, this course would be best calculated to restore the harmony and promote the success of the Democratic party; that the Convention had no right to interpose between them and the Democracy of their respective States; that being directly responsible to this Democracy, it alone could accept their resignation; that no such resignation had ever been made, and their authority therefore continued in full force, and this, too, with the approbation of their constituents.

In the mean time, after the adjournment from Charleston to Baltimore, the friends of Mr. Douglas, in several of these States, had proceeded to elect delegates to take the place of those who had withdrawn from the Convention. Indeed, it was manifest at the time, and has since been clearly proved by the event, that these delegates represented but a small minority of the party in their respective States. These new delegates, nevertheless, appeared and demanded seats.[7]

After a long and ardent debate, the Convention adopted a resolution, offered by Mr. Church, of New York, and modified on motion of Mr. Gilmore, of Pennsylvania, as a substitute for that of Mr. Howard, to refer “the credentials of all persons claiming seats in this Convention, made vacant by the secession of delegates at Charleston, to the Committee on Credentials.” They thus prejudged the question, by deciding that the seats of these delegates had been made and were still vacant. The Committee on Credentials had been originally composed of one delegate from each of the thirty-three States, but the number was now reduced to twenty-five, in

consequence of the exclusion of eight of its members from the States of Georgia, Alabama, Mississippi, South Carolina, Texas, Louisiana, Arkansas, and Florida. The committee, therefore, now stood 16 to 9 in favor of the nomination of Mr. Douglas, instead of 17 to 16 against it, according to its original organization.

The committee, through their chairman, Mr. Krum, of Missouri, made their report on the 21st June, and Governor Stevens, of Oregon, at the same time presented a minority report, signed by himself and eight other members.

It is unnecessary to give in detail these conflicting reports. It is sufficient to state that whilst the report of the majority maintained that the delegates, by withdrawing at Charleston, had resigned their seats, and these were still vacant; that of the minority, on the contrary, asserted the right of these delegates to resume their seats in the Convention, by virtue of their original appointment.

On the next day (June 22), the important decision was made between the conflicting reports. Mr. Stevens moved to substitute the minority report for that of the majority, and his motion was rejected by a vote of 100½ to 150. Of course no vote was given from any of the excluded States, except one-half vote from each of the parties in Arkansas.

The resolutions of the majority were then adopted in succession. Among other motions of similar character, a motion had been made by a delegate in the majority to reconsider the vote by which the Convention had adopted the minority report, as a substitute for that of the majority, and to lay his own motion on the table. This is a common mode resorted to, according to parliamentary tactics, of defeating

every hope of a reconsideration of the pending question, and rendering the first decision final.

Mr. Cessna with this view called for a vote on laying the motion to reconsider on the table. Should this be negatived, then the question of reconsideration would be open. The President stated the question to be first "on laying on the table the motion to reconsider the vote by which the Convention refused to amend the majority report of the Committee on Credentials by substituting the report of the minority." On this question New York, for the first time since the meeting at Baltimore, voted with the minority and changed it into a majority. "When New York was called," says the report of the proceedings, "and responded thirty-five votes" (in the negative) "the response was greeted with loud cheers and applause." The result of the vote was 113½ to 138½—"so the Convention refused to lay on the table the motion to reconsider the minority report." The Convention then adjourned until evening, on motion of Mr. Cochrane, of New York, amidst great excitement and confusion.

This vote of New York, appearing to indicate a purpose to harmonize the party by admitting the original delegates from the eight absent States, was not altogether unexpected. Although voting as a unit, it was known that her delegation were greatly divided among themselves. The exact strength of the minority was afterwards stated by Mr. Bartlett, one of its members, in the Breckinridge Convention. He said: "Upon all questions and especially upon the adoption of the majority report on credentials, in which we had a long contest, the line was strictly drawn, and there were thirty on one side and forty on the other."

The position of New York casting an undivided

vote of thirty-five, with Dean Richmond at their head, had been a controlling power from the commencement.

Strong expectations were, therefore, now entertained that after the New York delegation had recorded their vote against a motion which would have killed the minority report beyond hope of revival, they would now follow this up by taking the next step in advance and voting for its reconsideration and adoption. On the evening of the very same day, however, they reversed their course and voted against its reconsideration. They were then cheered by the opposite party from that which had cheered them in the morning. Thus the action of the Convention in favor of the majority report became final and conclusive.

Mr. Cessna, of Pennsylvania, at once moved “that the Convention do now proceed to nominate candidates for President and Vice-President of the United States.”

Mr. Russell rose and stated, “It has become my duty now, by direction of a large majority of the delegation from Virginia, respectfully to inform you and this body, that it is not consistent with their convictions of duty to participate longer in its deliberations.”

Mr. Lander next stated “that it became his duty, as one of the delegates from North Carolina, to say that a very large majority of the delegation from that State were compelled to retire permanently from this Convention, on account, as he conceived, of the unjust course that had been pursued toward some of their fellow-citizens of the South. The South had heretofore relied upon the Northern Democracy to give them the rights which were justly due them; but

the vote to-day had satisfied the majority of the North Carolina delegation that these rights were now refused them, and, this being the case, they could no longer remain in the Convention."

Then followed in succession the withdrawal of the delegations from Tennessee, Kentucky, Maryland, California, Oregon, and Arkansas. The Convention now adjourned at half-past-ten o'clock until the next morning at ten.

Soon after the assembling of the Convention, the President, Mr. Cushing, whilst tendering his thanks to its members for their candid and honorable support in the performance of his duties, stated that notwithstanding the retirement of the delegations of several of the States at Charleston, in his solicitude to maintain the harmony and union of the Democratic party, he had continued in his post of labor. "To that end and in that sense," said he, "I had the honor to meet you, gentlemen, here at Baltimore. But circumstances have since transpired which compel me to pause. The delegations of a majority of the States have, either in whole or in part, in one form or another, ceased to participate in the deliberations of the Convention. * * * In the present circumstances, I deem it a duty of self-respect, and I deem it still more a duty to this Convention, as at present organized, * * * to resign my seat as President of this Convention, in order to take my place on the floor as a member of the delegation from Massachusetts. * * * I deem this above all a duty which I owe to the members of this Convention, as to whom no longer would my action represent the will of a majority of the Convention."

Governor Tod, of Ohio, one of the Vice-Presidents, then took the vacant chair, and was greeted with hearty and long-continued cheers and applause from

members of the Convention.

Mr. Butler, of Massachusetts, now announced that a portion of the Massachusetts delegation desired to retire, but was interrupted by cries of “No,” “No,” “Call the roll.” Mr. Cessna called for the original question, to wit, that the Convention now proceed to a nomination for President and Vice-President.

The President here ordered the Secretary to call the States. Maine, New Hampshire, and Vermont were called, and they gave an unbroken vote for Stephen A. Douglas. When Massachusetts was called, Mr. Butler rose and said he had a respectful paper in his hand which he would desire the President to have read. A scene of great confusion thereupon ensued, cries of “I object” being heard upon all sides. Mr. Butler, not to be baffled, contended for his right at this stage to make remarks pertinent to the matter, and cited in his support the practice of the Conventions at Baltimore in 1848 and 1852, and at Cincinnati in 1856. He finally prevailed, and was permitted to proceed. He then said he “would now withdraw from the Convention, upon the ground that there had been a withdrawal, in whole or in part, of a majority of the States; and further, which was a matter more personal to himself, he could not sit in a convention where the African slave trade, which was piracy according to the laws of his country, was openly advocated.”

Mr. Butler then retired, followed by General Cushing and four others of the Massachusetts delegation. All of these had voted with the South and against Douglas.

The balloting now proceeded. Mr. Douglas received 173½ votes; Mr. Guthrie 9; Mr. Breckinridge 6½; Mr. Bocock and Mr. Seymour each

1; and Mr. Dickerson and Mr. Wise each half a vote. On the next and last ballot Mr. Douglas received 181½ votes, eight of those in the minority having changed their votes in his favor.

To account for this number, it is proper to state that a few delegates from five of the eight States which had withdrawn still remained in the Convention. On the last ballot Mr. Douglas received all of their votes, to wit: 3 of the 15 votes of Virginia, 1 of the 10 votes of North Carolina, 1½ of the 3 votes of Arkansas, 3 of the 12 votes of Tennessee, 3 of the 12 votes of Kentucky, and 2½ of the 8 votes of Maryland, making in the aggregate 14 votes. To this number may be added the 9 votes of the new delegates from Alabama and the 6 from Louisiana, which had been admitted to the exclusion of the original delegates.

Mr. Douglas was accordingly declared to be the regular nominee of the Democratic party of the Union, upon the motion of Mr. Church, of New York, when, according to the report of the proceedings, "The whole body rose to its feet, hats were waved in the air, and many tossed aloft; shouts, screams, and yells, and every boisterous mode of expressing approbation and unanimity, were resorted to."

Senator Fitzpatrick, of Alabama, was then unanimously nominated as the candidate for Vice-President; and the Convention adjourned *sine die* on the 23d June, the sixth and last day of its session. On the same day, but after the adjournment, Mr. Fitzpatrick declined the nomination, and it was immediately conferred on Mr. Herschel V. Johnson, of Georgia, by the Executive Committee. Thus ended the Douglas Convention.

But another Convention assembled at Baltimore on

the same 23d June, styling itself the “National Democratic Convention.” It was composed chiefly of the delegates who had just withdrawn from the Douglas Convention, and the original delegates from Alabama and Louisiana. One of their first acts was to abrogate the two-third rule, as had been done by the Douglas Convention. Both acted under the same necessity, because the preservation of this rule would have prevented a nomination by either.

Mr. Cushing was elected and took the chair as President. In his opening address he said: “Gentlemen of the Convention, we assemble here, delegates to the National Democratic Convention, duly accredited thereto from more than twenty States of the Union, for the purpose of nominating candidates of the Democratic party for the offices of President and Vice-President of the United States, for the purpose of announcing the principles of the party, and for the purpose of continuing and re-establishing that party upon the firm foundations of the Constitution, the Union, and the co-equal rights of the several States.”

Mr. Avery, of North Carolina, who had reported the majority resolutions at Charleston, now reported the same from the committee of this body, and they “were adopted unanimously, amid great applause.”

The Convention then proceeded to select their candidates. Mr. Loring, on behalf of the delegates from Massachusetts, who with Mr. Butler had retired from the Douglas Convention, nominated John C. Breckinridge, of Kentucky, which Mr. Dent, representing the Pennsylvania delegation present, “most heartily seconded.” Mr. Ward, from the Alabama delegation, nominated R. M. T. Hunter, of Virginia; Mr. Ewing, from that of Tennessee, nominated Mr. Dickinson, of New York; and Mr.

Stevens, from Oregon, nominated General Joseph Lane. Eventually all these names were withdrawn except that of Mr. Breckinridge, and he received the nomination by a unanimous vote. The whole number of votes cast in his favor from twenty States was 103½.

General Lane was unanimously nominated as the candidate for Vice-President. Thus terminated the Breckinridge Convention.

The Chicago Republican Convention.

The Republicans had named May 16th, 1860, as the date and Chicago as the place for holding their second National Convention. They had been greatly encouraged by the vote for Fremont and Dayton, and, what had now become apparent as an irreconcilable division of the Democracy, encouraged them in the belief that they could elect their candidates. Those of the great West were especially enthusiastic, and had contributed freely to the erection of an immense "Wigwam," capable of holding ten thousand people, at Chicago. All the Northern States were fully represented, and there were besides partial delegations from Delaware, Maryland, Kentucky, Missouri and Virginia, with occasional delegates from other Slave States, there being none, however, from the Gulf States. David Wilmot, of Penna., author of the Wilmot proviso, was made temporary chairman, and George Ashmun, of Mass., permanent President. No differences were excited by the report of the committee on platform,

and the proceedings throughout were characterized by great harmony, though there was a somewhat sharp contest for the Presidential nomination. The prominent candidates were Wm. H. Seward, of New York; Abraham Lincoln, of Illinois; Salmon P. Chase, of Ohio; Simon Cameron, of Pennsylvania, and Edward Bates, of Missouri. There were three ballots, Mr. Lincoln receiving in the last 354 out of 446 votes. Mr. Seward led the vote at the beginning, but he was strongly opposed by gentlemen in his own State as prominent as Horace Greeley and Thurlow Weed, and his nomination was thought to be inexpedient. Lincoln's successful debate with Douglas was still fresh in the minds of the delegates, and every addition to his vote so heightened the enthusiasm that the convention was finally carried "off its feet," the delegations rapidly changing on the last ballot. Lincoln had been a known candidate but a month or two before, while Seward's name had been everywhere canvassed, and where opposed in the Eastern and Middle States, it was mainly because of the belief that his views on slavery were too radical. He was more strongly favored by the Abolition branch of the party than any other candidate. When the news of his success was first conveyed to Mr. Lincoln he was siting in the office of the *State Journal*, at Springfield, which was connected by a telegraph wire with the Wigwam. On the close of the third ballot a despatch was handed Mr. Lincoln. He read it in silence, and then announcing the result said: "There is a little woman down at our house would like to hear this—I'll go down and tell her," and he started amid the shouts of personal admirers. Hannibal Hamlin, of Maine, was nominated for Vice-President with much unanimity, and the Chicago Convention closed its work in a

single day.

The American Convention.

A “Constitutional Union,” really an American Convention, had met at Baltimore on the 9th of May. Twenty States were represented, and John Bell, of Tennessee, and Edward Everett, of Massachusetts, were named for the Presidency and Vice-Presidency. Their friends, though known to be less in number than either those of Douglas, Lincoln or Breckinridge, yet made a vigorous canvass in the hope that the election would be thrown into the House, and that there a compromise in the vote by States would naturally turn toward their candidates. The result of the great contest is elsewhere given in our Tabulated History of Politics.

THE PRINCIPLES INVOLVED.

Lincoln received large majorities in nearly all of the free States, his popular vote being 1,866,452; electoral vote, 180. Douglas was next in the popular estimate, receiving 1,375,157 votes, with but 12 electors. Breckinridge had 847,953 votes, with 76 electors; Bell, with 570,631 votes, had 39 electors.

The principles involved in the controversy are given at length in the Book of Platforms, and were briefly these: The Republican party asserted that slavery should not be extended to the territories; that it could exist only by virtue of local and positive law;

that freedom was national; that slavery was morally wrong, and the nation should at least anticipate its gradual extinction. The Douglas wing of the Democratic party adhered to the doctrine of popular sovereignty, and claimed that in its exercise in the territories they were indifferent whether slavery was voted up or down. The Breckinridge wing of the Democratic party asserted both the moral and legal right to hold slaves, and to carry them to the territories, and that no power save the national constitution could prohibit or interfere with it outside of State lines. The Americans supporting Bell, adhered to their peculiar doctrines touching emigration and naturalization, but had abandoned, in most of the States, the secrecy and oaths of the Know-Nothing order. They were evasive and non-committal on the slavery question.

Preparing for Secession.

Secession, up to this time, had not been regarded as treasonable in all sections and at all times. As shown in many previous pages, it had been threatened by the Hartford Convention; certainly by some of the people of New England who opposed the war of 1812. Some of the more extreme Abolitionists had favored a division of the sections. The South, particularly the Gulf States, had encouraged a secret organization, known as the “Order of the Lone Star,” previous to and at the time of the annexation of Texas. One of its objects was to acquire Cuba, so as to extend slave territory. The Gulf States needed

more slaves, and though the law made participancy in the slave trade piracy, many cargoes had been landed in parts of the Gulf without protest or prosecution, just prior to the election of 1860. Calhoun had threatened, thirty years before, nullification, and before that again, secession in the event of the passage of the Public Land Bill. Jefferson and Madison had indicated that doctrine of State Rights on which secession was based in the Kentucky and Virginia resolutions of 1798, facts which were daily discussed by the people of the South during this most exciting of all Presidential campaigns.

The leaders in the South had anticipated defeat at the election, and many of them made early preparations for the withdrawal of their States from the Union. Some of the more extreme anti-slavery men of the North, noting these preparations, for a time favored a plan of letting the South go in peace. South Carolina was the first to adopt a secession ordinance, and before it did so, Horace Greeley said in the New York *Tribune*:

"If the Declaration of Independence justified the secession from the British Empire of three millions of colonists in 1776, we can not see why it would not justify the secession of five millions of Southrons from the Federal Union in 1861."

These views, however, soon fell into disfavor throughout the North, and the period of indecision on either side ceased when Fort Sumter was fired upon. The Gulf States openly made their preparations as soon as the result of the Presidential election was known, as a rule pursuant to a previous understanding. The following, condensed from Hon. Edward McPherson's "*Political History of the United States of America during the Great Rebellion*," is a correct statement of the movements which followed,

in the several Southern States:

SOUTH CAROLINA.

November 5th, 1860. Legislature met to choose Presidential electors, who voted for Breckinridge and Lane for President and Vice-President. Gov. William H. Gist recommended in his message that in the event of Abraham Lincoln's election to the Presidency, a convention of the people of the State be immediately called to consider and determine for themselves the mode and measure of redress. He expressed the opinion that the only alternative left is the "secession of South Carolina from the Federal Union."

7th. United States officials resigned at Charleston.

10th. U. S. Senators James H. Hammond and James Chestnut, Jr., resigned their seats in the Senate. Convention called to meet Dec. 17th. Delegates to be elected Dec. 6th.

13th. Collection of debts due to citizens of non-slaveholding States stayed. Francis W. Pickens elected Governor.

17th. Ordinance of Secession adopted unanimously.

21st. Commissioners appointed (Barnwell, Adams, and Orr) to proceed to Washington to treat for the possession of U. S. Government property within the limits of South Carolina. Commissioners appointed to the other slaveholding States. Southern Congress proposed.

24th. Representatives in Congress withdrew.

Gov. Pickens issued a proclamation "announcing the repeal, Dec. 20th, 1860, by the good people of

South Carolina," of the Ordinance of May 23d, 1788, and "the dissolution of the union between the State of South Carolina and other States under the name of the United States of America," and proclaiming to the world "that the State of South Carolina is, as she has a right to be, a separate, sovereign, free and independent State, and, as such, has a right to levy war, conclude peace, negotiate treaties, leagues, or covenants, and to do all acts whatsoever that rightfully appertain to a free and independent State.

"Done in the eighty-fifth year of the sovereignty and independence of South Carolina."

Jan. 3d, 1861. South Carolina Commissioners left Washington.

4th. Convention appointed T. J. Withers, L. M. Keitt, W. W. Boyce, Jas. Chestnut, Jr., R. B. Rhett, Jr., R. W. Barnwell, and C. G. Memminger, delegates to Southern Congress.

5th. Convention adjourned, subject to the call of the Governor.

14th. Legislature declared that any attempt to reinforce Fort Sumter would be considered an open act of hostility and a declaration of war. Approved the Governor's action in firing on the *Star of the West.* Accepted the services of the Catawba Indians.

27th. Received Judge Robertson, Commissioner from Virginia, but rejected the proposition for a conference and co-operative action.

March 26th. Convention met in Charleston.

April 3d. Ratified "Confederate" Constitution—yeas 114, nays 16.

8th. Transferred forts, etc., to "Confederate" government.

GEORGIA.

November 8th, 1860. Legislature met pursuant to previous arrangement.

18th. Convention called. Legislature appropriated $1,000,000 to arm the State.

Dec. 3d. Resolutions adopted in the Legislature proposing a conference of the Southern States at Atlanta, Feb. 20th.

January 17th, 1861. Convention met. Received Commissioners from South Carolina and Alabama.

18th. Resolutions declaring it the right and duty of Georgia to secede, adopted—yeas 165, nays 130.

19th. Ordinance of Secession passed—yeas 208, nays 89.

21st. Senators and Representatives in Congress withdrew.

24th. Elected Delegates to Southern Congress at Montgomery, Alabama.

28th. Elected Commissioners to other Slaveholding States.

29th. Adopted an address “to the South and the world.”

March 7th. Convention reassembled.

16th. Ratified the “Confederate” Constitution—yeas 96, nays 5.

20th. Ordinance passed authorizing the “Confederate” government to occupy, use and possess the forts, navy yards, arsenals, and custom-houses within the limits of said State.

April 26th. Governor Brown issued a proclamation ordering the repudiation by the citizens of Georgia of all debts due Northern men.

MISSISSIPPI.

November 26th, 1860. Legislature met Nov. 26th, and adjourned Nov. 30th. Election for Convention fixed for Dec. 20th. Convention to meet Jan. 7th. Convention bills and secession resolutions passed unanimously. Commissioners appointed to other Slaveholding States to secure "their co-operation in effecting measures for their common defence and safety."

Jan. 7th, 1861. Convention assembled.

9th. Ordinance of Secession passed—yeas 84, nays 15.

In the ordinance the people of the State of Mississippi express their consent to form a federal union with such of the States as have seceded or may secede from the Union of the United States of America, upon the basis of the present Constitution of the United States, except such parts thereof as embrace other portions than such seceding States.

10th. Commissioners from other States received. Resolutions adopted, recognizing South Carolina as sovereign and independent.

Jan. 12th. Representatives in Congress withdrew.

19th. The committee on the Confederacy in the Legislature reported resolutions to provide for a Southern Confederacy, and to establish a provisional government for seceding States and States hereafter seceding.

21st. Senators in Congress withdrew.

March 30th. Ratified "Confederate" Constitution—yeas 78, nays 7.

FLORIDA.

November 26th, 1860. Legislature met. Governor M. S. Perry recommended immediate secession.

Dec. 1st. Convention bill passed.

Jan. 3d, 1861. Convention met.

7th. Commissioners from South Carolina and Alabama received and heard.

10th. Ordinance of Secession passed—yeas 62, nays 7.

18th. Delegates appointed to Southern Congress at Montgomery.

21st. Senators and Representatives in Congress withdrew.

Feb. 14th. Act passed by the Legislature declaring that after any actual collision between Federal troops and those in the employ of Florida, the act of holding office under the Federal government shall be declared treason, and the person convicted shall suffer death. Transferred control of government property captured, to the "Confederate" government.

LOUISIANA.

December 10th, 1860. Legislature met.

11th. Convention called for Jan. 23d. Military bill passed.

12th. Commissioners from Mississippi received and heard. Governor instructed to communicate with Governors of other southern States.

Jan. 23d, 1861. Convention met and organized. Received and heard Commissioners from South Carolina and Alabama.

25th. Ordinance of Secession passed—yeas 113, nays 17. Convention refused to submit the ordinance

to the people by a vote of 84 to 45. This was subsequently reconsidered, and the ordinance was submitted. The vote upon it as declared was 20,448 in favor, and 17,296 against.

Feb. 5th. Senators withdrew from Congress, also the Representatives, except John E. Bouligny. State flag adopted. Pilots at the Balize prohibited from bringing over the bar any United States vessels of war.

March 7th. Ordinance adopted in secret session transferring to "Confederate" States government $536,000, being the amount of bullion in the U. S. mint and customs seized by the State.

16th. An ordinance voted down, submitting the "Confederate" Constitution to the people—yeas 26, nays 74.

21st. Ratified the "Confederate" Constitution—yeas 101, nays 7. Governor authorized to transfer the arms and property captured from the United States to the "Confederate" Government.

27th. Convention adjourned *sine die*.

ALABAMA.

January 7th, 1861. Convention met.

8th. Received and heard the Commissioner from South Carolina.

11th. Ordinance of Secession passed in secret session—yeas 61, nays 39. Proposition to submit ordinance to the people lost—yeas 47, nays 53.

14th. Legislature met pursuant to previous action.

19th. Delegates elected to the Southern Congress.

21st. Representatives and Senators in Congress

withdrew.

26th. Commissioners appointed to treat with the United States Government relative to the United States forts, arsenals, etc., within the State.

The Convention requested the people of the States of Delaware, Maryland, Virginia, North Carolina, South Carolina, Florida, Georgia, Mississippi, Louisiana, Texas, Arkansas, Tennessee, Kentucky and Missouri to meet the people of Alabama by their delegates in Convention, February 4th, 1861, at Montgomery, for the purpose of consulting as to the most effectual mode of securing concerted or harmonious action in whatever measures may be deemed most desirable for their common peace and security. Military bill passed. Commissioners appointed to other Slaveholding States.

March 4th. Convention reassembled.

13th. Ratified "Confederate" Constitution, yeas 87, nays 6. Transferred control forts, of arsenals, etc., to "Confederate" Government.

ARKANSAS.

January 16th, 1861. Legislature passed Convention bill. Vote of the people on the Convention was 27,412 for it, and 15,826 against it.

February 18th. Delegates elected.

March 4th. Convention met.

18th. The Ordinance of Secession defeated—yeas 35, nays 39. The convention effected a compromise by agreeing to submit the question of co-operation or secession to the people on the 1st Monday in August.

May 6th. Passed Secession Ordinance—yeas 69, nays 1. Authorized her delegates to the Provisional

Congress, to transfer the arsenal at Little Rock and hospital at Napoleon to the "Confederate" Government.

TEXAS.

January 21st, 1861. Legislature met.

28th. People's State Convention met.

29th. Legislature passed a resolution declaring that the Federal Government has no power to coerce a Sovereign State after she has pronounced her separation from the Federal Union.

February 1st. Ordinance of Secession passed in Convention—yeas 166, nays 7. Military bill passed.

7th. Ordinance passed, forming the foundation of a Southern Confederacy. Delegates to the Southern Congress elected. Also an act passed submitting the Ordinance of Secession to a vote of the people.

23d. Secession Ordinance voted on by the people; adopted by a vote of 34,794 in favor, and 11,235 against it.

March 4th. Convention declared the State out of the Union. Gov. Houston issued a proclamation to that effect.

16th. Convention by a vote of 127 to 4 deposed Gov. Houston, declaring his seat vacant. Gov. Houston issued a proclamation to the people protesting against this action of the Convention.

20th. Legislature confirmed the action of the Convention in deposing Gov. Houston by a vote of 53 to 11. Transferred forts, etc., to "Confederate" Government.

23d. Ratified the "Confederate" Constitution—yeas 68, nays 2.

NORTH CAROLINA.

November 20th, 1860. Legislature met. Gov. Ellis recommended that the Legislature invite a conference of the Southern States, or failing in that, send one or more delegates to the neighboring States so as to secure concert of action. He recommended a thorough reorganization of the militia, and the enrollment of all persons between 18 and 45 years, and the organization of a corps of ten thousand men; also, a Convention, to assemble immediately after the proposed consultation with other Southern States shall have terminated.

December 9th, Joint Committee on Federal Relations agreed to report a Convention Bill.

17th. Bill appropriating $300,000 to arm the State, debated.

18th. Senate passed above bill—yeas, 41, nays, 3.

20th. Commissioners from Alabama and Mississippi received and heard—the latter, J. Thompson, by letter.

22d. Senate bill to arm the State failed to pass the House.

22d. Adjourned till January 7th.

January 8th, 1861. Senate Bill arming the State passed the House, yeas, 73, nays, 26.

30th. Passed Convention Bill—election to take place February 28th. No Secession Ordinance to be valid without being ratified by a majority of the qualified voters of the State.

31st. Elected Thos. L. Clingman United States Senator.

February 13th. Commissioners from Georgia publicly received.

20th. Mr. Hoke elected Adjutant General of the State. Military Bill passed.

28th. Election of Delegates to Convention took place.

28th. The vote for a Convention was 46,671; against 47,333—majority against a Convention 661.

May 1st. Extra session of the Legislature met at the call of Gov. Ellis. The same day they passed a Convention Bill, ordering the election of delegates on the 15th.

2d. Legislature adjourned.

13th. Election of delegates to the Convention took place.

20th. Convention met at Raleigh.

21st. Ordinance of Secession passed; also the “Confederate” Constitution ratified.

June 5th. Ordinance passed, ceded the arsenal at Fayetteville, and transferred magazines, etc., to the “Confederate” Government.

TENNESSEE.

January 6th, 1861. Legislature met.

12th. Passed Convention Bill.

30th. Commissioners to Washington appointed.

February 8th. People voted no Convention: 67,360 to 54,156.

May 1st. Legislature passed a joint resolution authorizing the Governor to appoint Commissioners to enter into a military league with the authorities of the "Confederate" States.

7th. Legislature in secret session ratified the league entered into by A. O. W. Totten, Gustavus A. Henry, Washington Barrow, Commissioners for Tennessee, and Henry W. Hilliard, Commissioner for "Confederate" States, stipulating that Tennessee until she became a member of the Confederacy placed the whole military force of the State under the control of the President of the "Confederate" States, and turned over to the "Confederate" States all the public property, naval stores and munitions of war. Passed the Senate, yeas 14, nays 6, absent and not voting 5; the House, yeas 42, nays 15, absent and not voting, 18. Also a Declaration of Independence and Ordinance dissolving the Federal relations between Tennessee and the United States, and an ordinance adopting and ratifying the Confederate Constitution, these two latter to be voted on by the people on June 8th were passed.

June 24th. Gov. Isham G. Harris declared Tennessee out of the Union, the vote for Separation being 104,019 against 47,238.

VIRGINIA.

January 7th, 1861. Legislature convened.

8th. Anti-coercion resolution passed.

9th. Resolution passed, asking that the *status quo* be maintained.

10th. The Governor transmitted a despatch from the Mississippi Convention, announcing its unconditional secession from the Union, and desiring on the basis of the old Constitution to form a new union with the seceding States. The House adopted—yeas 77, nays 61,—an amendment submitting to a vote of the people the question of referring for their decision any action of the Convention dissolving Virginia's connection with the Union, or changing its organic law. The Richmond *Enquirer* denounced "the emasculation of the Convention Bill as imperilling all that Virginians held most sacred and dear."

16th. Commissioners Hopkins and Gilmer of Alabama received in the Legislature.

17th. Resolutions passed proposing the Crittenden resolutions as a basis for adjustment, and requesting General Government to avoid collision with Southern States. Gov. Letcher communicated the Resolutions of the Legislature of New York, expressing the utmost disdain, and saying that "the threat conveyed can inspire no terror in freemen." The resolutions were directed to be returned to the Governor of New York.

18th. $1,000,000 appropriated for the defence of the State.

19th. Passed resolve that if all efforts to reconcile the differences of the country fail, every consideration of honor and interest demands that Virginia shall unite her destinies with her sister slaveholding States. Also that no reconstruction of

the Union can be permanent or satisfactory, which will not secure to each section self-protecting power against any invasion of the Federal Union upon the reserved rights of either. (See Hunter's proposition for adjustment.)

21st. Replied to Commissioners Hopkins and Gilmer, expressing inability to make a definite response until after the meeting of the State Convention.

22d. The Governor transmitted the resolutions of the Legislature of Ohio, with unfavorable comment. His message was tabled by a small majority.

30th. The House of Delegates to-day tabled the resolutions of the Pennsylvania Legislature, but referred those of Tennessee to the Committee on Federal Relations.

February 20th. The resolutions of the Legislature of Michigan were returned without comment.

28th. Ex-President Tyler and James A. Seddon, Commissioners to the Peace Congress, presented their report, and denounced the recommendation of that body as a delusion and a sham, and as an insult and an offense to the South.

Proceedings of Virginia Convention.

February 4th. Election of delegates to the Convention.

13th. Convention met.

14th. Credentials of John S. Preston, Commissioner from South Carolina, Fulton Anderson from

Mississippi, and Henry L. Benning from Georgia, were received.

18th. Commissioners from Mississippi and Georgia heard; both pictured the danger of Virginia remaining with the North; neither contemplated such an event as reunion.

19th. The Commissioner from South Carolina was heard. He said his people believed the Union unnatural and monstrous, and declared that there was no human force—no sanctity of human touch,—that could re-unite the people of the North with the people of the South—that it could never be done unless the economy of God were changed.

20th. A committee reported that in all but sixteen counties, the majority for submitting the action of the Convention to a vote of the people was 52,857. Numerous resolutions on Federal Relations introduced, generally expressing attachment to the Union, but denouncing coercion.

26th. Mr. Goggin of Bedford, in his speech, denied the right of secession, but admitted a revolutionary remedy for wrongs committed upon a State or section, and said wherever Virginia went he was with her.

March 2d. Mr. Goode of Bedford offered a resolution that, as the powers delegated to the General Government by Virginia had been perverted to her injury, and as the Crittenden propositions as a basis of adjustment had been rejected by their Northern confederates, therefore every consideration of duty, interest, honor and patriotism requires that Virginia should declare her connection with the Government to be dissolved.

5th. The thanks of the State were voted to Hon. John J. Crittenden, by yeas 107, nays 16, for his

efforts to bring about an honorable adjustment of the national difficulties. Mr. Harvie of Amelia offered a resolution, requesting Legislature to make needful appropriations to resist any attempt of the Federal authorities to hold, occupy or possess the property and places claimed by the United States in any of the seceded States, or those that may withdraw or collect duties or imposts in the same.

9th. Three reports were made from the Committee on Federal Relations. The majority proposed to submit to the other States certain amendments to the Constitution, awaiting the response of non-slaveholding States before determining whether "she will resume the powers granted by her under the Constitution of the United States, and throw herself upon her reserved rights; meanwhile insisting that no coercion be attempted, the Federal forts in seceded States be not reinforced, duties be not collected, etc.," and proposing a Convention at Frankfort, Kentucky, the last Monday in May, of the States of Delaware, Maryland, North Carolina, Tennessee, Kentucky, Missouri and Arkansas. Henry A. Wise differed in details, and went further in the same direction. Messrs. Lewis E. Harvie, Robert L. Montague and Samuel C. Williams recommended the immediate passage of an Ordinance of Secession. Mr. Barbour of Culpeper insisted upon the immediate adoption by the non-slaveholding States of needed guarantees of safety, and provided for the appointment of three Commissioners to confer with the Confederate authorities at Montgomery.

19th. Committee on Federal Relations reported proposed amendments to the Constitution, which were the substitute of Mr. Franklin of Pa., in "Peace Conference," changed by using the expression "involuntary servitude" in place of "persons held to

service." The right of owners of slaves is not to be impaired by congressional or territorial law, or any pre-existing law in territory hereafter acquired.

Involuntary servitude, except for crime, to be prohibited north of 36°30′, but shall not be prohibited by Congress or any Territorial legislature south of that line. The third section has some verbal alterations, providing somewhat better security for property in transit. The fifth section prohibits the importation of slaves from places beyond the limits of the United States. The sixth makes some verbal changes in relation to remuneration for fugitives by Congress, and erases the clause relative to the securing of privileges and immunities. The seventh forbids the granting of the elective franchise and right to hold office to persons of the African race. The eighth provides that none of these amendments, nor the third paragraph of the second section of the first article of the Constitution, nor the third paragraph of the second section of the fourth article thereof, shall be amended or abolished without the consent of all the States.

25th. The Committee of the Whole refused (yeas 4, nays 116) to strike out the majority report and insert Mr. Carlile's "Peace Conference" substitute.

26th. The Constitution of the "Confederate" States, proposed by Mr. Hall as a substitute for the report of the committee, rejected—yeas 9, nays 78.

28th. The first and second resolutions reported by the committee adopted.

April 6th. The ninth resolution of the majority report came up. Mr. Bouldin offered an amendment striking out the whole, and inserting a substitute declaring that the independence of the seceded States should be acknowledged without delay, which was

lost—yeas 68, nays 71.

9th. Mr. Wise's substitute for the tenth resolution, to the effect that Virginia recognizes the independence of the seceding States was adopted—yeas 128, nays 20.

April 17. Ordinance of Secession passed in secret session—yeas 88, nays 55, one excused, and eight not voting.

Same day the Commissioners adopted and ratified the Constitution of the Provisional Government of the "Confederate" States of America, this ordinance to cease to have legal effect if the people of Virginia voting upon the Ordinance of Secession should reject it.

25th. A Convention was made between Commissioners of Virginia, chosen by the Convention, and A. H. Stephens, Commissioner for "Confederates," stipulating that Virginia until she became a member of the Confederacy should place her military force under the direction of the President of the "Confederate" States; also turn over to "Confederate" States all her public property, naval stores, and munitions of war. Signed by J. Tyler, W. B. Preston, S. McD. Moore, James P. Holcombe, Jas. C. Bruce, Lewis E. Harvie—for Virginia; and A. H. Stephens for "Confederate" States.

June 25th. Secession vote announced as 128,884 for, and 32,134 against.

July. The Convention passed an ordinance to the effect that any citizen of Virginia holding office under the Government of the United States after the 31st of July, 1861, should be forever banished from the State, and be declared an alien enemy. Also that any citizen of Virginia, hereafter undertaking to represent the State of Virginia in the Congress of the

United States, should, in addition to the above penalties, be considered guilty of treason, and his property be liable to confiscation. A provision was inserted exempting from the penalties of the act all officers of the United States outside of the United States, or of the Confederate States, until after July 1st, 1862.

KENTUCKY.

December 12th, 1860. Indiana militia offer their services to quell servile insurrection. Gov. Magoffin declines accepting them.

January 17th, 1861. Legislature convened.

22d. The House by a vote of 87 to 6 resolved to resist the invasion of the South at all hazards.

27th. Legislature adopted the Virginia resolutions requiring the Federal Government to protect Slavery in the Territories and to guarantee the right of transit of slaves through the Free States.

February 2d. The Senate passed by a vote of 25 to 11, resolutions appealing to the Southern States to stop the revolution, protesting against Federal coercion and providing that the Legislature reassemble on the 24th of April to hear the responses from sister States, also in favor of making an application to call a National Convention for proposing amendments to the Constitution of the United States, also by a vote of 25 to 14 declared it inexpedient at this time to call a State Convention.

5th. The House by a vote of 54 to 40 passed the above resolutions.

March 22d. State Rights Convention assembled. Adopted resolutions denouncing any attempt on the

part of the Government to collect revenue as coercion; and affirming that, in case of any such attempt, the border States should make common cause with the Southern Confederacy. They also recommended a border State Convention.

April 24th. Gov. Magoffin called an extra session of the Legislature.

May 20th. Gov. Magoffin issued a neutrality proclamation.

September 11th. The House of Representatives by a vote of 71 to 26, adopted a resolution directing the Governor to issue a proclamation ordering the Confederate troops to evacuate Kentucky soil. The Governor vetoed the resolution, which was afterwards passed over his veto, and accordingly he issued the required proclamation.

October 29th. Southern Conference met at Russellville. H. C. Burnett elected Chairman, R. McKee Secretary, T. S. Bryan Assistant Secretary. Remained in secret session two days and then adjourned *sine die*. A series of resolutions reported by G. W. Johnson were adopted. They recite the unconstitutional and oppressive acts of the Legislature, proclaim revolution, provide for a Sovereignty Convention at Russellville, on the 18th of November, recommend the organization of county guards, to be placed in the service of and paid by the Confederate States Government; pledge resistance to all Federal and State taxes, for the prosecution of the war on the part of the United States; and appoint Robert McKee, John C. Breckinridge, Humphrey Marshall, Geo. W. Ewing, H. W. Bruce, Geo. B. Hodge, William Preston, Geo. W. Johnson, Blanton Duncan, and P. B. Thompson to carry out the resolutions.

November 18th. Convention met and remained in session three days.

20th. It passed a Declaration of Independence and an Ordinance of Secession. A Provisional Government consisting of a Governor, Legislative Council of ten, a Treasurer, and an Auditor were agreed upon. Geo. W. Johnson was chosen Governor. Legislative Council were: Willis B. Machen, John W. Crockett, James P. Bates, Jas. S. Chrisman, Phil. B. Thompson, J. P. Burnside, H. W. Bruce, J. W. Moore, E. M. Bruce, Geo. B. Hodge.

MARYLAND.

Nov. 27th, 1860. Gov. Hicks declined to call a special session of the Legislature, in response to a request for such convening from Thomas G. Pratt, Sprigg Harwood, J. S. Franklin, N. H. Green, Llewellyn Boyle, and J. Pinkney.

December 19th. Gov. Hicks replied to A. H. Handy, Commissioner from Mississippi, declining to accept the programme of Secession.

20th. Wm. H. Collins, Esq., of Baltimore, issued an address to the people, in favor of the Union, and in March a second address.

31st. The “Clipper” denied the existence of an organization in Maryland to prevent the inauguration of President Lincoln.

A. H. Handy of Mississippi addressed citizens of Baltimore in favor of disunion.

January 3d, 1861. Henry Winter Davis issued an address in favor of the Union.

3d. Numerous Union meetings in various part of the State. Gov. Hicks issued an address to the people

against secession.

11th. John C. Legrand in a letter to Hon. Reverdy Johnson replied to the Union speech of the latter.

14th. James Carroll, former Democratic candidate for Governor, announced his desire to go with the seceding States.

16th. Wm. A. Spencer, in a letter to Walter S. Cox, Esq., declared against the right of Secession but for a Convention.

16. Marshal Kane, in a letter to Mayor Berrett, denied that any organization exists to prevent the inauguration of President Lincoln, and said that the President elect would need no armed escort in passing through or sojourning within the limits of Baltimore and Maryland.

24th. Coleman Yellott declared for a Convention.

30th. Messrs. John B. Brooke, President of the Senate, and E. G. Kilbourn, Speaker of the House of Delegates, asked the Governor to convene the Legislature in response to public meetings. Senator Kennedy published his opinion that Maryland must go with Virginia.

February 18th. State Conference Convention held, and insisted upon a meeting of the Legislature. At a meeting in Howard Co., which Speaker E. G. Kilbourn addressed, a resolution was adopted that "immediate steps ought to be taken for the establishment of a Southern Confederacy, by consultation and co-operation with such other Southern and Slave States as may be ready therefor."

April 21st. Gov. Hicks wrote to Gen. Butler, advising that he do not land his troops at Annapolis. Butler replied that he intended to land there and march thence to Washington. Gov. Hicks protested against this and also against his having taken forcible

possession of the Annapolis and Elkridge railroad.

24th. A special election of ten delegates to the Legislature took place at Baltimore. The total vote cast in all the wards was 9,249. The total vote cast at the Presidential election in November, 1860, was 30,148.

26th. Legislature reassembled at Frederick, Annapolis being occupied by Union troops.

29th. Gov. Hicks sent a message to the Legislature communicating to them the correspondence between himself and Gen. Butler and the Secretary of War relative to the landing of troops at Annapolis.

The House of Delegates voted against Secession, 53 to 13. Senate unanimously.

May 2d. The Committee on Federal Relations, "in view of the seizure of the railroads by the General Government and the erection of fortifications," presented resolutions appointing Commissioners to the President to ascertain whether any becoming arrangements with the General Government are practicable, for the maintenance of the peace and honor of the State and the security of its inhabitants. The report was adopted, and Otho Scott, Robt. M. McLane, and Wm. J. Ross were appointed such Commissioners.

Mr. Yellott in the Senate introduced a bill to appoint a Board of Public Safety. The powers given to the Board included the expenditure of the two millions of dollars proposed by Mr. Brune for the defence of the State, and the entire control of the military, including the removal and appointment of commissioned officers. It was ordered to a second reading by a vote of 14 to 8. The Board was to consist of Ezekiel F. Chambers, Enoch Louis Lowe, John V. L. MacMahon, Thomas G. Pratt, Walter

Mitchell, and Thomas Winans. Gov. Hicks was made *ex-officio* a member of the Board. This measure was strongly pressed by the Disunionists for a long time, but they were finally compelled to give way, and the bill never passed.

6th. The Commissioners reported the result of their interview with the President, and expressed the opinion that some modification of the course of the General Government towards Maryland ought to be expected.

10th. The House of Delegates passed a series of resolutions reported by the Committee on Federal Relations by a vote of 43 to 12. The resolutions declare that Maryland protests against the war, and does earnestly beseech and implore the President of the United States to make peace with the "Confederate" States; also, that "the State of Maryland desires the peaceful and immediate recognition of the independence of the Confederate States." Those who voted in the negative are Messrs. Medders, Lawson, Keene, Routzahn, Naill, Wilson of Harford, Bayless, McCoy, Fiery, Stake, McCleary, and Gorsuch.

13th. Both Houses adopted a resolution providing for a committee of eight members, (four from each House) to visit the President of the United States and the President of the Southern Confederacy. The committee to visit President Davis were instructed to convey the assurance that Maryland sympathizes with the Confederate States, and that the people of Maryland are enlisted with their whole hearts on the side of reconciliation and peace.

June 11th. Messrs. McKaig, Yellott and Harding, Commissioners to visit President Davis, presented their report; accompanying which is a letter from

Jefferson Davis, expressing his gratification to hear that the State of Maryland was in sympathy with themselves, was enlisted on the side of peace and reconciliation, and avowing his perfect willingness for a cessation of hostilities, and a readiness to receive any proposition for peace from the United States Government.

20th. The House of Delegates, and June 22d, the Senate adopted resolutions unqualifiedly protesting against the arrest of Ross Winans and sundry other citizens of Maryland, as an "oppressive and tyrannical assertion and exercise of military jurisdiction within the limits of Maryland, over the persons and property of her citizens, by the Government of the United States."

MISSOURI.

January 15th, 1861. Senate passed Convention Bill —yeas 31, nays 2. Passed House also.

February 28th. Convention met; motion to go into secret session, defeated. A resolution requiring members to take an oath to support the Constitution of the United States and the State of Missouri, was lost—65 against 30.

March 4. Resolution passed, 64 yeas, 35 nays, appointing committee to notify Mr. Glenn, Commissioner of Georgia, that the Convention was ready to hear any communication from his State. Mr. Glenn was introduced, read Georgia's articles of secession, and made a speech urging Missouri to join her.

5th. Resolutions were read, ordering that the protest of St. Louis against coercion be reduced to writing, and a copy sent to the President of the

United States; also, resolutions were adopted informing the Commissioner from Georgia that Missouri dissented from the position taken by that State, and refused to share the honors of secession with her.

6th. Resolutions were offered by several members and referred, calling a Convention of the Southern States which have not seceded, to meet at Nashville, April 15th, providing for such amendments to the Constitution of the United States as shall secure to all the States equal rights in the Union, and declaring strongly against secession.

9th. The Committee on Federal Relations reported a series of resolutions, setting forth that at present there is no adequate cause to impel Missouri to leave the Union, but that on the contrary she will labor for such an adjustment of existing troubles as will secure peace and the rights and equality of all the States; that the people of Missouri regard the amendments to the Constitution proposed by Mr. Crittenden, with their extension to territory hereafter to be required, a basis of adjustment which would forever remove all difficulties; and that it is expedient for the Legislature to call a Convention for proposing amendments to the Constitution.

The Senate passed resolutions that their Senators be instructed, and their Representatives requested, to oppose the passage of all acts granting supplies of men and money to coerce the seceding States into submission or subjugation; and that, should such acts be passed by Congress, their Senators be instructed, and their Representatives requested, to retire from the halls of Congress.

16th. An amendment of the fifth resolution of the majority report of the Committee on Federal

Relations, asserting that Missouri would never countenance nor aid a seceding State in making war upon the General Government, nor provide men and money for the purpose of aiding the General Government to coerce a seceding State, was voted down.

27th. The following resolution was passed by a vote in the House of 62 against 42:—

Resolved, That it is inexpedient for the General Assembly to take any steps for calling a National Convention to propose amendments to the Constitution, as recommended by the State Convention.

July 22d. The Convention reassembled.

23d. Resolution passed, by a vote of 65 to 21, declaring the office of President, held by General Sterling Price at the last session of the Convention, vacant. A committee of seven were appointed to report what action they deem it advisable to take in the dislocated condition of the State.

25th. The committee presented their report. It alludes at length to the present unparalleled condition of things, the reckless course of the recent Government, and flight of the Governor and other State officers from the capitol. It declares the offices of Governor, Lieutenant-Governor, and Secretary of State vacant, and provides that their vacancies shall be filled by the Convention, the officers so appointed to hold their positions till August, 1862, at which time it provides for a special election by the people. It repeals the ninth section of the sixth article of the Constitution, and provides that the Supreme Court of the State shall consist of seven members; and that four members, in addition to the three now comprising the Court, shall be appointed by the

Governor chosen by this Convention to hold office till 1862, when the people shall decide whether the change shall be permanent. It abolishes the State Legislature, and ordains that in case, before the 1st of August, 1862, the Governor chosen by this Convention shall consider the public exigencies demand, he shall order a special election for the members of the State Legislature. It recommends the passage of an ordinance repealing the following bills, passed by the Legislature in secret session, in May last: The military fund bill, the bill to suspend the distribution of the school fund, and the bill for cultivating friendly relations with the Indian tribes. It repeals the bill authorizing the appointment of one major-general of the Missouri militia, and revives the militia law of 1859.

A resolution was passed that a committee of seven be appointed by the President to prepare an address to the people of the State of Missouri.

November 26th. Jefferson Davis transmitted to the "Confederate" Congress a message concerning the secession of Missouri. It was accompanied by a letter from Governor Jackson, and also by an act dissolving the union with the United States, and an act ratifying the Constitution of the Provisional Government of the Confederate States; also, the Convention between the Commissioners of Missouri and the Commissioners of the Confederate States. Congress unanimously ratified the Convention entered into between the Hon. R. M. T. Hunter for the rebel Government and the Commissioners for Missouri.

Inter-State Commissioners.

The seceding States, as part of their plan of operation, appointed Commissioners to visit other slaveholding States. They were as follows, as announced in the newspapers:

South Carolina.

To Alabama, A. P. Calhoun.

To Georgia, James L. Orr, Ex-M. C.

To Florida, L. W. Spratt.

To Mississippi, M. L. Bonham, Ex-M. C.

To Louisiana, J. L. Manning.

To Arkansas, A. C. Spain.

To Texas, J. B. Kershaw.

To Virginia, John S. Preston.

Alabama.

To North Carolina, Isham W. Garrett.

To Mississippi, E. W. Pettus.

To South Carolina, J. A. Elmore.

To Maryland, A. F. Hopkins.

To Virginia, Frank Gilmer.

To Tennessee, L. Pope Walker.

To Kentucky, Stephen F. Hale.

To Arkansas, John Anthony Winston.

Georgia.

To Missouri, Luther J. Glenn.

To Virginia, Henry L. Benning.

Mississippi.

To South Carolina, C. E. Hooker.

To Alabama, Jos. W. Matthews, Ex-Gov.

To Georgia, William L. Harris.

To Louisiana, Wirt Adams.

To Texas, H. H. Miller.

To Arkansas, George R. Fall.

To Florida, E. M. Yerger.

To Tennessee, T. J. Wharton, Att'y-Gen.

To Kentucky, W. S. Featherstone, Ex-M. C.

To North Carolina. Jacob Thompson, Ex-M. C.

To Virginia, Fulton Anderson.

To Maryland, A. H. Handy, Judge.

To Delaware, Henry Dickinson.

To Missouri, —— Russell.

Southern Congress.

This body, composed of Deputies elected by the Conventions of the Seceding States, met at Montgomery, Alabama, February 4th, 1861, to organize a Southern Confederacy. Each State had a

representation equal to the number of members of the Thirty-sixth Congress. The members were:

South Carolina.

Robert W. Barnwell, Ex-U. S. Senator.

R. Barnwell Rhett, „ „ „

James Chestnut, jr., „ „ „

Lawrence M. Keitt, Ex-M. C.

William W. Boyce, „ „

Wm. Porcher Miles, „ „

C. G. Memminger.

Thomas J. Withers.

Alabama.

W. P. Chilton.

Stephen F. Hale.

David P. Lewis.

Thomas Fearn.

Richard W. Walker.

Robert H. Smith.

Colin J. McRae.

John Gill Shorter.

J. L. M. Curry, Ex-M. C.

Florida.

J. Patten Anderson, Ex-Delegate from Washington Territory.

Jackson Morton, Ex-U. S. Senator.

James Powers.

Mississippi.

W. S. Wilson.

Wiley P. Harris, Ex-M. C.

James T. Harrison.

Walter Brooke, Ex-U. S. Senator.

William S. Barry, Ex-M. C.

A. M. Clayton.

Georgia.

Robert Toombs, Ex-U. S. Senator.

Howell Cobb, Ex-M. C.

Martin J. Crawford, „ „

Augustus R. Wright, „ „

Augustus H. Keenan.

Benjamin H. Hill.

Francis S. Bartow.

E. A. Nisbet.

Thomas R. R. Cobb.

Alexander H. Stephens, Ex-M. C.

Louisiana.

Duncan F. Kenner.

Charles M. Conrad, Ex-U. S. Senator.

Henry Marshall.

John Perkins, jr.

G. E. Sparrow.

E. De Clouet.

Texas.

(Admitted March 2d, 1861.)

Louis T. Wigfall, Ex-U. S. Senator.

John Hemphill, „ „ „

John H. Reagan, Ex-M. C.

T. N. Waul.

John Gregg.

W. S. Oldham.

W. B. Ochiltree.

Proceedings of the Southern Congress.

February 4th, 1861. Howell Cobb of Georgia elected President, Johnson J. Hooper of Alabama, Secretary. Mr. Cobb announced that secession “is now a fixed and irrevocable fact, and the separation

is perfect, complete and perpetual."

6th. David L. Swain, M. W. Ransom, and John L. Bridgers, were admitted as Commissioners from North Carolina, under resolutions of the General Assembly of that State, passed January 29th, 1861, "to effect an honorable and amicable adjustment of all the difficulties that disturb the country, upon the basis of the Crittenden resolutions, as modified by the Legislature of Virginia," and to consult with the delegates to the Southern Congress for their "common peace, honor and safety."

7th. Congress notified that the State of Alabama had placed $500,000 at its disposal, as a loan to the provisional government of the Confederacy of Seceding States.

8th. The Constitution of the Provisional Government adopted.[8]

9th. Jefferson Davis, of Mississippi, elected Provisional President of the Confederate States of America, and Alexander H. Stephens, of Georgia, Vice-President. The question of attacking Fort Sumter has been referred to the Congress.

11th. Mr. Stephens announced his acceptance. Committee appointed to prepare a permanent Constitution.

12th. The Congress assumed "charge of all questions and difficulties now existing between the sovereign States of this Confederacy and the Government of the United States, relating to the occupation of forts, arsenals, navy yards, custom-houses, and all other public establishments." The resolution was directed to be communicated to the Governors of the respective States of the Confederacy.

15th. Official copy of the Texas Ordinance of

Secession presented.

16th. President Davis arrived and received with salute, etc.

18th. President Davis inaugurated.

19th. Tariff law passed.

21st. Robert Toombs appointed Secretary of the State; C. G. Memminger, Secretary of the Treasury; L. Pope Walker, of Alabama, Secretary of War; Stephen R. Mallory, Secretary of the Navy; Judah P. Benjamin, Attorney-General, and John H. Reagan, Postmaster-General; Philip Clayton, of Georgia appointed Assistant Secretary of the Treasury, and Wm. M. Browne, late of the Washington *Constitution*, Assistant Secretary of State.

March 2d. The Texas Deputies received.

The Confederate States.

The Confederate States was the name of the government formed in 1861 by the seven States which first seceded. Belligerent rights were accorded to it by the leading naval powers, but it was never recognized as a government, notwithstanding the persevering efforts of its agents near the principal courts. This result was mainly due to the diplomacy of the federal Secretary of State, Wm. H. Seward, to the proclamations of emancipation in 1862–3, which secured the sympathy of the best elements of Great Britain and France for the federal government, and the obstinate persistence of the federal government in avoiding, as far as possible, any recognition of the

existence, even *de facto*, of a confederate government. The federal generals in the field, in their communications with confederate officers, did not hesitate, upon occasion, even to give “president” Davis his official title, but no such embarrassing precedent was ever admitted by the civil government of the United States. It at first endeavored, until checked by active preparations for retaliation, to treat the crews of confederate privateers as pirates; it avoided any official communication with the confederate government, even when compelled to exchange prisoners, confining its negotiations to the confederate commissioners of exchange; and, by its persistent policy in this direction, it succeeded, without any formal declaration, in impressing upon foreign governments the belief that any recognition of the confederate States as a separate people would be actively resented by the government of the United States as an act of excessive unfriendliness. The federal courts have steadily held the same ground, that “the confederate states was an unlawful assemblage, without corporate power;” and that, though the separate States were still in existence and were indestructible, their state governments, while they chose to act as part of the confederate States, did not exist, even *de facto*. Early in January, 1861, while only South Carolina had actually seceded, though other Southern States had called conventions to consider the question, the Senators of the seven States farthest South practically assumed control of the whole movement, and their energy and unswerving singleness of purpose, aided by the telegraph, secured a rapidity of execution to which no other very extensive conspiracy of history can afford a parallel. The ordinance of secession was a negative instrument, purporting to withdraw the

state from the Union and to deny the authority of the federal government over the people of the State; the cardinal object of the senatorial group was to hurry the formation of a new national government, as an organized political reality which would rally the outright secessionists, claim the allegiance of the doubtful mass, and coerce those who still remained recalcitrant. At the head of the senatorial group, and of its executive committee, was Jefferson Davis, Senator from Mississippi, and naturally the first official step toward the formation of a new government came from the Mississippi Legislature, where a committee reported, January 19th, 1861, resolutions in favor of a congress of delegates from the seceding States to provide for a southern confederacy, and to establish a provisional government, therefore. The other seceding States at once accepted the proposal, through their State conventions, which also appointed the delegates on the ground that the people had intrusted the State conventions with unlimited powers. The new government therefore began its existence without any popular ratio of representation, and with only such popular ratification as popular acquiescence gave. The provisional congress met Feb. 4th, at Montgomery, Ala., with delegates from South Carolina, Georgia, Alabama, Louisiana, Florida and Mississippi. The Texas delegates were not appointed until Feb. 14th. Feb. 8th, a provisional constitution was adopted, being the constitution of the United States, with some changes. Feb. 9th, Jefferson Davis, of Mississippi, was unanimously chosen provisional president, and Alexander H. Stephens, of Georgia, provisional vice-president, each State having one vote, as in all other proceedings of the body. By acts of Feb. 9th and 12th, the laws and revenue officers of

the United States were continued in the confederate States until changed. Feb. 18th, the president and vice-president were inaugurated. Feb. 20th–26th, executive departments and a confederate regular army were organized, and provision was made for borrowing money. March 11th, the permanent constitution was adopted by Congress.

The Internal legislation of the provisional congress was, at first, mainly the adaptation of the civil service in the Southern States to the uses of the new government. Wherever possible, judges, postmasters, and civil as well as military and naval officers, who had resigned from the service of the United States, were given an equal or higher rank in the confederate service. Postmasters were directed to make their final accounting to the United States, May 31st, thereafter accounting to the Confederate States. April 29th, the provisional congress, which had adjourned March 16th, reassembled at Montgomery, having been convoked by President Davis in consequence of President Lincoln's preparations to enforce federal authority in the South. Davis' message announced that all the seceding States had ratified the permanent constitution; that Virginia, which had not yet seceded and entered into alliance with the confederacy, and that other States, were expected to follow the same plan. He concluded by declaring that "all we ask is to be let alone." May 6th, an act was passed recognizing the existence of war with the United States. Congress adjourned May 22d, reconvened at Richmond, Va., July 20th, and adjourned August 22d, until November 18th. Its legislation had been mainly military and financial. Virginia, North Carolina, Tennessee and Arkansas, had passed ordinances of secession, and been admitted to the confederacy. (See the States named,

and secession.) Although Missouri and Kentucky had not seceded, delegates from these States were admitted in December 1861. Nov. 6, 1861, at an election under the permanent constitution, Davis and Stephens were again chosen to their respective offices by a unanimous electoral vote. Feb. 18th, 1862, the provisional congress (of one house) gave way to the permanent congress, and Davis and Stephens were inaugurated February 22nd. The cabinet, with the successive Secretaries of each department, was as follows, including both the provisional and permanent cabinets:

State Department.—Robert Toombs, Georgia, February 21st, 1861; R. M. T. Hunter, Virginia, July 30th, 1861; Judah P. Benjamin, Louisiana, February 7th, 1862.

Treasury Department.—Charles G. Memminger, South Carolina, February 21st, 1861, and March 22d, 1862; James L. Trenholm, South Carolina, June 13th, 1864.

War Department.—L. Pope Walker, Mississippi, February 21st, 1861; Judah P. Benjamin, Louisiana, November 10th, 1861; James A. Seddon, Virginia, March 22d, 1862; John C. Breckinridge, Kentucky, February 15th, 1865.

Navy Department.—Stephen R. Mallory, Florida, March 4th, 1861, and March 22d.

Attorney-General.—Judah P. Benjamin, Louisiana, February 21st, 1861; Thomas H. Watts, Alabama, September 10th, 1861, and March 22nd, 1862; George Davis, North Carolina, November 10th, 1863.

Postmaster-General.—Henry J. Elliot, Mississippi, February 21st, 1865; John H. Reagan, Texas, March 6th, 1861, and March 22d, 1862.

The provisional Congress held four sessions, as

follows: 1. February 4–March 16th, 1861; 2. April 29–May 22d, 1861; 3. July 20–August 22d, 1861; and 4. November 18th, 1861–February 17th, 1862.

Under the permanent Constitution there were two Congresses. The first Congress held four sessions, as follows: 1. February 18–April 21st, 1862; 2. August 12–October 13th, 1862; 3. January 12–May 8th 1863; and 4. December 7, 1863–February 18th, 1864. The second Congress held two sessions, as follows: 1. May 2–June 15th, 1864; and 2. From November 7th, 1864, until the hasty and final adjournment, March 18th, 1865.

In the first Congress members chosen by rump State conventions, or by regiments in the confederate service, sat for districts in Missouri and Kentucky, though these States had never seceded. There were thus thirteen States in all represented at the close of the first Congress; but, as the area of the Confederacy narrowed before the advance of the Federal armies, the vacancies in the second Congress became significantly more numerous. At its best estate the Confederate Senate numbered 26, and the house 106, as follows: Alabama, 9; Arkansas, 4; Florida, 2; Georgia, 10; Kentucky, 12; Louisiana, 6; Mississippi, 1; Missouri, 7; North Carolina, 10; South Carolina, 6; Tennessee, 11; Texas, 6; Virginia, 16. In both Congresses Thomas S. Bocock, of Virginia, was Speaker of the House.[9]

For four months between the Presidential election and the inauguration of Mr. Lincoln those favoring secession in the South had practical control of their section, for while President Buchanan hesitated as to his constitutional powers, the more active partisans in his Cabinet were aiding their Southern friends in every practical way. In answer to the visiting Commissioners from South Carolina, Messrs. R. W.

Barnwell, J. H. Adams and Jas. L. Orr, who formally submitted that State's ordinance of secession, and demanded possession of the forts in Charleston harbor, Buchanan said:—

"In answer to this communication, I have to say that my position as President of the United States was clearly defined in the message to Congress on the 3d inst. In that I stated that 'apart from the execution of the laws, so far as this may be practicable, the Executive has no authority to decide what shall be the relations between the Federal Government and South Carolina. He has been invested with no such discretion. He possesses no power to change the relations heretofore existing between them, much less to acknowledge the independence of that State. This would be to invest a mere executive officer with the power of recognizing the dissolution of the Confederacy among our thirty-three sovereign States. It bears no resemblance to the recognition of a foreign *de facto* Government, involving no such responsibility. Any attempt to do this would, on his part, be a naked act of usurpation. It is, therefore, my duty to submit to Congress the whole question in all its bearings.'

"Such is my opinion still. I could, therefore, meet you only as private gentlemen of the highest character, and was entirely willing to communicate to Congress any proposition you might have to make to that body upon the subject. Of this you were well aware. It was my earnest desire that such a disposition might be made of the whole subject by Congress, who alone possess the power, as to prevent the inauguration of a civil war between the parties in regard to the possession of the Federal forts in the harbor of Charleston."

Further correspondence followed between the

President and other seceding State Commissioners, and the attitude of the former led to the following changes in his Cabinet: December 12th, 1860, LEWIS CASS resigned as Secretary of State, because the President declined to reinforce the forts in Charleston harbor. December 17th, JEREMIAH S. BLACK was appointed his successor.

December 10th, HOWELL COBB, resigned as Secretary of the Treasury—"his duty to Georgia requiring it." December 12th, PHILIP F. THOMAS was appointed his successor, and resigned, January 11th, 1861, because differing from the President and a majority of the Cabinet, "in the measures which have been adopted in reference to the recent condition of things in South Carolina," especially "touching the authority, under existing laws, to enforce the collection of the customs at the port of Charleston." January 11th, 1861, JOHN A. DIX appointed his successor.

29th, JOHN B. FLOYD resigned as Secretary of War, because, after the transfer of Major Anderson's command from Fort Moultrie to Fort Sumter, the President declined "to withdraw the garrison from the harbor of Charleston altogether."

December 31st, JOSEPH HOLT, Postmaster-General, was entrusted with the temporary charge of the War Department, and January 18th, 1861, was appointed Secretary of War.

January 8th, 1861, JACOB THOMPSON resigned as Secretary of the Interior, because "additional troops, he had heard, have been ordered to Charleston" in the Star of the West.

December 17th, 1860, JEREMIAH S. BLACK resigned as Attorney-General, and EDWIN M. STANTON, December 20th, was appointed his

successor.

January 18th, 1861, JOSEPH HOLT resigned as Postmaster-General, and HORATIO KING, February 12th, 1861, was appointed his successor.

President Buchanan, in his annual message of December 3d, 1860, appealed to Congress to institute an amendment to the constitution recognizing the rights of the Southern States in regard to slavery in the territories, and as this document embraced the views which subsequently led to such a general discussion of the right of secession and the right to coerce a State, we make a liberal quotation from it:—

"I have purposely confined my remarks to revolutionary resistance, because it has been claimed within the last few years that any State, whenever this shall be its sovereign will and pleasure, may secede from the Union in accordance with the Constitution, and without any violation of the constitutional rights of the other members of the Confederacy. That as each became parties to the Union by the vote of its own people assembled in convention, so any one of them may retire from the Union in a similar manner by the vote of such a convention.

"In order to justify secession as a constitutional remedy, it must be on the principle that the Federal Government is a mere voluntary association of States, to be dissolved at pleasure by any one of the contracting parties. If this be so, the Confederacy is a rope of sand, to be penetrated and dissolved by the first adverse wave of public opinion in any of the States. In this manner our thirty-three States may resolve themselves into as many petty, jarring, and hostile republics, each one retiring from the Union without responsibility whenever any sudden

excitement might impel them to such a course. By this process a Union might be entirely broken into fragments in a few weeks, which cost our forefathers many years of toil, privation, and blood to establish.

"Such a principle is wholly inconsistent with the history as well as the character of the Federal Constitution. After it was framed with the greatest deliberation and care, it was submitted to conventions of the people of the several States for ratification. Its provisions were discussed at length in these bodies, composed of the first men of the country. Its opponents contended that it conferred powers upon the Federal Government dangerous to the rights of the States, whilst its advocates maintained that, under a fair construction of the instrument, there was no foundation for such apprehensions. In that mighty struggle between the first intellects of this or any other country, it never occurred to any individual, either among its opponents or advocates, to assert or even to intimate that their efforts were all vain labor, because the moment that any State felt herself aggrieved she might secede from the Union. What a crushing argument would this have proved against those who dreaded that the rights of the States would be endangered by the Constitution. The truth is, that it was not until some years after the origin of the Federal Government that such a proposition was first advanced. It was afterwards met and refuted by the conclusive arguments of General Jackson, who, in his message of the 16th of January, 1833, transmitting the nullifying ordinance of South Carolina to Congress, employs the following language: 'The right of the people of a single State to absolve themselves at will and without the consent of the other States from their most solemn obligations, and hazard the

liberty and happiness of the millions composing this Union, cannot be acknowledged. Such authority is believed to be utterly repugnant both to the principles upon which the General Government is constituted, and to the objects which it was expressly formed to attain.'

"It is not pretended that any clause in the Constitution gives countenance to such a theory. It is altogether founded upon inference, not from any language contained in the instrument itself, but from the sovereign character of the several States by which it was ratified. But it is beyond the power of a State like an individual, to yield a portion of its sovereign rights to secure the remainder? In the language of Mr. Madison, who has been called the father of the Constitution, 'It was formed by the States—that is, by the people in each of the States acting in their highest sovereign capacity, and formed consequently by the same authority which formed the State constitutions.' 'Nor is the Government of the United States, created by the Constitution, less a Government, in the strict sense of the term within the sphere of its powers, than the governments created by the constitutions of the States are within their several spheres. It is like them organized into legislative, executive, and judiciary departments. It operates, like them, directly on persons and things; and, like them, it has at command a physical force for executing the powers committed to it.'

"It was intended to be perpetual, and not to be annulled at the pleasure of any one of the contracting parties. The old Articles of Confederation were entitled 'Articles of Confederation and Perpetual Union between the States;' and by the thirteenth article it is expressly declared that 'the

articles of this confederation shall be inviolably observed by every State, and the Union shall be perpetual.' The preamble to the constitution of the United States, having express reference to the Articles of Confederation, recites that it was established 'in order to form a more perfect union.' And yet it is contended that this 'more perfect union' does not include the essential attribute of perpetuity.

"But that the Union was designed to be perpetual, appears conclusively from the nature and extent of the powers conferred by the Constitution of the Federal Government. These powers embrace the very highest attributes of national sovereignty. They place both the sword and purse under its control. Congress has power to make war and to make peace; to raise and support armies and navies, and to conclude treaties with foreign governments. It is invested with the power to coin money, and to regulate the value thereof, and to regulate commerce with foreign nations and among the several States. It is not necessary to enumerate the other high powers which have been conferred upon the Federal Government. In order to carry the enumerated powers into effect, Congress possesses the exclusive right to lay and collect duties on imports, and, in common with the States, to lay and collect all other taxes.

"But the Constitution has not only conferred these high powers upon Congress, but it has adopted effectual means to restrain the States from interfering with their exercise. For that purpose it has in strong prohibitory language expressly declared that 'no State shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, *ex post facto* law, or law

impairing the obligation of contracts.' Moreover, 'without the consent of Congress no State shall lay any imposts or duties on any imports or exports, except what may be absolutely necessary for executing its inspection laws,' and if they exceed this amount, the excess shall belong to the United States. And 'no State shall, without the consent of Congress, lay any duty of tonnage, keep troops or ships of war in time of peace, enter into any agreement or compact with another State, or with a foreign power, or engage in war, unless actually invaded or in such imminent danger as will not admit of delay.'

"In order still further to secure the uninterrupted exercise of these high powers against State interposition, it is provided 'that this Constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made or which shall be made under the authority of the United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, any thing in the Constitution or laws of any State to the contrary notwithstanding.'

"The solemn sanction of religion has been superadded to the obligations of official duty, and all Senators and Representatives of the United States, all members of State Legislatures, and all executive and judicial officers, 'both of the United States and of the several States, shall be bound by oath or affirmation to support this Constitution.'

"In order to carry into effect these powers, the Constitution has established a perfect Government in all its forms, legislative, executive, and judicial; and this Government to the extent of its powers acts directly upon the individual citizens of every State, and executes its own decrees by the agency of its own officers. In this respect it differs entirely from

the Government under the old confederation, which was confined to making requisitions on the States in their sovereign character. This left it in the discretion of each whether to obey or refuse, and they often declined to comply with such requisitions. It thus became necessary, for the purpose of removing this barrier, and 'in order to form a more perfect union,' to establish a Government which could act directly upon the people and execute its own laws without the intermediate agency of the States. This has been accomplished by the Constitution of the United States. In short, the Government created by the Constitution, and deriving its authority from the sovereign people of each of the several States, has precisely the same right to exercise its power over the people of all these States in the enumerated cases, that each one of them possesses over subjects not delegated to the United States, but 'reserved to the States respectively or to the people.'

"To the extent of the delegated powers the Constitution of the United States is as much a part of the constitution of each State, and is as binding upon its people, as though it had been textually inserted therein.

"This Government, therefore, is a great and powerful Government, invested with all the attributes of sovereignty over the special subjects to which its authority extends. Its framers never intended to implant in its bosom the seeds of its own destruction nor were they at its creation guilty of the absurdity of providing for its own dissolution. It was not intended by its framers to be the baseless fabric of a vision, which, at the touch of the enchanter, would vanish into thin air, but a substantial and mighty fabric, capable of resisting the slow decay of time, and of defying the storms of ages. Indeed, well

may the jealous patriots of that day have indulged fears that a Government of such high power might violate the reserved rights of the States, and wisely did they adopt the rule of a strict construction of these powers to prevent the danger. But they did not fear, nor had they any reason to imagine that the Constitution would ever be so interpreted as to enable any State by her own act, and without the consent of her sister States, to discharge her people from all or any of their federal obligations.

"It may be asked, then, are the people of the States without redress against the tyranny and oppression of the Federal Government? By no means. The right of resistance on the part of the governed against the oppression of their governments cannot be denied. It exists independently of all constitutions, and has been exercised at all periods of the world's history. Under it, old governments have been destroyed and new ones have taken their place. It is embodied in strong and express language in our own Declaration of Independence. But the distinction must ever be observed that this is revolution against an established Government, and not a voluntary secession from it by virtue of an inherent constitutional right. In short, let us look the danger fairly in the face; secession is neither more nor less than revolution. It may or it may not be a justifiable revolution; but still it is revolution."

The President having thus attempted to demonstrate that the Constitution affords no warrant for secession, but that this was inconsistent both with its letter and spirit, then defines his own position. He says:

"What, in the mean time, is the responsibility and true position of the Executive? He is bound by solemn oath, before God and the country, 'to take

care that the laws be faithfully executed,' and from this obligation he cannot be absolved by any human power. But what if the performance of this duty, in whole or in part, has been rendered impracticable by events over which he could have exercised no control? Such, at the present moment, is the case throughout the State of South Carolina, so far as the laws of the United States to secure the administration of justice by means of the Federal judiciary are concerned. All the Federal officers within its limits, through whose agency alone these laws can be carried into execution, have already resigned. We no longer have a district judge, a district attorney, or a marshal in South Carolina. In fact, the whole machinery of the Federal government necessary for the distribution of remedial justice among the people has been demolished, and it would be difficult, if not impossible, to replace it.

"The only acts of Congress on the statute book bearing upon this subject are those of the 28th February, 1795, and 3rd March, 1807. These authorize the President, after he shall have ascertained that the marshal, with his *posse comitatus*, is unable to execute civil or criminal process in any particular case, to call forth the militia and employ the army and navy to aid him in performing this service, having first by proclamation commanded the insurgents 'to disperse and retire peaceably to their respective abodes within a limited time.' This duty cannot by possibility be performed in a State where no judicial authority exists to issue process, and where there is no marshal to execute it, and where, even if there were such an officer, the entire population would constitute one solid combination to resist him.

"The bare enumeration of these provisions proves

how inadequate they are without further legislation to overcome a united opposition in a single State, not to speak of other States who may place themselves in a similar attitude. Congress alone has power to decide whether the present laws can or cannot be amended so as to carry out more effectually the objects of the Constitution.

"The same insuperable obstacles do not lie in the way of executing the laws for the collection of customs. The revenue still continues to be collected, as heretofore, at the custom-house in Charleston, and should the collector unfortunately resign, a successor may be appointed to perform this duty.

"Then, in regard to the property of the United States in South Carolina. This has been purchased for a fair equivalent, 'by the consent of the Legislature of the State,' 'for the erection of forts, magazines, arsenals,' &c., and over these the authority 'to exercise exclusive legislation' has been expressly granted by the Constitution to Congress. It is not believed that any attempt will be made to expel the United States from this property by force; but if in this I should prove to be mistaken, the officer in command of the forts has received orders to act strictly on the defensive. In such a contingency the responsibility for consequences would rightfully rest upon the heads of the assailants.

"Apart from the execution of the laws, so far as this may be practicable, the Executive has no authority to decide what shall be the relations between the Federal Government and South Carolina. He has been invested with no such discretion. He possesses no power to change the relations heretofore existing between them, much less to acknowledge the independence of that State. This would be to invest a mere executive officer with

the power of recognizing the dissolution of the Confederacy among our thirty-three sovereign States. It bears no relation to the recognition of a foreign *de facto* Government, involving no such responsibility. Any attempt to do this would, on his part, be a naked act of usurpation. It is, therefore, my duty to submit to Congress the whole question in all its bearings."

Then follows the opinion expressed in the message, that the Constitution has conferred no power on the Federal Government to coerce a *State* to remain in the Union. The following is the language: "The question fairly stated is, 'Has the Constitution delegated to Congress the power to coerce a State into submission which is attempting to withdraw, or has actually withdrawn from the Confederacy?' If answered in the affirmative, it must be on the principle that the power has been conferred upon Congress to make war against a State.

"After much serious reflection, I have arrived at the conclusion that no such power has been delegated to Congress or to any other department of the Federal Government. It is manifest, upon an inspection of the Constitution, that this is not among the specific and enumerated powers granted to Congress; and it is equally apparent that its exercise is not 'necessary and proper for carrying into execution' any one of these powers. So far from this power having been delegated to Congress, it was expressly refused by the Convention which framed the Constitution.

"It appears from the proceedings of that body that on the 31st May, 1787, the clause '*authorizing an exertion of the force of the whole against a delinquent State*' came up for consideration. Mr. Madison opposed it in a brief but powerful speech, from which I shall extract but a single sentence. He

observed: ‘The use of force against a State would look more like a declaration of war than an infliction of punishment, and would probably be considered by the party attacked as a dissolution of all previous compacts by which it might be bound.’ Upon his motion the clause was unanimously postponed, and was never, I believe, again presented. Soon afterwards, on the 8th June, 1787, when incidentally adverting to the subject, he said: ‘Any government for the United States, formed on the supposed practicability of using force against the unconstitutional proceedings of the States, would prove as visionary and fallacious as the government of Congress,’ evidently meaning the then existing Congress of the old confederation.”

At the time of the delivery of this message the excitement was very high. The extreme Southerners differed from it, in so far as it disputed both the right of revolution and secession under the circumstances, but quickly made a party battle cry of the denial of the right of the National Government to coerce a State—a view which for a time won the President additional friends, but which in the end solidified all friends of the Union against his administration. To show the doubt which this ingenious theory caused, we quote from the speech of Senator Andrew Johnson, of Tennessee (subsequently Vice-President and acting President), delivered Dec. 18th, 1860, (Congressional Globe, page 119):—

“I do not believe the Federal Government has the power to coerce a State, for by the eleventh amendment of the Constitution of the United States it is expressly provided that you cannot even put one of the States of this confederacy before one of the courts of the country as a party. As a State, the Federal Government has no power to coerce it; but it

is a member of the compact to which it agreed in common with the other States, and this Government has the right to pass laws, and to enforce those laws upon individuals within the limits of each State. While the one proposition is clear, the other is equally so. This Government can, by the Constitution of the country, and by the laws enacted in conformity with the Constitution, operate upon individuals, and has the right and power, not to coerce a State, but to enforce and execute the law upon individuals within the limits of a State."

Senator Jefferson Davis of Mississippi, publicly objected to the message because of its earnest argument against secession, and the determination expressed to collect the revenue in the ports of South Carolina, by means of a naval force, and to defend the public property. From this moment they alienated themselves from the President. Soon thereafter, when he refused to withdraw Major Anderson from Fort Sumter, on the demand of the self-styled South Carolina Commissioners, the separation became complete. For more than two months before the close of the session all friendly intercourse between them and the President, whether of a political or social character, had ceased.

The Crittenden Compromise.

Congress referred the request in the message, to adopt amendments to the constitution recognizing the rights of the Slave States to take slavery into the territories to a committee of thirteen, consisting of

five Republicans: Messrs. Seward, Collamer, Wade, Doolittle, and Grimes; five from slaveholding States: Messrs. Powell, Hunter, Crittenden, Toombs, and Davis; and three Northern Democrats; Messrs. Douglas, Bigler, and Bright. The latter three were intended to act as mediators between the extreme parties on the committee.

The committee first met on the 21st December, 1860, and preliminary to any other proceeding, they "resolved that no proposition shall be reported as adopted, unless sustained by a majority of each of the classes of the committee; Senators of the Republican party to constitute one class, and Senators of the other parties to constitute the other class." This resolution was passed, because any report they might make to the Senate would be in vain unless sanctioned by at least a majority of the five Republican Senators. On the next day (the 22d), Mr. Crittenden submitted to the committee "A Joint Resolution" (the same which he had two days before presented to the Senate), "proposing certain amendments to the Constitution of the United States," now known as the Crittenden Compromise. This was truly a compromise of conflicting claims, because it proposed that the South should surrender their adjudged right to take slaves into all our Territories, provided the North would recognize this right in the Territories south of the old Missouri Compromise line. The committee rejected this compromise, every one of its five Republican members, together with Messrs. Davis and Toombs, from the cotton States, having voted against it. Indeed, not one of all the Republicans in the Senate, at any period or in any form, voted in its favor.

The committee, having failed to arrive at a satisfactory conclusion, reported their disagreement

to the Senate on the 31st December, 1860, in a resolution declaring that they had "not been able to agree upon any general plan of adjustment."

Mr. Crittenden did not despair of ultimate success, notwithstanding his defeat before the Committee of Thirteen. After this, indeed, he could no longer expect to carry his compromise as an amendment to the Constitution by the necessary two-thirds vote of Congress. It was, therefore, postponed by the Senate on his own motion. As a substitute for it he submitted to the Senate, on the 3d January, 1861, a joint resolution, which might be passed by a majority of both Houses. This was to refer his rejected amendment, by an ordinary act of Congress, to a direct vote of the people of the several States.

He offered his resolution in the following language: "Whereas the Union is in danger, and, owing to the unhappy division existing in Congress, it would be difficult, if not impossible, for that body to concur in both its branches by the requisite majority, so as to enable it either to adopt such measures of legislation, or to recommend to the States such amendments to the Constitution, as are deemed necessary and proper to avert that danger; and whereas in so great an emergency the opinion and judgment of the people ought to be heard, and would be the best and surest guide to their Representatives; Therefore, *Resolved*, That provision ought to be made by law without delay for taking the sense of the people and submitting to their vote the following resolution [the same as in his former amendment], as the basis for the final and permanent settlement of those disputes that now disturb the peace of the country and threaten the existence of the Union."

Memorials in its favor poured into Congress from

portions of the North, even from New England. One of these presented to the Senate was from "the Mayor and members of the Board of Aldermen and the Common Council of the city of Boston, and over 22,000 citizens of the State of Massachusetts, praying the adoption of the compromise measures proposed by Mr. Crittenden." It may be proper here to observe that the resolution of Mr. Crittenden did not provide in detail for holding elections by which "the sense of the people" could be ascertained. To supply this omission, Senator Bigler, of Pennsylvania, on the 14th January, 1861, brought in "A bill to provide for taking the sense of the people of the United States on certain proposed amendments to the Constitution of the United States;" but never was he able to induce the Senate even to consider this bill.

President Buchanan exerted all his influence in favor of these measures. In his special message to Congress of the 8th of January, 1861, after depicting the consequences which had already resulted to the country from the bare apprehension of civil war and the dissolution of the Union, he says:

"Let the question be transferred from political assemblies to the ballot-box, and the people themselves would speedily redress the serious grievances which the South have suffered. But, in Heaven's name, let the trial be made before we plunge into armed conflict upon the mere assumption that there is no other alternative. Time is a great conservative power. Let us pause at this momentous point, and afford the people, both North and South, an opportunity for reflection. Would that South Carolina had been convinced of this truth before her precipitate action! I, therefore, appeal through you to the people of the country, to declare in their might that the Union must and shall be

preserved by all constitutional means. I most earnestly recommend that you devote yourselves exclusively to the question how this can be accomplished in peace. All other questions, when compared with this, sink into insignificance. The present is no time for palliatives; action, prompt action is required. A delay in Congress to prescribe or to recommend a distinct and practical proposition for conciliation, may drive us to a point from which it will be almost impossible to recede.

"A common ground on which conciliation and harmony can be produced is surely not unattainable. The proposition to compromise by letting the North have exclusive control of the territory above a certain line, and to give Southern institutions protection below that line, ought to receive universal approbation. In itself, indeed, it may not be entirely satisfactory, but when the alternative is between a reasonable concession on both sides and a dissolution of the Union, it is an imputation on the patriotism of Congress to assert that its members will hesitate for a moment."

This recommendation was totally disregarded. On the 14th January, 1861, Mr. Crittenden made an unsuccessful attempt to have it considered, but it was postponed until the day following. On this day it was again postponed by the vote of every Republican Senator present, in order to make way for the Pacific Railroad bill. On the third attempt (January 16,) he succeeded, but by a majority of a single vote, in bringing his resolution before the body. Every Republican Senator present voted against its consideration. Mr. Clark, a Republican Senator from New Hampshire, moved to strike out the entire preamble and resolution of Mr. Crittenden, and in lieu thereof insert as a substitute a preamble and

resolution in accordance with the Chicago platform. This motion prevailed by a vote of 25 to 23, every Republican Senator present having voted in its favor. Thus Mr. Crittenden's proposition to refer the question to the people was buried under the Clark amendment. This continued to be its position for more than six weeks, until the day before the final adjournment of Congress, 2d March, when the proposition itself was defeated by a vote of 19 in the affirmative against 20 in the negative.

The Clark Amendment prevailed only in consequence of the refusal of six Secession Senators to vote against it. These were Messrs. Benjamin and Slidell, of Louisiana; Mr. Iverson, of Georgia; Messrs. Hemphill and Wigfall, of Texas; and Mr. Johnson, of Arkansas. Had these gentleman voted with the border slaveholding States and the other Democratic Senators, the Clark Amendment would have been defeated, and the Senate would then have been brought to a direct vote on the Crittenden resolution.

It is proper for reference that the names of those Senators who constituted the majority on this question, should be placed upon record. Every vote given from the six New England States was in opposition to Mr. Crittenden's resolution. These consisted of Mr. Clark, of New Hampshire; Messrs. Sumner and Wilson, of Massachusetts; Mr. Anthony, of Rhode Island; Messrs. Dixon and Foster, of Connecticut; Mr. Foot, of Vermont; and Mr. Fessenden, of Maine. The remaining twelve votes, in order to make up the 20, were given by Messrs. Bingham and Wade, of Ohio; Mr. Trumbull, of Illinois; Messrs. Bingham and Chandler, of Michigan; Messrs. Grimes and Harlan, of Iowa; Messrs. Doolittle and Durkee, of Wisconsin; Mr. Wilkinson, of Minnesota; Mr. King, of New York; and Mr. Ten

Eyck, of New Jersey. The Republicans not voting were Hale of New Hampshire; Simmons of Rhode Island; Collamer of Vermont; Seward of New York, and Cameron of Pennsylvania. They refrained from various motives, but in the majority of instances because they disbelieved in any effort to compromise, for nearly all were recognized leaders of the more radical sentiment, and in favor of coercion of the South by energetic use of the war powers of the government. This was specially true of Hale, Seward, and General Cameron, shortly after Secretary of War, and the first Cabinet officer who favored the raising of an immense army and the early liberation and arming of the slaves.

On December 4th, 1860, on motion of Mr. Boteler of Virginia, so much of President Buchanan's message as related to the perilous condition of the country, was referred to a special committee of one from each State, as follows:

Corwin of Ohio; Millson of Virginia; Adams of Massachusetts; Winslow of North Carolina; Humphrey of New York; Boyce of South Carolina; Campbell of Pennsylvania; Love of Georgia; Ferry of Connecticut; Davis of Maryland; Robinson of Rhode Island; Whiteley of Delaware; Tappan of New Hampshire; Stratton of New Jersey; Bristow of Kentucky; Morrill of Vermont; Nelson of Tennessee; Dunn of Indiana; Taylor of Louisiana; Davis of Mississippi; Kellogg of Illinois; Houston of Alabama; Morse of Maine; Phelps of Missouri; Rust of Arkansas; Howard of Michigan; Hawkins of Florida; Hamilton of Texas; Washburn of Wisconsin; Curtis of Iowa; Burch of California; Windom of Minnesota; Stout of Oregon.

Messrs. Hawkins and Boyce asked to be excused from service on the Committee, but the House

refused.

From this Committee Mr. Corwin reported, January 14th, 1861, a series of propositions with a written statement in advocacy thereof. Several minority reports were presented, but the following Joint Resolution is the only one which secured the assent of both Houses.

CONSTITUTIONAL AMENDMENT.

Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled, two-thirds of both Houses concurring, That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid, to all intents and purposes, as a part of the said Constitution, namely:

ART. XII. No amendment shall be made to the Constitution which will authorize or give to Congress the power to abolish or interfere within any State, with the domestic institutions thereof, including that of persons held to labor or service by the laws of said State.

The Legislatures of Ohio and Maryland agreed to the amendment promptly, but events followed so rapidly, that the attention of other States was drawn from it, and nothing came of this, the only Congressional movement endorsed which looked to reconciliation. Other propositions came from the Border and individual states, but all alike failed.

The Peace Convention.

The General Assembly of Virginia, on the 19th of January, adopted resolutions inviting Representatives of the several States to assemble in a Peace Convention at Washington, which met on the 4th of February. It was composed of 133 Commissioners, many from the border States, and the object of these was to prevail upon their associates from the North to unite with them in such recommendations to Congress as would prevent their own States from seceding and enable them to bring back six of the cotton States which had already seceded.

One month only of the session of Congress remained. Within this brief period it was necessary that the Convention should recommend amendments to the Constitution in sufficient time to enable both Houses to act upon them before their final adjournment. It was also essential to success that these amendments should be sustained by a decided majority of the commissioners both from the Northern and the border States.

On Wednesday, the 6th February, a resolution was adopted,[10] on motion of Mr. Guthrie, of Kentucky, to refer the resolutions of the General Assembly of Virginia, and all other kindred subjects, to a committee to consist of one commissioner from each State, to be selected by the respective State delegations; and to prevent delay they were instructed to report on or before the Friday following (the 8th), “what they may deem right, necessary, and proper to restore harmony and preserve the Union.”

This committee, instead of reporting on the day appointed, did not report until Friday, the 15th

February.

The amendments reported by a majority of the committee, through Mr. Guthrie, their chairman, were substantially the same with the Crittenden Compromise; but on motion of Mr. Johnson, of Maryland, the general terms of the first and by far the most important section were restricted to the *present* Territories of the United States. On motion of Mr. Franklin, of Pennsylvania, this section was further amended, but not materially changed, by the adoption of the substitute offered by him. Nearly in this form it was afterwards adopted by the Convention. The following is a copy: “In all the present territory of the United States north of the parallel of thirty-six degrees and thirty minutes of north latitude, involuntary servitude, except in punishment of crime, is prohibited. In all the present territory south of that line, the status of persons held to involuntary service or labor, as it now exists, shall not be changed; nor shall any law be passed by Congress or the Territorial Legislature to hinder or prevent the taking of such persons from any of the States of this Union to said territory, nor to impair the rights arising from said relation; but the same shall be subject to judicial cognizance in the Federal courts, according to the course of the common law. When any Territory north or south of said line, within such boundary as Congress may prescribe, shall contain a population equal to that required for a member of Congress, it shall, if its form of government be republican, be admitted into the Union on an equal footing with the original States, with or without involuntary servitude, as the Constitution of such State may provide.”

Mr. Baldwin, of Connecticut, and Mr. Seddon, of Virginia, made minority reports, which they

proposed to substitute for that of the majority. Mr. Baldwin's report was a recommendation "to the several States to unite with Kentucky in her application to Congress to call a Convention for proposing amendments to the Constitution of the United States, to be submitted to the Legislatures of the several States, or to Conventions therein, for ratification, as the one or the other mode of ratification may be proposed by Congress, in accordance with the provisions in the fifth article of the Constitution."

The proposition of Mr. Baldwin, received the votes of eight of the twenty-one States. These consisted of the whole of the New England States, except Rhode Island, and of Illinois, Iowa, and New York, all being free States.

The first amendment reported by Mr. Seddon differed from that of the majority inasmuch as it embraced not only the present but all future Territories. This was rejected. His second amendment, which, however, was never voted upon by the Convention, went so far as distinctly to recognize the right of secession.

More than ten days were consumed in discussion and in voting upon various propositions offered by individual commissioners. The final vote was not reached until Tuesday, the 26th February, when it was taken on the first vitally important section, as amended.

This section, on which all the rest depended, was negatived by a vote of eight States to eleven. Those which voted in its favor were Delaware, Kentucky, Maryland, New Jersey, Ohio, Pennsylvania, Rhode Island, and Tennessee. And those in the negative were Connecticut, Illinois, Iowa, Maine,

Massachusetts, Missouri, New York, North Carolina, New Hampshire, Vermont, and Virginia. It is but justice to say that Messrs. Ruffin and Morehead, of North Carolina, and Messrs. Rives and Summers, of Virginia, two of the five commissioners from each of these States, declared their dissent from the vote of their respective States. So, also, did Messrs. Bronson, Corning, Dodge, Wool, and Granger, five of the eleven New York commissioners, dissent from the vote of their State. On the other hand, Messrs. Meredith and Wilmot, two of the seven commissioners from Pennsylvania, dissented from the majority in voting in favor of the section. Thus would the Convention have terminated but for the interposition of Illinois. Immediately after the section had been negatived, the commissioners from that State made a motion to reconsider the vote, and this prevailed. The Convention afterwards adjourned until the next morning. When they reassembled (February 27,) the first section was adopted, but only by a majority of nine to eight States, nine being less than a majority of the States represented. This change was effected by a change of the vote of Illinois from the negative to the affirmative, by Missouri withholding her vote, and by a tie in the New York commissioners, on account of the absence of one of their number, rendering it impossible for the State to vote. Still Virginia and North Carolina, and Connecticut, Maine, Massachusetts, New Hampshire, and Vermont, persisted in voting in the negative. From the nature of this vote, it was manifestly impossible that two-thirds of both Houses of Congress should act favorably on the amendment, even if the delay had not already rendered such action impracticable before the close of the session.

The remaining sections of the amendment were

carried by small majorities. The Convention, on the same day, through Mr. Tyler, their President, communicated to the Senate and House of Representatives the amendment they had adopted, embracing all the sections, with a request that it might be submitted by Congress, under the Constitution, to the several State Legislatures. In the Senate this was immediately referred to a select committee, on motion of Mr. Crittenden. The committee, on the next day (28th Feb.), reported a joint resolution proposing it as an amendment to the Constitution, but he was never able to bring the Senate to a direct vote upon it. Failing in this, he made a motion to substitute the amendment of the Peace Convention for his own.

Mr. Crittenden's reasons failed to convince the Senate, and his motion was rejected by a large majority (28 to 7). Then next in succession came the memorable vote on Mr. Crittenden's own resolution, and it was in its turn defeated, as we have already stated, by a majority of 20 against 19.

In the House of Representatives, the amendment proposed by the Convention was treated with still less consideration than it had been by the Senate. The Speaker was refused leave even to present it. Every effort made for this purpose was successfully resisted by leading Republican members. The consequence is that a copy of it does not even appear in the Journal.

The refusal to pass the Crittenden or any other Compromise heightened the excitement in the South, where many showed great reluctance to dividing the Union. Georgia, though one of the cotton States, under the influence of conservative men like Alex. H. Stephens, showed greater concern for the Union than any other, and it took all the influence of spirits like

that of Robert Toombs to bring her to favor secession. She was the most powerful of the cotton States and the richest, as she is to-day. On the 22d of December, 1860, Robert Toombs sent the following exciting telegraphic manifesto from Washington:

Fellow-Citizens of Georgia: I came here to secure your constitutional rights, or to demonstrate to you that you can get no guarantees for these rights from your Northern Confederates.

The whole subject was referred to a committee of thirteen in the Senate yesterday. I was appointed on the committee and accepted the trust. I submitted propositions, which, so far from receiving decided support from a single member of the Republican party on the committee, were all treated with either derision or contempt. The vote was then taken in committee on the amendments to the Constitution, proposed by Hon. J. J. Crittenden of Kentucky, and each and all of them were voted against, unanimously, by the Black Republican members of the committee.

In addition to these facts, a majority of the Black Republican members of the committee declared distinctly that they had no guarantees to offer, which was silently acquiesced in by the other members.

The Black Republican members of this Committee of Thirteen are representative men of their party and section, and to the extent of my information, truly represent the Committee of Thirty-three in the House, which on Tuesday adjourned for a week without coming to any vote, after solemnly pledging themselves to vote on all propositions then before them on that date.

That committee is controlled by Black Republicans, your enemies, who only seek to amuse

you with delusive hope until your election, in order that you may defeat the friends of secession. If you are deceived by them, it shall not be my fault. I have put the test fairly and frankly. It is decisive against you; and now I tell you upon the faith of a true man that all further looking to the North for security for your constitutional rights in the Union ought to be instantly abandoned. It is fraught with nothing but ruin to yourselves and your posterity.

Secession by the fourth of March next should be thundered from the ballot-box by the unanimous voice of Georgia on the second day of January next. Such a voice will be your best guarantee for LIBERTY, SECURITY, TRANQUILLITY and GLORY.

ROBERT TOOMBS.

IMPORTANT TELEGRAPHIC CORRESPONDENCE.

Atlanta, Georgia, December 26th, 1860. *Hon. S. A. Douglas or Hon. J. J. Crittenden*:

Mr. Toombs's despatch of the 22d inst. unsettled conservatives here. Is there any hope for Southern rights in the Union? We are for the Union of our fathers, if Southern rights can be preserved in it. If not, we are for secession. Can we yet hope the Union will be preserved on this principle? You are looked to in this emergency. Give us your views by despatch and oblige

WILLIAM EZZARD.
ROBERT W. SIMS.
JAMES P. HAMBLETON.
THOMAS S. POWELL.
S. G. HOWELL.

J. A. HAYDEN.
G. W. ADAIR.
R. C. HONLESTER.

Washington, December 29th, 1860.

In reply to your inquiry, we have hopes that the rights of the South, and of every State and section, may be protected within the Union. Don't give up the ship. Don't despair of the Republic.

J. J. CRITTENDEN.
S. A. DOUGLAS.

Congress, amid excitement which the above dispatches indicate, and which was general, remained for several weeks comparatively inactive. Buchanan sent messages, but his suggestions were distrusted by the Republicans, who stood firm in the conviction that when Lincoln took his seat, and the new Congress came in, they could pass measures calculated to restore the property of and protect the integrity of the Union. None of them believed in the right of secession; all had lost faith in compromises, and all of this party repudiated the theory that Congress had no right to coerce a State. The revival of these questions, revived also the logical thoughts of Webster in his great reply to Hayne, and the way in which he then expanded the constitution was now accepted as the proper doctrine of Republicanism on that question. No partisan sophistry could shake the convictions made by Webster, and so apt were his arguments in their application to every new development that they supplied every logical want in the Northern mind. Republican orators and newspapers quoted and endorsed, until nearly every reading mind was imbued with the same sentiments,

until in fact the Northern Democrats, and at all times the Douglas Democrats, were ready to stand by the flag of the Union. George W. Curtis, in *Harper's Weekly* (a journal which at the time graphically illustrated the best Union thoughts and sentiments), in an issue as late as January 12th, 1872, well described the power of Webster's grand ability[11] over a crisis which he did not live to see, Mr. Curtis says:—

"The war for the Union was a vindication of that theory of its nature which Webster had maintained in a memorably impregnable and conclusive manner. His second speech on Foot's resolution—the reply to Hayne—was the most famous and effective speech ever delivered in this country. It stated clearly and fixed firmly in the American mind the theory of the government, which was not, indeed, original with Webster, but which is nowhere else presented with such complete and inexorable reason as in this speech. If the poet be the man who is so consummate a master of expression that he only says perfectly what everybody thinks, upon this great occasion the orator was the poet. He spoke the profound but often obscured and dimly conceived conviction of a nation. He made the whole argument of the civil war a generation before the war occurred, and it has remained unanswered and unanswerable. Mr. Everett, in his discourse at the dedication of the statute of Webster, in the State-House grounds in Boston in 1859, described the orator at the delivery of this great speech. The evening before he seemed to be so careless that Mr. Everett feared that he might not be fully aware of the gravity of the occasion. But when the hour came, the man was there. 'As I saw him in the evening, if I may borrow an illustration from his favorite amusement,' said Mr.

Everett, 'he was as unconcerned and as free of spirit as some here have often seen him while floating in his fishing-boat along a hazy shore, gently rocking on the tranquil tide, dropping his line here and there with the varying fortune of the sport. The next morning he was like some mighty admiral, dark and terrible, casting the long shadow of his frowning tiers far over the sea, that seemed to sink beneath him; his broad pennant streaming at the main, the Stars and Stripes at the fore, the mizzen, and the peak, and bearing down like a tempest upon his antagonist, with all his canvas strained to the wind, and all his thunders roaring from his broadsides.' This passage well suggests that indescribable impression of great oratory which Rufus Choate, in his eulogy of Webster at Dartmouth College, conveys by a felicitous citation of what Quintilian says of Hortensius, that there was some spell in the spoken word which the reader misses."

As we have remarked, the Republicans were awaiting the coming of a near and greater power to themselves, and at the same time jealously watching the movements of the friends of the South in Congress and in the President's Cabinet. It needed all their watchfulness to prevent advantages which the secessionists thought they had a right to take. Thus Jefferson Davis, on January 9th, 1860, introduced to the senate a bill "to authorize the sale of public arms to the several States and Territories," and as secession became more probable he sought to press its passage, but failed. Floyd, the Secretary of War, was far more successful, and his conduct was made the subject of the following historic and most remarkable report:-

Transfer of U. S. Arms South In 1859–60.

Report (Abstract of) made by Mr. B. Stanton, from the Committee on Military Affairs, in House of Representatives, Feb. 18th, 1861.

The Committee on Military Affairs, to whom was referred the resolution of the House of Representatives of 31st of December last, instructing said committee to inquire and report to the House, how, to whom, and at what price, the public arms distributed since the first day of January, A. D. 1860, have been disposed of; and also into the condition of the forts, arsenals, dock-yards, etc., etc., submit the following report:

That it appears from the papers herewith submitted, that Mr. Floyd, the late Secretary of War, by the authority or under color of the law of March 3d, 1825, authorizing the Secretary of War to sell any arms, ammunition, or other military stores which should be found unsuitable for the public service, sold to sundry persons and States 31,610 flint-lock muskets, altered to percussion, at $2.50 each, between the 1st day of January, A. D. 1860, and the 1st day of January, A. D., 1861. It will be seen from the testimony of Colonel Craig and Captain Maynadier, that they differ as to whether the arms so sold had been found, “upon proper inspection, to be unsuitable for the public service.”

Whilst the Committee do not deem it important to decide this question, they say, that in their judgment it would require a very liberal construction of the law to bring these sales within its provisions.

It also appears that on the 21st day of November last, Mr. Belknap made application to the Secretary of War for the purchase of from one to two hundred

and fifty thousand United States muskets, flint-locks and altered to percussion, at $2.15 each; but the Secretary alleges that the acceptance was made under a misapprehension of the price bid, he supposing it was $2.50 each, instead of $2.15.

Mr. Belknap denies all knowledge of any mistake or misapprehension, and insists upon the performance of his contract.

The present Secretary refuses to recognize the contract, and the muskets have not been delivered to Mr. Belknap.

Mr. Belknap testifies that the muskets were intended for the Sardinian government.

It will appear by the papers herewith submitted, that on the 29th of December, 1859, the Secretary of War ordered the transfer of 65,000 percussion muskets, 40,000 muskets altered to percussion, and 10,000 percussion rifles, from the Springfield Armory and the Watertown and Watervliet Arsenals, to the Arsenals at Fayetteville, N. C., Charleston, S. C., Augusta, Ga., Mount Vernon, Ala., and Baton Rouge, La., and that these arms were distributed during the spring of 1860 as follows:

	Percussion muskets.	**Altered muskets.**	**Rifles.**
To Charleston Arsenal,	9,280	5,720	2,000
To North Carolina Arsenal,	15,480	9,520	2,000
To Augusta Arsenal,	12,380	7,620	2,000

To Mount Vernon Arsenal,	9,280	5,720	2,000
To Baton Rouge Arsenal,	18,580	11,420	2,000
	65,000	40,000	10,000

All of these arms, except those sent to the North Carolina Arsenal,[12] have been seized by the authorities of the several States of South Carolina, Alabama, Louisiana and Georgia, and are no longer in possession of the United States.

It will appear by the testimony herewith presented, that on the 20th of October last the Secretary of War ordered forty columbiads and four thirty-two pounders to be sent from the Arsenal at Pittsburg to the fort on Ship Island, on the coast of Mississippi, then in an unfinished condition, and seventy columbiads and seven thirty-two pounders to be sent from the same Arsenal to the fort at Galveston, in Texas, the building of which had scarcely been commenced.

This order was given to the Secretary of War, without any report from the Engineer department showing that said works were ready for their armament, or that the guns were needed at either of said points.

It will be seen by the testimony of Captain Wright, of the Engineer department, that the fort at Galveston cannot be ready for its entire armament in less than about five years, nor for any part of it in less than two; and that the fort at Ship Island will require an appropriation of $85,000 and one year's time before it can be ready for any part of its

armament. This last named fort has been taken possession of by the State authorities of Mississippi.

The order of the late Secretary of War (Floyd) was countermanded by the present Secretary (Holt) before it had been fully executed by the shipment of said guns from Pittsburg.[13]

It will be seen by a communication from the Ordnance office of the 21st of January last, that by the last returns there were remaining in the United States arsenals and armories the following small arms, viz:

Percussion muskets and muskets altered to percussion of calibre 69	499,554
Percussion rifles, calibre 54	42,011
Total	541,565

Of these 60,878 were deposited in the arsenals of South Carolina, Alabama, and Louisiana, and are in the possession of the authorities of those States, reducing the number in possession of the United States to 480,687.

Since the date of said communication, the following additional forts and military posts have been taken possession of by parties acting under the authority of the States in which they are respectively situated, viz:

Fort Moultrie, South Carolina.

Fort Morgan, Alabama.

Baton Rouge Barracks, Louisiana.

Fort Jackson, Louisiana.

Fort St. Philip, „

Fort Pike, Louisiana.

Oglethorpe Barracks, Georgia.

And the department has been unofficially advised that the arsenal at Chattahoochee, Forts McRea and Barrancas, and Barracks, have been seized by the authorities of Florida.

To what further extent the small arms in possession of the United States may have been reduced by these figures, your committee have not been advised.

The whole number of the seaboard forts in the United States is fifty-seven; their appropriate garrison in war would require 26,420 men; their actual garrison at this time is 1,334 men, 1,308 of whom are in the forts at Governor's Island, New York; Fort McHenry, Maryland; Fort Monroe, Virginia, and at Alcatraz Island, California, in the harbor of San Francisco.

From the facts elicited, it is certain that the regular military force of the United States, is wholly inadequate to the protection of the forts, arsenals, dock-yards, and other property of the United States in the present disturbed condition of the country. The regular army numbers only 18,000 men when recruited to its maximum strength, and the whole of this force is required for the protection of the border settlements against Indian depredations. Unless it is the intention of Congress that the forts, arsenals, dock-yards and other public property, shall be exposed to capture and spoliation, the President must be armed with additional force for their protection.

In the opinion of the Committee the law of February 28th, 1795, confers upon the President

ample power to call out the militia, execute the laws and protect the public property. But as the late Attorney-General has given a different opinion, the Committee to remove all doubt upon the subject, report the accompanying bill, etc.

OTHER ITEMS.

Statement of Arms distributed by Sale since the first of January, 1860, to whom sold and the place whence sold.

To whom sold.	*No.*	*1860. Date of Sale.*	*Arsenals. Where sold.*
J. W. Zacharie & Co.	4,000	Feb. 3	St. Louis.
James T. Ames	1,000	Mar. 14	New York.
Captain G. Barry	80	June 11	St. Louis.
W. C. N. Swift	400	Aug. 31	Springfield.
do.	80	Nov. 13	do.
State of Alabama	1,000	Sep. 27	Baton Rouge.
do.	2,500	Nov. 14	do.
State of Virginia	5,000	Nov. 6	Washington.
Phillips county, Ark.	50	Nov. 16	St. Louis.
G. B. Lamar	10,000	Nov. 24	Watervliet.

The arms were all flint-lock muskets altered to percussion, and were all sold at $2.50 each, except those purchased by Captain G. Barry and by the Phillips county volunteers, for which $2 each were

paid.

The Mobile *Advertiser* says: "During the past year 135,430 muskets have been quietly transferred from the Northern Arsenal at Springfield alone, to those in the Southern States. We are much obliged to Secretary Floyd for the foresight he has thus displayed in disarming the North and *equipping the South for this emergency*. There is no telling the quantity of arms and munitions which were sent South from other Northern arsenals. There is no doubt but that every man in the South who can carry a gun can now be supplied from private or public sources. The Springfield contribution alone would arm all the militiamen of Alabama and Mississippi."

General Scott, in his letter of December 2d, 1862, on the early history of the Rebellion, states that "Rhode Island, Delaware and Texas had not drawn, at the end of 1860, their annual quotas of arms for that year, and Massachusetts, Tennessee, and Kentucky only in part; Virginia, South Carolina, Georgia, Florida, Alabama, Louisiana, Mississippi and Kansas were, by order of the Secretary of War, supplied with their quotas for 1861 in advance, and Pennsylvania and Maryland in part."

This advance of arms to eight Southern States is in addition to the transfer, about the same time, of 115,000 muskets to Southern arsenals, as per Mr. Stanton's report.

Governor Letcher of Virginia, in his Message of December, 1861, says, that for some time prior to secession, he had been engaged in purchasing arms, ammunition, etc.; among which were 13 Parrott rifled cannon, and 5,000 muskets. He desired to buy from the United States Government 10,000 more, when buying the 5,000, but he says "the authorities

declined to sell them to us, although five times the number were then in the arsenal at Washington."

Had Jefferson Davis' bill relative to the purchase of arms become a law, the result might have been different.

This and similar action on the part of the South, especially the attempted seizure and occupation of forts, convinced many of the Republicans that no compromise could endure, however earnest its advocates from the Border States, and this earnestness was unquestioned. Besides their attachment to the Union, they knew that in the threatened war they would be the greatest sufferers, with their people divided neighbor against neighbor, their lands laid waste, and their houses destroyed. They had every motive for earnestness in the effort to conciliate the disagreeing sections.

The oddest partisan feature in the entire preliminary and political struggle was the attempt, in the parlance of the day, of "New York to secede from New York"—an oddity verified by Mayor Wood's recommendation in favor of the secession of New York city, made January 6th, 1861. The document deserves a place in this history, as it shows the views of a portion of the citizens then, and an exposition of their interests as presented by a citizen before and since named by repeated elections to Congress.

Mayor Wood's Secession Message.

To the Honorable the Common Council:

GENTLEMEN:—We are entering upon the public duties of

the year under circumstances as unprecedented as they are gloomy and painful to contemplate. The great trading and producing interests of not only the city of New York, but of the entire country, are prostrated by a monetary crisis; and although similar calamities have before befallen us, it is the first time that they have emanated from causes having no other origin than that which may be traced to political disturbances. Truly, may it now be said, "We are in the midst of a revolution *bloodless* AS YET." Whether the dreadful alternative implied as probable in the conclusion of this prophetic quotation may be averted, "no human ken can divine." It is quite certain that the severity of the storm is unexampled in our history, and if the disintegration of the Federal Government, with the consequent destruction of all the material interests of the people shall not follow, it will be owing more to the interposition of Divine Providence, than to the inherent preventive power of our institutions, or the intervention of any other human agency.

It would seem that a dissolution of the Federal Union is inevitable. Having been formed originally on a basis of general and mutual protection, but separate local independence—each State reserving the entire and absolute control of its own domestic affairs, it is evidently impossible to keep them together longer than they deem themselves fairly treated by each other, or longer than the interests, honor and fraternity of the people of the several States are satisfied. Being a Government created by *opinion*, its continuance is dependent upon the continuance of the sentiment which formed it. It cannot be preserved by coercion or held together by force. A resort to this last dreadful alternative would of itself destroy not only the Government, but the lives and property of the people.

If these forebodings shall be realized, and a separation of the States shall occur, momentous considerations will be presented to the corporate authorities of this city. We must provide for the new relations which will necessarily grow out of the new condition of public affairs.

It will not only be necessary for us to settle the relations which we shall hold to other cities and States, but to

establish, if we can, new ones with a portion of our own State. Being the child of the Union, having drawn our sustenance from its bosom, and arisen to our present power and strength through the vigor of our mother—when deprived of her maternal advantages, we must rely upon our own resources and assume a position predicated upon the new phase which public affairs will present, and upon the inherent strength which our geographical, commercial, political, and financial pre-eminence imparts to us.

With our aggrieved brethren of the Slave States, we have friendly relations and a common sympathy. We have not participated in the warfare upon their constitutional rights or their domestic institutions. While other portions of our State have unfortunately been imbued with the fanatical spirit which actuates a portion of the people of New England, the city of New York has unfalteringly preserved the integrity of its principles in adherence to the compromises of the Constitution and the equal rights of the people of all the States. We have respected the local interests of every section, at no time oppressing, but all the while aiding in the development of the resources of the whole country. Our ships have penetrated to every clime, and so have New York capital, energy and enterprise found their way to every State, and, indeed, to almost every county and town of the American Union. If we have derived sustenance from the Union, so have we in return disseminated blessings for the common benefit of all. Therefore, New York has a right to expect, and should endeavor to preserve a continuance of uninterrupted intercourse with every section.

It is, however, folly to disguise the fact that, judging from the past, New York may have more cause of apprehension from the aggressive legislation of our own State than from external dangers. We have already largely suffered from this cause. For the past five years, our interests and corporate rights have been repeatedly trampled upon. Being an integral portion of the State, it has been assumed, and in effect tacitly admitted on our part by nonresistance, that all political and governmental

power over us rested in the State Legislature. Even the common right of taxing ourselves for our own government, has been yielded, and we are not permitted to do so without this authority.***

Thus it will be seen that the political connection between the people of the city and the State has been used by the latter to our injury. The Legislature, in which the present partizan majority has the power, has become the instrument by which we are plundered to enrich their speculators, lobby agents, and Abolition politicians. Laws are passed through their malign influence by which, under forms of legal enactment, our burdens have been increased, our substance eaten out, and our municipal liberties destroyed. Self-government, though guaranteed by the State Constitution, and left to every other county and city, has been taken from us by this foreign power, whose dependents have been sent among us to destroy our liberties by subverting our political system.

How we shall rid ourselves of this odious and oppressive connection, it is not for me to determine. It is certain that a dissolution cannot be peacefully accomplished, except by the consent of the Legislature itself. Whether this can be obtained or not, is, in my judgment, doubtful. Deriving so much advantage from its power over the city, it is not probable that a partizan majority will consent to a separation—and the resort to force by violence and revolution must not be thought of for an instant. We have been distinguished as an orderly and law-abiding people. Let us do nothing to forfeit this character, or to add to the present distracted condition of public affairs.

Much, no doubt, can be said in favor of the justice and policy of a separation. It may be said that secession or revolution in any of the United States would be subversive of all Federal authority, and, so far as the Central Government is concerned, the resolving of the community into its original elements—that, if part of the States form new combinations and Governments, other States may do the same. California and her sisters of the Pacific will no doubt set up an independent Republic and husband their own rich mineral resources. The Western States, equally

rich in cereals and other agricultural products, will probably do the same. Then it may be said, why should not New York city, instead of supporting by her contributions in revenue two-thirds of the expenses of the United States, become also equally independent? As a free city, with but nominal duty on imports, her local Government could be supported without taxation upon her people. Thus we could live free from taxes, and have cheap goods nearly duty free. In this she would have the whole and united support of the Southern States, as well as all the other States to whose interests and rights under the Constitution she has always been true.

It is well for individuals or communities to look every danger square in the face, and to meet it calmly and bravely. As dreadful as the severing of the bonds that have hitherto united the States has been in contemplation, it is now apparently a stern and inevitable fact. We have now to meet it with all the consequences, whatever they may be. If the Confederacy is broken up the Government is dissolved, and it behooves every distinct community, as well as every individual, to take care of themselves.

When Disunion has become a fixed and certain fact, why may not New York disrupt the bands which bind her to a venal and corrupt master—to a people and a party that have plundered her revenues, attempted to ruin her commerce, taken away the power of self-government, and destroyed the Confederacy of which she was the proud Empire City? Amid the gloom which the present and prospective condition of things must cast over the country, New York, as a *Free City*, may shed the only light and hope of a future reconstruction of our once blessed Confederacy.

But I am not prepared to recommend the violence implied in these views. In stating this argument in favor of freedom, “peaceably if we can, forcibly if we must,” let me not be misunderstood. The redress can be found only in appeals to the magnanimity of the people of the whole State. The events of the past two months have no doubt effected a change in the popular sentiment of the State and National politics. This change may bring us the desired relief, and we may be able to obtain a repeal of the law to

which I have referred, and a consequent restoration of our corporate rights.

FERNANDO WOOD, Mayor

January 6th, 1861.

Congress on the Eve of the Rebellion.

It should be borne in mind that all of the propositions, whether for compromise, authority to suppress insurrection, or new laws to collect duties, had to be considered by the Second Session of the 36th Congress, which was then, with the exception of the Republicans, a few Americans, and the anti-Lecompton men, supporting the administration of Buchanan. No Congress ever had so many and such grave propositions presented to it, and none ever showed more exciting political divisions. It was composed of the following persons, some of whom survive, and most of whom are historic characters:

SENATE.

JOHN C. BRECKINRIDGE, of Kentucky, *Vice-President*;

Maine—H. Hamlin,[14] W. P. Fessenden.

New Hampshire—John P. Hale, Daniel Clark.

Vermont—Solomon Foot, J. Collamer.

Massachusetts—Henry Wilson, Charles Sumner.

Rhode Island—James F. Simmons, H. B. Anthony.

Connecticut—L. S. Foster, Jas. Dixon.

New York—William H. Seward, Preston King.

New Jersey—J. C. Ten Eyck, J. R. Thomson.

Pennsylvania—S. Cameron, Wm. Bigler.

Delaware—J. A. Bayard, W. Saulsbury.

Maryland—J. A. Pearce, A. Kennedy.

Virginia—R. M. T. Hunter, James M. Mason.

South Carolina—Jas. Chesnut,[15] James H. Hammond.[15]

North Carolina—Thomas Bragg, T. L. Clingman.

Alabama—B. Fitzpatrick, C. C. Clay, Jr.

Mississippi—A. G. Brown, Jeff. Davis.

Louisiana—J. P. Benjamin, John Slidell.

Tennessee—A. O. P. Nicholson, A. Johnson.

Arkansas—R. W. Johnson, W. K. Sebastian.

Kentucky—L. W. Powell. J. J. Crittenden.

Missouri—Jas. S. Green, Trusten Polk.

Ohio—B. F. Wade, Geo. E. Pugh.

Indiana—J. D. Bright, G. N. Fitch.

Illinois—S. A. Douglas, L. Trumbull.

Michigan—Z. Chandler, K. S. Bingham.

Florida—D. L. Yulee, S. R. Mallory.

Georgia—Alfred Iverson, Robt. Toombs.

Texas—John Hemphill, L. T. Wigfall.

Wisconsin—Charles Durkee, J. R. Doolittle.

Iowa—J. M. Grimes, Jas. Harlan.

California—M. S. Latham. William M. Gwin.

Minnesota—H. M. Rice, M. S. Wilkinson.

Oregon—Joseph Lane, Edward D. Baker.

HOUSE OF REPRESENTATIVES.

WILLIAM PENNINGTON, of New Jersey, *Speaker*.

Maine—D. E. Somes, John J. Perry, E. B. French, F. H. Morse, Israel Washburn, Jr.,[16] S. C. Foster.

New Hampshire—Gilman Marston, M. W. Tappan, T. M. Edwards.

Vermont—E. P. Walton, J. S. Morrill, H. E. Royce.

Massachusetts—Thomas D. Eliot, James Buffinton, Charles Francis Adams, Alexander H. Rice, Anson Burlingame, John B. Alley, Daniel W. Gooch, Charles R. Train, Eli Thayer, Charles Delano, Henry L. Dawes.

Rhode Island—C. Robinson, W. D. Brayton.

Connecticut—Dwight Loomis, John Woodruff, Alfred A. Burnham, Orris S. Ferry.

Delaware—W. G. Whiteley.

New York—Luther C. Carter, James Humphreys, Daniel E. Sickles, W. B. Maclay, Thomas J. Barr, John Cochrane, Gorge Briggs, Horace F. Clark, John B. Haskin, Chas. H. Van Wyck, William S. Kenyon, Charles L. Beale, Abm. B. Olin, John H. Reynolds, Jas. B. McKean, G. W. Palmer, Francis E. Spinner, Clark B. Cochrane, James H. Graham, Richard Franchot, Roscoe Conkling, R. H. Duell, M. Ludley Lee, Charles B. Hoard, Chas. B. Sedgwick, M. Butterfield, Emory B. Pottle, Alfred Wells, William Irvine, Alfred Ely, Augustus Frank, Edwin R. Reynolds, Elbridge G. Spaulding, Reuben E. Fenton.

New Jersey—John T. Nixon, John L. N. Stratton, Garnett B. Adrain, Jetur R. Riggs, Wm. Pennington (Speaker).

Pennsylvania—Thomas B. Florence, E. Joy Morris, John P. Verree, William Millward, John Wood, John

Hickman, Henry C. Longnecker, Jacob K. McKenty, Thaddeus Stevens, John W. Kellinger, James H. Campbell, George W. Scranton, William H. Dimmick, Galusha A. Grow, James T. Hale, Benjamin F. Junkin, Edward McPherson, Samuel S. Blair, John Covode, William Montgomery, James K. Moorhead, Robert McKnight, William Stewart, Chapin Hall, Elijah Babbitt.

Maryland—Jas. A. Stewart, J. M. Harris, H. W. Davis, J. M. Kunkel, G. W. Hughes.

Virginia—John S. Millson, Muscoe R. H. Garnett, Daniel C. De Jarnette, Roger A. Pryor, Thomas S. Bocock, William Smith, Alex. R. Boteler, John T. Harris, Albert G. Jenkins, Shelton F. Leake, Henry A. Edmundson, Elbert S. Martin, Sherrard Clemens.

South Carolina—John McQueen, Wm. Porcher Miles, Lawrence M. Keitt, Milledge L. Bonham, John D. Ashmore, Wm. W. Boyce.

North Carolina—W. N. H. Smith, Thos. Ruffin, W. Winslow, L. O'B. Branch, John A. Gilmer, Jas. M. Leach, Burton Craige, Z. B. Vance.

Georgia—Peter E. Love, M. J. Crawford, Thos. Hardeman, Jr., L. J. Gartrell, J. W. H. Underwood, James Jackson, Joshua Hill, John J. Jones.

Alabama—Jas. L. Pugh, David Clopton, Sydenh. Moore, Geo. S. Houston, W. R. W. Cobb, J. A. Stallworth, J. L. M. Curry.

Mississippi—L. Q. C. Lamar, Reuben Davis, William Barksdale, O. R. Singleton, John J. McRae.

Louisiana—John E. Bouligny, Miles Taylor, T. G. Davidson, John M. Landrum.

Ohio—G. H. Pendleton, John A. Gurley, C. L. Vallandigham, William Allen, James M. Ashley, Wm. Howard, Thomas Corwin, Benj. Stanton, John Carey,

C. A. Trimble, Chas. D. Martin, Saml. S. Cox, John Sherman, H. G. Blake, William Helmick, C. B. Tompkins, T. C. Theaker, S. Edgerton, Edward Wade, John Hutchins, John A. Bingham.

Kentucky—Henry C. Burnett, Green Adams, S. O. Peyton, F. M. Bristow, W. C. Anderson, Robert Mallory, Wm. E. Simms, L. T. Moore, John Y. Brown, J. W. Stevenson.

Tennessee—T. A. R. Nelson, Horace Maynard, R. B. Brabson, William B. Stokes, Robert Hatton, James H. Thomas, John V. Wright, James M. Quarles, Emerson Etheridge, Wm. T. Avery.

Indiana—Wm. E. Niblack, Wm. H. English, Wm. M'Kee Dunn, Wm. S. Holman, David Kilgore, Albert G. Porter, John G. Davis, James Wilson, Schuyler Colfax, Chas. Case, John U. Pettit.

Illinois—E. B. Washburne, J. F. Farnsworth, Owen Lovejoy, Wm. Kellogg, I. N. Morris, John A. McClernand, James C. Robinson, P. B. Fouke, John A. Logan.

Arkansas—Thomas C. Hindman, Albert Rust.

Missouri—J. R. Barrett, T. L. Anderson, John B. Clark, James Craig, L. H. Woodson, John S. Phelps, John W. Noell.

Michigan—William A. Howard, Henry Waldron, F. W. Kellogg, De W. C. Leach.

Florida—George S. Hawkins.

Texas—John H. Regan, A. J. Hamilton.

Iowa—S. R. Curtis, Wm. Vandever.

California—Charles L. Scott, John C. Burch.

Wisconsin—John F. Porter, C. C. Washburne, C. H. Larrabee.

Minnesota—Cyrus Aldrich, Wm. Windom.

Oregon—Lansing Stout.

Kansas—Martin F. Conway, (sworn Jan. 30th, 1861).

MR. LINCOLN'S VIEWS.

While the various propositions above given were under consideration, Mr. Lincoln was of course an interested observer from his home in Illinois, where he awaited the legal time for taking his seat as President. His views on the efforts at compromise were sought by the editor of the New York *Tribune*, and expressed as follows:

"'I will suffer death before I will consent or advise my friends to consent to any concession or compromise which looks like buying the privilege of taking possession of the Government to which we have a constitutional right; because, whatever I might think of the merits of the various propositions before Congress, I should regard any concession in the face of menace as the destruction of the government itself, and a consent on all hands that our system shall be brought down to a level with the existing disorganized state of affairs in Mexico. But this thing will hereafter be, as it is now, in the hands of the people; and if they desire to call a convention to remove any grievances complained of, or to give new guarantees for the permanence of vested rights, it is not mine to oppose.'"

JUDGE BLACK'S VIEWS.

Jeremiah S. Black, of Pennsylvania, was then Buchanan's Attorney-General, and as his position has

since been made the subject of lengthy controversy, it is pertinent to give the following copious extract from his “Opinion upon the Powers of the President,” in response to an official inquiry from the Executive: —

The existing laws put and keep the Federal Government strictly on the defensive. You can use force only to repel an assault on the public property, and aid the courts in the performance of their duty. If the means given you to collect the revenue and execute the other laws be insufficient for that purpose, Congress may extend and make them more effectual to that end.

If one of the States should declare her independence, your action cannot depend upon the rightfulness of the cause upon which such declaration is based. Whether the retirement of a State from the Union be the exercise of a right reserved in the Constitution or a revolutionary movement, it is certain that you have not in either case the authority to recognize her independence or to absolve her from her Federal obligations. Congress or the other States in convention assembled must take such measures as may be necessary and proper. In such an event I see no course for you but to go straight onward in the path you have hitherto trodden, that is, execute the laws to the extent of the defensive means placed in your hands, and act generally upon the assumption that the present constitutional relations between the States and the Federal Government continue to exist until a new order of things shall be established, either by law or force.

Whether Congress has the constitutional right to make war against one or more States, and require the Executive of the Federal Government to carry it on by means of force to be drawn from the other States, is a question for Congress itself to consider. It must be admitted that no such power is expressly given; nor are there any words in the Constitution which imply it. Among the powers enumerated in article I. section 8, is that “to declare war, grant letters of marque and reprisal, and to make rules concerning captures on land and water.” This certainly

means nothing more than the power to commence, and carry on hostilities against the foreign enemies of the nation. Another clause in the same section gives Congress the power "to provide for calling forth the militia," and to use them within the limits of the State. But this power is so restricted by the words which immediately follow, that it can be exercised only for one of the following purposes: 1. To execute the laws of the Union; that is, to aid the Federal officers in the performance of their regular duties. 2. To suppress insurrections against the States; but this is confined by article IV. section 4, to cases in which the State herself shall apply for assistance against her own people. 3. To repel the invasion of a State by enemies who come from abroad to assail her in her own territory. All these provisions are made to protect the States, not to authorize an attack by one part of the country upon another; to preserve their peace, and not to plunge them into civil war. Our forefathers do not seem to have thought that war was calculated "to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity." There was undoubtedly a strong and universal conviction among the men who framed and ratified the Constitution, that military force would not only be useless, but pernicious as a means of holding the States together.

If it be true that war cannot be declared, nor a system of general hostilities carried on by the central government against a State, then it seems to follow that an attempt to do so would be *ipso facto* an expulsion of such State from the Union. Being treated as an alien and an enemy, she would be compelled to act accordingly. And if Congress shall break up the present Union by unconstitutionally putting strife and enmity, and armed hostility, between different sections of the country, instead of the "domestic tranquillity" which the Constitution was meant to insure, will not all the States be absolved from their Federal obligations? Is any portion of the people bound to contribute their money or their blood to carry on a contest like that?

The right of the General Government to preserve itself in its whole constitutional vigor by repelling a direct and positive aggression upon its property or its officers, cannot be denied. But this is a totally different thing from an offensive war to punish the people for the political misdeeds of their State governments, or to prevent a threatened violation of the Constitution, or to enforce an acknowledgment that the Government of the United States is supreme. The States are colleagues of one another, and if some of them shall conquer the rest and hold them as subjugated provinces, it would totally destroy the whole theory upon which they are now connected.

If this view of the subject be as correct as I think it is, then the Union must totally perish at the moment when Congress shall arm one part of the people against another for any purpose beyond that of merely protecting the General Government in the exercise of its proper constitutional functions. I am, very respectfully, yours, etc.,

J. S. BLACK.

To the President of the United States.

The above expressions from Lincoln and Black well state the position of the Republican and the administration Democrats on the eve of the rebellion, and they are given for that purpose. The views of the original secessionists are given in South Carolina's declaration. Those of the conservatives of the South who hesitated and leaned toward the Union, were best expressed before the Convention of Georgia in the

SPEECH OF ALEX. H. STEPHENS.

This step (of secession) once taken can never be recalled; and all the baleful and withering consequences that must follow, will rest on the convention for all coming time. When we and our posterity shall see our lovely South desolated by the demon of war, *which this act of yours will inevitably invite and call forth*; when our green fields of waving harvest shall be trodden down by the murderous soldiery and fiery car of war sweeping over our land; our temples of justice laid in ashes; all the horrors and desolations of war upon us; *who but this Convention will be held responsible for it*? and who but him who shall have given his vote for this unwise and ill-timed measure, as I honestly think and believe, *shall be held to strict account for this suicidal act by the present generation, and probably cursed and execrated by posterity for all coming time*, for the wide and desolating ruin that will inevitably follow this act you now propose to perpetrate? Pause, I entreat

you, and consider for a moment what reasons you can give that will even satisfy yourselves in calmer moments—what reason you can give to your fellow sufferers in the calamity that it will bring upon us. *What reasons can you give to the nations of the earth to justify it?* They will be the calm and deliberate judges in the case; and what cause or one overt act can you name or point, on which to rest the plea of justification? *What right has the North assailed?* What interest of the South has been invaded? What justice has been denied? and what claim founded in justice and right has been withheld? Can either of you to-day name one governmental act of wrong, deliberately and purposely done by the government of Washington, of which the South has a right to complain? I challenge the answer. While on the other hand, let me show the facts (and believe me, gentlemen, I am not here the advocate of the North; but I am here the friend, the firm friend, and lover of the South and her institutions, and for this reason I speak thus plainly and faithfully for yours, mine, and every other man's interest, the words of truth and soberness), of which I wish you to judge, and I will only state facts which are clear and undeniable, and which now stand as records authentic in the history of our country. When we of the South demanded the slave-trade, or the importation of Africans for the cultivation of our lands, did they not yield the right for twenty years? When we asked a three-fifths representation in Congress for our slaves, was it not granted? When we asked and demanded the return of any fugitive from justice, or the recovery of those persons owing labor or allegiance, was it not incorporated in the Constitution, and again ratified and strengthened by the Fugitive Slave Law of 1850? But do you reply that in many instances they have

violated this compact, and have not been faithful to their engagements? As individual and local communities, they may have done so; but not by the sanction of Government; for that has always been true to Southern interests. Again, gentlemen, look at another act: when we have asked that more territory should be added, that we might spread the institution of slavery, have they not yielded to our demands in giving us Louisiana, Florida and Texas, out of which four States have been carved, and ample territory for four more to be added in due time, if you by this unwise and impolitic act do not destroy this hope, and perhaps, by it lose all, and have your last slave wrenched from you by stern military rule, as South America and Mexico were; *or by the vindictive decree of a universal emancipation, which may reasonably be expected to follow*?

But, again, gentlemen, what have we to gain by this proposed change of our relation to the General Government? We have always had the control of it, and can yet, if we remain in it, and are as united as we have been. We have had a majority of the Presidents chosen from the South; as well as the control and management of most of those chosen from the North. We have had sixty years of Southern Presidents to their twenty-four, thus controlling the Executive department. So of the Judges of the Supreme Court, we have had eighteen from the South, and but eleven from the North; although nearly four-fifths of the judicial business has arisen in the Free States, yet a majority of the Court has always been from the South. This we have required so as to guard against any interpretation of the Constitution unfavorable to us. In like manner we have been equally watchful to guard our interests in the Legislative branch of Government. In choosing

the presiding Presidents (*pro tem.*) of the Senate, we have had twenty-four to their eleven. Speakers of the House we have had twenty-three, and they twelve. While the majority of the Representatives, from their greater population, have always been from the North, yet we have so generally secured the Speaker, because he, to a great extent, shapes and controls the legislation of the country. Nor have we had less control in every other department of the General Government. Attorney-Generals we have had fourteen, while the North have had but five. Foreign ministers we have had eighty-six, and they but fifty-four. While three-fourths of the business which demands diplomatic agents abroad is clearly from the Free States, from their greater commercial interest, yet we have had the principal embassies so as to secure the world-markets for our cotton, tobacco, and sugar on the best possible terms. We have had a vast majority of the higher offices of both army and navy, while a larger proportion of the soldiers and sailors were drawn from the North. Equally so of Clerks, Auditors, and Comptrollers filling the executive department, the records show for the last fifty years that of the three thousand thus employed, we have had more than two-thirds of the same, while we have but one-third of the white population of the Republic.

Again, look at another item, and one, be assured, in which we have a great and vital interest; it is that of revenue, or means of supporting Government. From official documents, we learn that a fraction over three-fourths of the revenue collected for the support of the Government has uniformly been raised from the North.

Pause now while you can, gentlemen, and contemplate carefully and candidly these important

items. Look at another necessary branch of Government, and learn from stern statistical facts how matters stand in that department. I mean the mail and Post-Office privileges that we now enjoy under the General Government as it has been for years past. The expense for the transportation of the mail in the Free States was, by the report of the Postmaster-General for the year 1860 a little over $13,000,000, while the income was $19,000,000. But in the Slave States the transportation of the mail was $14,716,000, while the revenue from the same was $8,001,026, leaving a deficit of $6,704,974, to be supplied by the North for our accommodation, and without it we must have been entirely cut off from this most essential branch of Government.

Leaving out of view, for the present, the countless millions of dollars you must expend in a war with the North; with tens of thousands of your sons and brothers slain in battle, and offered up as sacrifices upon the altar of your ambition—and for what, we ask again? Is it for the overthrow of the American Government, established by our common ancestry, cemented and built up by their sweat and blood, and founded on the broad principles of *Right*, *Justice* and *Humanity*? And as such, I must declare here, as I have often done before, and which has been repeated by the greatest and wisest of statesmen and patriots in this and other lands, that it is the best and freest Government—the most equal in its rights, the most just in its decisions, the most lenient in its measures, and the most aspiring in its principles to elevate the race of men, that the sun of heaven ever shone upon. Now, for you to attempt to overthrow such a government as this, under which we have lived for more than three-quarters of a century—in which we have gained our wealth, our standing as a nation, our

domestic safety while the elements of peril are around us, with peace and tranquillity accompanied with unbounded prosperity and rights unassailed—is the height of *madness*, *folly*, and *wickedness*, to which I can neither lend my sanction nor my vote.

The seven seceding States (South Carolina, Mississippi, Georgia, Florida, Alabama, Louisiana and Texas,) as shown by data previously given, organized their Provisional Government, with Jefferson Davis, the most radical secession leader, as President; and Alex. H. Stephens, the most conservative leader, as Vice-President. The reasons for these selections were obvious; the first met the views of the cotton States, the other example was needed in securing the secession of other States. The Convention adopted a constitution, the substance of which is given elsewhere in this work. Stephens delivered a speech at Savannah, March 21st, 1861, in explanation and vindication of this instrument, which says all that need be said about it:

"The new Constitution has put at rest forever all the agitating questions relating to our peculiar institutions—African slavery as it exists among us—the proper status of the negro in our form of civilization. *This was the immediate cause of the late rupture and present revolution. Jefferson, in his forecast, had anticipated this as the 'rock upon which the old Union would split.'* He was right. What was conjecture with him, is now a realized fact. But whether he fully comprehended the great truth upon which that rock stood and stands, may be doubted. The prevailing ideas entertained by him and most of the leading statesmen at the time of the formation of the old Constitution, were that the enslavement of the African was in violation of the laws of nature: that it was wrong in principle, socially, morally, and

politically. It was an evil they knew not well how to deal with, but the general opinion of the men of that day was, that somehow or other, in the order of Providence, the institution would be evanescent and pass away. This idea, though not incorporated in the Constitution, was the prevailing idea at the time. The Constitution, it is true, secured every essential guarantee to the institution while it should last, and hence no argument can be justly used against the constitutional guarantees thus secured, because of the common sentiment of the day. Those ideas, however, were fundamentally wrong. They rested upon the assumption of the equality of races. This was an error. It was a sandy foundation, and the idea of a government built upon it; when the 'storm came and the wind blew, it fell.'

"Our new Government is founded upon exactly the opposite idea; its foundations are laid, its corner-stone rests upon the great truth that the negro is not equal to the white man. That slavery—subordination to the superior race, is his natural and normal condition. This, our new Government, is the first, in the history of the world, based upon this great physical and moral truth. This truth has been slow in the process of its development, like all other truths in the various departments of science. It has been so even amongst us. Many who hear me, perhaps, can recollect well, that this truth was not generally admitted, even within their day. The errors of the past generation still clung to many as late as twenty years ago. Those at the North who still cling to these errors, with a zeal above knowledged, we justly denominate fanatics.***

"In the conflict thus far, success has been, on our side, complete throughout the length and breadth of the Confederate States. It is upon this, as I have

stated, our actual fabric is firmly planted; and I cannot permit myself to doubt the ultimate success of a full recognition of this principle throughout the civilized and enlightened world.

"As I have stated, the truth of this principle may be slow in development, as all truths are, and ever have been, in the various branches of science. It was so with the principles announced by Galileo—it was so with Adam Smith and his principles of political economy—it was so with Harvey and his theory of the circulation of the blood. It is stated that not a single one of the medical profession, living at the time of the announcement of the truths made by him, admitted them. Now they are universally acknowledged. May we not, therefore, look with confidence to the ultimate universal acknowledgment of the truths upon which our system rests. It is the first government ever instituted upon principles of strict conformity to nature, and the ordination of Providence, in furnishing the materials of human society. Many governments have been founded upon the principle of certain classes; but the classes thus enslaved, were of the same race, and in violation of the laws of nature. Our system commits no such violation of nature's laws. The negro, by nature, or by the curse against Canaan, is fitted for that condition which he occupies in our system. The architect, in the construction of buildings, lays the foundation with the proper materials, the granite; then comes the brick or the marble. The substratum of our society is made of the material fitted by nature for it, and by experience we know that it is best, not only for the superior, but for the inferior race that it should be so. It is, indeed, in conformity with the ordinance of the Creator. It is not for us to inquire into the wisdom of His

ordinances, or to question them. For His own purposes He has made one race to differ from another, as He has made ‘one star to differ from another star in glory.’

“The great objects of humanity are best attained when conformed to His laws and decrees, in the formation of governments, as well as in all things else. Our Confederacy is founded upon principles in strict conformity with these laws. This stone which was first rejected by the first builders ‘is become the chief stone of the corner’ in our new edifice.

“The progress of disintegration in the old Union may be expected to go on with almost absolute certainty. We are now the nucleus of a growing power, which, if we are true to ourselves, our destiny, and high mission, will become the controlling power on this continent. To what extent accessions will go on in the process of time, or where it will end, the future will determine.”

It was determined by the secession of eleven States in all, the Border States except Missouri, remaining in the Union, and West Virginia dividing from old Virginia for the purpose of keeping her place in the Union.

The leaders of the Confederacy relied to a great extent upon the fact that President Buchanan, in his several messages and replies to commissioners, and in the explanation of the law by his Attorney-General, had tied his own hands against any attempt to reinforce the garrisons in the Southern forts, and they acted upon this faith and made preparations for their capture. The refusal of the administration to reinforce Fort Moultrie caused the resignation of General Cass, and by this time the Cabinet was far from harmonious. As early as the 10th of December,

Howell Cobb resigned as Secretary of the Treasury, because of his "duty to Georgia;" January 26th, John B. Floyd resigned because Buchanan would not withdraw the troops from Southern forts; and before that, Attorney-General Black, without publicly expressing his views, also resigned. Mr. Buchanan saw the wreck around him, and his administration closed in profound regret on the part of many of his northern friends, and, doubtless, on his own part. His early policy, and indeed up to the close of 1860, must have been unsatisfactory even to himself, for he supplied the vacancies in his cabinet by devoted Unionists—by Philip F. Thomas of Maryland, Gen'l Dix of New York, Joseph Holt of Kentucky, and Edwin M. Stanton of Pennsylvania—men who held in their hands the key to nearly every situation, and who did much to protect and restore the Union of the States. In the eyes of the North, the very last acts of Buchanan were the best.

With the close of Buchanan's administration all eyes turned to Lincoln, and fears were entertained that the date fixed by law for the counting of the electoral vote—February 15th, 1861—would inaugurate violence and bloodshed at the seat of government. It passed, however, peaceably. Both Houses met at 12 high noon in the hall of the House, Vice-President Breckinridge and Speaker Pennington, both democrats, sitting side by side, and the count was made without serious challenge or question.

On the 11th of February Mr. Lincoln left his home for Washington, intending to perform the journey in easy stages. On parting with his friends at Springfield, he said:

"*My Friends*: No one, in my position, can realize the sadness I feel at this parting. To this people I owe all that I am. Here I have lived more than a quarter

of a century. Here my children were born, and here one of them lies buried. I know not how soon I shall see you again. I go to assume a task more difficult than that which has devolved upon any other man since the days of Washington. He never would have succeeded except for the aid of Divine Providence, upon which he at all times relied. I feel that I cannot succeed without the same Divine blessing which sustained him; and on the same Almighty Being I place my reliance for support. And I hope you, my friends, will all pray that I might receive that Divine assistance, without which I cannot succeed, but with which success is certain. Again, I bid you all an affectionate farewell."

Lincoln passed through Indiana, Ohio, New York, New Jersey and Pennsylvania on his way to the Capitol. Because of threats made that he should not reach the Capitol alive, some friends in Illinois employed a detective to visit Washington and Baltimore in advance of his arrival, and he it was who discovered a conspiracy in Baltimore to mob and assassinate him. He therefore passed through Baltimore in the night, two days earlier than was anticipated, and reached Washington in safety. On the 22d of February he spoke at Independence Hall and said:

"All the political sentiments I entertain have been drawn, so far as I have been able to draw them, from the sentiments which originated in, and were given to the world from, this hall. I never had a feeling, politically, that did not spring from the sentiments embodied in the Declaration of Independence.

"It was not the mere matter of the separation of the Colonies from the motherland, but that *sentiment*

in the Declaration of Independence, which gave liberty, not alone to the people of this country, but, I hope, to the world for all future time. It was that which gave promise that, in due time, the weight would be lifted from the shoulders of men. This is the sentiment embodied in the Declaration of Independence. Now, my friends, can this country be saved upon that basis? If it can, I will consider myself one of the happiest men in the world, if I can help to save it. If it cannot be saved upon that principle, it will be truly awful! But if this country cannot be saved without giving up the principle, I was about to say, 'I would rather be assassinated on the spot than surrender it.' *** I have said nothing but what I am willing to live by, and if it be the pleasure of Almighty God, to die by!"

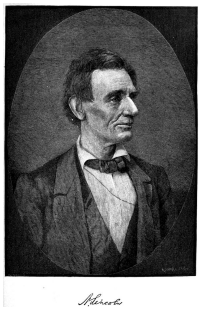
Lincoln's First Administration.

Such was the feeling of insecurity that the President elect was followed to Washington by many watchful friends, while Gen'l Scott, Col. Sumner, Major Hunter and the members of Buchanan's Cabinet quickly made such arrangements as secured his safety. Prior to his inauguration he took every opportunity to quell the still rising political excitement by assuring the Southern people of his kindly feelings, and on the 27th of February,[17] "when waited upon by the Mayor and Common Council of Washington, he assured them, and through them the South, that he had no disposition to treat them in any other way than as neighbors,

and that he had no disposition to withhold from them any constitutional right. He assured the people that they would have all of their rights under the Constitution—'not grudgingly, but freely and fairly.'"

He was peacefully inaugurated on the 4th of March, and yet Washington was crowded as never before by excited multitudes. The writer himself witnessed the military arrangements of Gen'l Scott for preserving the peace, and with armed cavalry lining every curb stone on the line of march, it would have been difficult indeed to start or continue a riot, though it was apparent that many in the throng were ready to do it if occasion offered.

The inaugural ceremonies were more than usually impressive. On the eastern front of the capitol, surrounded by such of the members of the Senate and House who had not resigned their seats and entered the Confederacy, the Diplomatic Corps, the Judges of the Supreme Court, headed by Chief Justice Taney, the author of the Dred Scott decision; the higher officers of Army and Navy, while close by the side of the new President stood the retiring one—James Buchanan—tall, dignified, reserved, and to the eye of the close observer apparently deeply grieved at the part his party and position had compelled him to play in a National drama which was now reaching still another crisis. Near by, too, stood Douglas (holding Lincoln's hat) more gloomy than was his wont, but determined as he had ever been. Next to the two Presidents he was most observed.



If the country could then have been pacified, Lincoln's inaugural was well calculated to do it. That it exercised a wholesome influence in behalf of the Union, and especially in the border States, soon became apparent. Indeed, its sentiments seemed for weeks to check the wild spirit of secession in the cotton States, and it took all the efforts of their most fiery orators to rekindle the flame which seemed to have been at its highest when Major Anderson was compelled to evacuate Fort Moultrie.

It is but proper in this connection, to make a few quotations from the inaugural address, for Lincoln then, as he did during the remainder of his life, better reflected the more popular Republican sentiment than any other leader. The very first thought was upon the theme uppermost in the minds of all. We quote:

"Apprehension seems to exist among the people of the Southern States that by the accession of a Republican Administration their property and their peace and personal security are to be endangered. There has never been any reasonable cause for such apprehension. Indeed, the most ample evidence to the contrary has all the while existed and been open to their inspection. It is found in nearly all the published speeches of him who now addresses you. I

do but quote from one of those speeches when I declare that 'I have no purpose directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so.' Those who nominated and elected me did so with full knowledge that I had made this and many similar declarations, and had never recanted them. And more than this, they placed in the platform for my acceptance, and as a law to themselves and to me, the clear and emphatic resolution which I now read:

'*Resolved*, That the maintenance inviolate of the rights of the States, and especially the right of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to the balance of power on which the perfection and endurance of our political fabric depend, and we denounce the lawless invasion by armed force of the soil of any State or Territory, no matter under what pretext, as among the gravest of crimes.'

I now reiterate these sentiments; and in doing so, I only press upon the public attention the most conclusive evidence of which the case is susceptible, that the property, peace, and security of no section are to be in anywise endangered by the now incoming Administration. I add, too, that all the protection which, consistently with the Constitution and the laws, can be given, will be cheerfully given to all the States when lawfully demanded, for whatever cause—as cheerfully to one section as to another.

After conveying this peaceful assurance, he argued the question in his own way, and in a way matchless for its homely force:

"Physically speaking, we cannot separate. We cannot remove our respective sections from each other, nor build an impassable wall between them. A husband and wife may be divorced, and go out of the presence and beyond the reach of each other; but the different parts of our country cannot do this. They cannot but remain face to face; and intercourse, either amicable or hostile, must continue between them. Is it possible, then, to make that intercourse more advantageous or more satisfactory *after* separation than *before*? Can aliens make treaties easier than friends can make laws? Can treaties be more faithfully enforced between aliens than laws can among friends? Suppose you go to war, you cannot fight always; and when after much loss on both sides, and no gain on either, you cease fighting, the identical old questions, as to terms of intercourse, are again upon you.

"This country, with its institutions, belongs to the people who inhabit it. Whenever they shall grow weary of the existing Government they can exercise their *constitutional* right of amending it, or their *revolutionary* right to dismember or overthrow it. I cannot be ignorant of the fact that many worthy and patriotic citizens are desirous of having the National Constitution amended. While I make no recommendation of amendments, I fully recognize the rightful authority of the people over the whole subject, to be exercised in either of the modes prescribed in the instrument itself; and I should under existing circumstances, favor rather than oppose a fair opportunity being afforded the people to act upon it. I will venture to add that to me the convention mode seems preferable, in that it allows amendments to originate with the people themselves, instead of only permitting them to take or reject

propositions originated by others, not especially chosen for the purpose, and which might not be precisely such as they would wish to either accept or refuse. I understand a proposed amendment to the Constitution—which amendment, however, I have not seen—has passed Congress, to the effect that the Federal Government shall never interfere with the domestic institutions of the States, including that of persons held to service. To avoid misconstruction of what I have said, I depart from my purpose not to speak of particular amendments so far as to say that, holding such a provision now to be implied constitutional law, I have no objection to its being made express and irrevocable.

"The Chief Magistrate derives all his authority from the people, and they have conferred none upon him to fix terms for the separation of the States. The people themselves can do this also if they choose; but the Executive, as such, has nothing to do with it. His duty is to administer the present Government, as it came to his hands, and to transmit it, unimpaired by him, to his successor.***

"In *your* hands, my dissatisfied fellow-countrymen, and not in *mine*, is the momentous issue of civil war. The Government will not assail *you*. You can have no conflict without being yourselves the aggressors. *You* have no oath registered in heaven to destroy the Government, while I shall have the most solemn one to 'preserve, protect and defend it.'

"I am loth to close. We are not enemies but friends. We must not be enemies. Though passion may have strained, it must not break our bonds of affection. The mystic chords of memory, stretching from every battle-field and patriot grave to every living heart and hearth-stone, all over this broad land, will yet swell the chorus of the union, when

again touched, as surely they will be, by the better angels of our nature."

Lincoln appointed a Cabinet in thorough accord with his own views, and well suited to whatever shades of difference there were in the Republican party. Wm. H. Seward, Secretary of State, and Salmon P. Chase represented the more advanced anti-slavery element; General Simon Cameron, Secretary of War, from the first saw only a prolonged war in which superior Northern resources and appliances would surely win, while Seward expressed the view that "all troubles would be over in three months;" Gideon Welles, Secretary of the Navy; Caleb B. Smith of the Interior; Edward Bates, Attorney-General, and Montgomery Blair, Postmaster-General, represented the more conservative Republican view—the two last named being well adapted to retaining the National hold on the Border States.

Political events now rapidly succeeded each other. As early as March 11, John Forsyth of Alabama and Martin J. Crawford of Georgia, submitted to the Secretary of State a proposition for an unofficial interview. Mr. Seward the next day, from "purely public considerations," declined. On the 13th the same gentlemen sent a sealed communication, saying they had been duly accredited by the Confederate government as Commissioners, to negotiate for a speedy adjustment of all questions growing out of the political separation of seven States, which had formed a government of their own, etc. They closed this remarkable document by requesting the Secretary of State to appoint as early a day as possible in order that they may present to the President of the United States the credentials which they bear, and the objects of the mission with which

they are charged.

Mr. Seward's reply in substance, said that his "official duties were confined, subject to the direction of the President, to the conducting of the foreign relations of the country, and do not at all embrace domestic questions or questions arising between the several States and the Federal Government, is unable to comply with the request of Messrs. Forsyth and Crawford, to appoint a day on which they may present the evidences of their authority and the object of their visit to the President of the United States. On the contrary, he is obliged to state to Messrs. Forsyth and Crawford that he has no authority, nor is he at liberty to recognize them as diplomatic agents, or hold correspondence or other communication with them."

An extended correspondence followed, but the administration in all similar cases, refused to recognize the Confederacy as a government in any way. On the 13th of April the President granted an interview to Wm. Ballard Preston, Alex. H. Stuart, and George W. Randolph, who had been sent by the Convention of Virginia, then in session, under a resolution recited in the President's reply, the text of which is herewith given:—

GENTLEMEN: As a committee of the Virginia Convention, now in session, you present me a preamble and resolution in these words:

"Whereas, in the opinion of this Convention, the uncertainty which prevails in the public mind as to the policy which the Federal Executive intends to pursue toward the seceded States is extremely injurious to the industrial and commercial interests of the country, tends to keep up an excitement which is unfavorable to the adjustment of pending

difficulties, and threatens a disturbance of the public peace: Therefore,

"*Resolved*, That a committee of three delegates be appointed to wait on the President of the United States, present to him this preamble and resolution, and respectfully ask him to communicate to this Convention the policy which the Federal Executive intends to pursue in regard to the Confederate States."

"In answer I have to say, that, having at the beginning of my official term expressed my intended policy as plainly as I was able, it is with deep regret and some mortification I now learn that there is great and injurious uncertainty in the public mind as to what that policy is, and what course I intend to pursue.

"Not having as yet seen occasion to change, it is now my purpose to pursue the course marked out in the inaugural address. I commend a careful consideration of the whole document as the best expression I can give of my purposes. As I then and therein said, I now repeat:

"The power confided to me will be used to hold, occupy, and possess the property and places belonging to the Government, and to collect the duties and imposts; but beyond what is necessary for these objects there will be no invasion, no using of force against or among the people anywhere."

"By the words 'property and places belonging to the Government' I chiefly allude to the military posts and property which were in the possession of the Government when it came into my hands.

"But if, as now appears to be true, in pursuit of a purpose to drive the United States authority from these places, an unprovoked assault has been made

upon Fort Sumter, I shall hold myself at liberty to repossess, if I can, like places which had been seized before the Government was devolved upon me. And, in any event, I shall, to the best of my ability, repel force by force.

"In case it proves true that Fort Sumter has been assaulted, as is reported, I shall perhaps cause the United States mails to be withdrawn from all the States which claim to have seceded, believing that the commencement of actual war against the Government justifies and possibly demands it."

"I scarcely need to say that I consider the military posts and property situated within the States which claim to have seceded as yet belonging to the Government of the United States as much as they did before the supposed secession.

"Whatever else I may do for the purpose, I shall not attempt to collect the duties and imposts by any armed invasion of any part of the country—not meaning by this, however, that I may not land a force deemed necessary to relieve a fort upon the border of the country.

"From the fact that I have quoted a part of the inaugural address, it must not be inferred that I repudiate any other part, the whole of which I reaffirm, except so far as what I now say of the mails may be regarded as a modification."

We have given the above as not only fair but interesting samples of the semi-official and official transactions and correspondence of the time. To give more could not add to the interest of what is but a description of the political situation.

The Border states and some others were "halting between two opinions." North Carolina at first voted down a proposition to secede by 46,671 for, to

47,333 against, but the secessionists called another convention in May, the work of which the people ratified, the minority, however, being very large.

Before Lincoln had entered office most of the Southern forts, arsenals, docks, custom houses, etc., had been seized, and now that preparations were being made for active warfare by the Confederacy, many officers of the army and navy resigned or deserted, and joined it. The most notable were General Robert E. Lee, who for a time hesitated as to his "duty," and General David E. Twiggs, the second officer in rank in the United States Army, but who had purposely been placed by Secretary Floyd in command of the Department of Texas to facilitate his joining the Confederacy, which he intended to do from the beginning. All officers were permitted to go, the administration not seeking to restrain any, under the belief that until some open act of war was committed it ought to remain on the defensive. This was wise political policy, for it did more than all else to hold the Border States, the position of which Douglas understood fully as well as any statesman of that hour. It is remarked of Douglas (in Arnold's "*History of Abraham Lincoln*") that as early as January 1, 1861, he said to General Charles Stewart, of New York, who had made a New Year's call at his residence in Washington, and inquired, "What will be the result of the efforts of Jefferson Davis, and his associates, to divide the Union?" "Rising, and looking," says my informant, "like one inspired, Douglas replied, 'The cotton States are making an effort to draw in the border States to their schemes of secession, and I am but too fearful they will succeed. If they do succeed, there will be the most terrible civil war the world has ever seen, lasting for years.' Pausing a moment, he exclaimed, 'Virginia

will become a charnel house, but the end will be the triumph of the Union cause. One of their first efforts will be to take possession of this Capitol to give them prestige abroad, but they will never succeed in taking it—the North will rise *en masse* to defend it;—but Washington will become a city of hospitals—the churches will be used for the sick and wounded—even this house (Minnesota block, afterwards, and during the war, the Douglas Hospital) may be devoted to that purpose before the end of the war.' The friend to whom this was said inquired, 'What justification for all this?' Douglas replied, 'There is no justification, nor any pretense of any—if they remain in the Union, I will go as far as the Constitution will permit, to maintain their just rights, and I do not doubt a majority of Congress would do the same. But,' said he, again rising on his feet, and extending his arm, 'if the Southern States attempt to secede from this Union, without further cause, I am in favor of their having just so many slaves, and just so much slave territory, as they can hold at the point of the bayonet, and NO MORE.'"

In the border states of Maryland, Virginia, North Carolina, Tennessee and Missouri there were sharp political contests between the friends of secession and of the Union. Ultimately the Unionists triumphed in Maryland, Kentucky and Missouri—in the latter state by the active aid of U. S. troops—in Maryland and Kentucky by military orders to arrest any members of the Legislature conspiring to take their states out. In Tennessee, the Union men, under the lead of Andrew Johnson, Governor ("Parson") Brownlow, Horace Maynard and others, who made a most gallant fight to keep the state in, and they had the sympathy of the majority of the people of East Tennessee. The Secessionists took Virginia out April

17th, and North Carolina May 20th. The leading Southerners encouraged the timid and hesitating by saying the North would not make war; that the political divisions would be too great there, and they were supported in this view by the speeches and letters of leaders like Clement L. Vallandigham. On the other hand they roused the excitable by warlike preparations, and, as we have stated, to prevent reconsideration on the part of those who had seceded, resolved to fire upon Sumter. Beauregard acted under direct instructions from the government at Montgomery when he notified Major Anderson on the 11th of April to surrender Fort Sumter. Anderson replied that he would evacuate on the 15th, but the original summons called for surrender by the 12th, and they opened their fire in advance of the time fixed for evacuation—a fact which clearly established the purpose to bring about a collision. It was this aggressive spirit which aroused and united the North, and made extensive political division therein impossible.

The Southern leaders, ever anxious for the active aid of the Border States, soon saw that they could only acquire it through higher sectional excitement than any yet cultivated, and they acted accordingly. Roger A. Pryor, in a speech at Richmond April 10th, gave expression to this thought, when he said in response to a serenade:—

“Gentlemen, I thank you, especially that you have at last annihilated this accursed Union, [applause,] reeking with corruption, and insolent with excess of tyranny. Thank God, it is at last blasted and riven by the lightning wrath of an outraged and indignant people. [Loud applause.] Not only is it gone, but gone forever. [Cries of ‘You’re right,’ and applause.] In the expressive language of Scripture, it is water

spilt upon the ground, which cannot be gathered up. [Applause.] Like Lucifer, son of the morning, it has fallen, never to rise again. [Continued applause.] *For my part, gentlemen, if Abraham Lincoln and Hannibal Hamlin to-morrow were to abdicate their offices and were to give me a blank sheet of paper to write the conditions of reannexation to the defunct Union, I would scornfully spurn the overture.* * * * I invoke you, and I make it in some sort a personal appeal—personal so far as it tends to our assistance in Virginia—I do invoke you, in your demonstrations of popular opinion, in your exhibitions of official intent, to give no countenance to this idea of reconstruction. [Many voices, emphatically, 'Never,' and applause.] In Virginia they all say, if reduced to the dread dilemma of this memorable alternative, they will espouse the cause of the South as against the interest of the Northern Confederacy, but they whisper of reconstruction, and they say Virginia must abide in the Union, with the idea of reconstructing the Union which you have annihilated. *I pray you, gentlemen, rob them of that idea.* Proclaim to the world that upon no condition, and under no circumstance, will South Carolina ever again enter into political association with the Abolitionists of New England. [Cries of 'Never,' and applause.]

"Do not distrust Virginia. As sure as to-morrow's sun will rise upon us, just so sure will Virginia be a member of this Southern Confederation. [Applause.] *And I will tell you, gentlemen, what will put her in the Southern Confederation in less than an hour by Shrewsbury clock*—STRIKE A BLOW! [Tremendous applause.] *The very moment that blood is shed, old Virginia will make common cause with her sisters of the South.* [Applause.] It is impossible she should do otherwise."

Warlike efforts were likewise used to keep some of the states firmly to their purpose. Hon. Jeremiah Clemens, formerly United States Senator from Alabama, and a member of the Alabama Seceding Convention who resisted the movement until adopted by the body, at an adjourned Reconstruction meeting held at Huntsville, Ala., March 13, 1864, made this significant statement:—

Mr. Clemens, in adjourning the meeting, said he would tell the Alabamians how their state was got out of the Union. “In 1861,” said Mr. C., “shortly after the Confederate Government was put in operation, I was in the city of Montgomery. One day I stepped into the office of the Secretary of War, General Walker, and found there, engaged in a very excited discussion, Mr. Jefferson Davis, Mr. Memminger, Mr. Benjamin, Mr. Gilchrist, a member of our Legislature from Loundes county, and a number of other prominent gentlemen. They were discussing the propriety of immediately opening fire on Fort Sumter, to which General Walker, the Secretary of War, appeared to be opposed. Mr. Gilchrist said to him, ‘Sir, unless you sprinkle blood in the face of the people of Alabama they will be back in the old Union in less than ten days!’ The next day General Beauregard opened his batteries on Sumter, and Alabama was saved to the Confederacy.”

When the news flashed along the wires that Sumter had been fired upon, Lincoln immediately used his war powers and issued a call for 75,000 troops. All of the northern governors responded with promptness and enthusiasm; but this was not true of the governors of the southern states which at that time had not seceded, and the Border States.

We take from McPherson’s admirable condensation, the evasive or hostile replies of the

Governors referred to, and follow it with his statement of the military calls and legislation of both governments, but for the purposes of this work omit details which are too extended.

REPLIES OF SOUTHERN STATE GOVERNORS TO LINCOLN'S CALL FOR 75,000 TROOPS.

Governor BURTON, of Delaware, issued a proclamation, April 26, recommending the formation of volunteer companies for the protection of the lives and property of the people of Delaware against violence of any sort to which they may be exposed, the companies not being subject to be ordered by the Executive into the United States service, the law not vesting him with such authority, but having the option of offering their services to the General Government for the defence of its capital and the support of the Constitution and laws of the country.

Governor HICKS, of Maryland, May 14, issued a proclamation for the troops, stating that the four regiments would be detailed to serve within the limits of Maryland or for the defence of the capital of the United States.

Governor LETCHER, of Virginia, replied that "The militia of Virginia will not be furnished to the powers of Washington for any such use or purpose as they have in view. Your object is to subjugate the southern States, and a requisition made upon me for such an object—an object, in my judgment, not within the purview of the Constitution or the act of 1795—will not be complied with. You have chosen to inaugurate civil war, and having done so we will meet it in a spirit as determined as the Administration has exhibited toward the South."

Governor ELLIS, of North Carolina, replied April 15:

"Your dispatch is received, and if genuine—which its extraordinary character leads me to doubt—I have to say in reply that I regard the levy of troops made by the Administration, for the purpose of subjugating the States of the South, as in violation of the Constitution and a usurpation of power. I can be no party to this wicked violation of the laws of the country, and to this war upon the liberties of a free people. You can get no troops from North Carolina. I will reply more in detail when your call is received by mail."

Governor MAGOFFIN, of Kentucky, replied, April 15:

"Your dispatch is received. In answer I say emphatically, Kentucky will furnish no troops for the wicked purpose of subduing her sister Southern States."

Governor HARRIS, of Tennessee, replied, April 18:

"Tennessee will not furnish a single man for coercion, but fifty thousand, if necessary, for the defence of our rights or those of our southern brethren."

Governor JACKSON, of Missouri, replied:

"Your requisition is illegal, unconstitutional, revolutionary, inhuman, diabolical, and cannot be complied with."

Governor RECTOR, of Arkansas, replied, April 22:

"None will be furnished. The demand is only adding insult to injury."

ALL OTHER CALLS FOR TROOPS.

May 3, 1861—The President called for thirty-nine volunteer regiments of infantry and one regiment of cavalry, with a minimum aggregate of 34,506 officers and enlisted men, and a maximum of 42,034; and for the enlistment of 18,000 seamen.

May 3, 1861—The President directed an increase of the regular army by eight regiments of infantry, one of cavalry, and one of artillery—minimum aggregate, 18,054; maximum, 22,714.

August 6—Congress legalized this increase, and all the acts, orders, and proclamations respecting the Army and Navy.

July 22 and 25, 1861—Congress authorized the enlistment of 500,000 volunteers.

September 17, 1861—Commanding officer at Hatteras Inlet, N. C., authorized to enlist a regiment of loyal North Carolinians.

November 7, 1861—The Governor of Missouri was authorized to raise a force of State militia for State defence.

December 3, 1861—The Secretary of War directed that no more regiments, batteries, or independent companies be raised by the Governors of States, except upon the special requisition of the War Department.

July 2, 1862—The President called for three hundred thousand volunteers.

Under the act of July 17, 1862.

August 4, 1862—The President ordered a draft of three hundred thousand militia, for nine months unless sooner discharged; and directed that if any State shall not, by the 15th of August, furnish its quota of the additional 300,000 authorized by law, the deficiency of volunteers in that State will also be

made up by special draft from the militia. Wednesday, September 3, was subsequently fixed for the draft.

May 8, 1863—Proclamation issued, defining the relations of aliens to the conscription act, holding all aliens who have declared on oath their intention to become citizens and may be in the country within sixty-five days from date, and all who have declared their intention to become citizens and have voted.

June 15, 1863—One hundred thousand men, for six months, called to repel the invasion of Maryland, West Virginia, Ohio, and Pennsylvania.

October 17, 1863—A proclamation was issued for 300,000 volunteers, to serve for three years or the war, not, however, exceeding three years, to fill the places of those whose terms expire "during the coming year," these being in addition to the men raised by the present draft. In States in default under this call, January 5, 1864, a draft shall be made on that day.

February 1, 1864—Draft for 500,000 men for three years or during the war, ordered for March 10, 1864.

March 14, 1864—Draft for 200,000 additional for the army, navy and marine corps, ordered for April 15, 1864, to supply the force required for the navy and to provide an adequate reserve force for all contingencies.

April 23, 1864—85,000 one hundred day men accepted, tendered by the Governors of Ohio, Indiana, Illinois, Iowa, and Wisconsin; 30,000, 20,000, 20,000, 10,000 and 5,000 being tendered respectively.

UNION MILITARY LEGISLATION.

1861, July 22—The President was authorized to accept the services of volunteers, not exceeding five hundred thousand, for a period not exceeding three years. July 27, this authority was duplicated.

1861, July 27—Nine regiments of infantry, one of cavalry, and one of artillery, added to the regular army.

1861 August 5—Passed bill approving and legalizing the orders of the President respecting the army and navy, issued from 4th of March to that date.

1862, July 17—Authorized the President, when calling forth the militia of the States, to specify the period of such service, not exceeding nine months; and if by reason of defects in existing laws or in the execution of them, it shall be found necessary to provide for enrolling the militia, the President was authorized to make all necessary regulations, the enrollment to include all able-bodied male citizens between eighteen and forty-five, and to be apportioned according to representative population. He was authorized, in addition to the volunteers now authorized, to accept 100,000 infantry, for nine months; also, for twelve months, to fill up old regiments, as many as may be presented for the purpose.

1863, February 7—Authorized the Governor of Kentucky, by the consent and under the direction of the President, to raise twenty thousand volunteers, for twelve months, for service within the limits of the State, for repelling invasion, suppressing insurrection, and guarding and protecting the public property—two regiments to be mounted riflemen. With the consent of the President, these troops may be attached to, and become a part of, the body of

three years' volunteers.

1863, March 3—The conscription act passed. It included as a part of the national forces, all able-bodied male citizens of the United States, and persons of foreign birth who shall have declared on oath their intention to become citizens under and in pursuance of the laws thereof, between the ages of twenty-one and forty-five years, except such as are rejected as physically or mentally unfit for the service; also, the Vice-President, the judges of the various courts of the United States, the heads of the various executive departments of the Government, and the Governors of the several States; also, the only son liable to military service, of a widow dependent upon his labor for support; also, the only son of aged or infirm parent or parents, dependent upon his labor for support; also, where there are two or more sons of aged or infirm parents, subject to draft, the father, or if he be dead, the mother, may elect which son shall be exempt; also, the only brother of children not twelve years old, having neither father nor mother, dependent upon his labor for support; also, the father of motherless children under twelve years of age, dependent upon his labor for support; also, where there are a father and sons in the same family and household, and two of them are in military service of the United States as non-commissioned officers, musicians, or privates, the residue of such family; provided that no person who has been convicted of any felony shall be enrolled or permitted to serve in said forces. It divided the forces into two classes: 1st, those between twenty and thirty-five and all unmarried persons above thirty-five and under forty-five; 2d, all others liable to military duty. It divided the country into districts, in each of which an enrollment board was established.

The persons enrolled were made subject to be called into the military service for two years from July 1, 1863, and continue in service for three years. A drafted person was allowed to furnish an acceptable substitute, or pay $300, and be discharged from further liability under that draft. Persons failing to report, to be considered deserters. All persons drafted shall be assigned by the President to military duty in such corps, regiments, or branches of the service as the exigencies of the service may require.

1864, Feb. 24—Provided for equalizing the draft by calculating the quota of each district or precinct and counting the number previously furnished by it. Any person enrolled may furnish an acceptable substitute who is not liable to draft, nor, at any time, in the military or naval service of the United States; and such person so furnishing a substitute shall be exempt from draft during the time for which such substitute shall not be liable to draft, not exceeding the time for which such substitute shall have been accepted. If such substitute is liable to draft, the name of the person furnishing him shall again be placed on the roll and shall be liable to draft in future calls, but not until the present enrollment shall be exhausted. The exemptions are limited to such as are rejected as physically or mentally unfit for the service; to persons actually in the military or naval service of the Government, and all persons who have served in the military or naval service two years during the present war and been honorably discharged therefrom.

The separate enrollment of classes is repealed and the two classes consolidated.

Members of religious denominations, who shall by oath or affirmation declare that they are conscientiously opposed to the bearing of arms, and

who are prohibited from doing so by the rules and articles of faith and practice of said religious denomination, shall when drafted, be considered non-combatants, and be assigned to duty in the hospitals, or the care of freedmen, or shall pay $300 to the benefit of sick and wounded soldiers, if they give proof that their deportment has been uniformly consistent with their declaration.

No alien who has voted in county, State or Territory shall, because of alienage, be exempt from draft.

“All able-bodied male colored persons between the ages of twenty and forty-five years, resident in the United States, shall be enrolled according to the provisions of this act, and of the act to which this is an amendment, and form part of the national forces; and when a slave of a loyal master shall be drafted and mustered into the service of the United States, his master shall have a certificate thereof; and thereupon such slave shall be free, and the bounty of one hundred dollars, now payable by law for each drafted man, shall be paid to the person to whom such drafted person was owing service or labor at the time of his muster into the service of the United States. The Secretary of War shall appoint a commission in each of the slave States represented in Congress, charged to award to each loyal person to whom a colored volunteer may owe service a just compensation, not exceeding three hundred dollars, for each such colored volunteer, payable out of the fund derived from commutations, and every such colored volunteer on being mustered into the service shall be free. And in all cases where men of color have been enlisted, or have volunteered in the military service of the United States, all the provisions of this act so far as the payment of bounty

and compensation are provided, shall be equally applicable, as to those who may be hereafter recruited. But men of color, drafted or enlisted, or who may volunteer into the military service, while they shall be credited on the quotas of the several States, or sub-divisions of States, wherein they are respectively drafted, enlisted, or shall volunteer, shall not be assigned as State troops, but shall be mustered into regiments or companies as United States colored troops."

1864, Feb. 29—Bill passed reviving the grade of Lieutenant-General in the army, and Major General Ulysses S. Grant was appointed March 2d.

1864, June 15—All persons of color shall receive the same pay and emoluments, except bounty, as other soldiers of the regular or volunteer army from and after Jan. 1, 1864, the President to fix the bounty for those hereafter mustered, not exceeding $100.

1864, June 20—The monthly pay of privates and non-commissioned officers was fixed as follows, on and after May 1:

Sergeant majors, twenty-six dollars; quartermaster and commissary sergeants of Cavalry, artillery, and infantry, twenty-two dollars; first sergeants of cavalry, artillery, and infantry, twenty-four dollars; sergeants of cavalry, artillery, and infantry, twenty dollars; sergeants of ordnance, sappers and miners, and pontoniers, thirty-four dollars; corporals of ordnance, sappers and miners, and pontoniers, twenty dollars; privates of engineers and ordnance of the first class, eighteen dollars, and of the second class, sixteen dollars; corporals of cavalry, artillery, and infantry, eighteen dollars; chief buglers of cavalry, twenty-three dollars; buglers, sixteen

dollars; farriers and blacksmiths, of cavalry, and artificers of artillery, eighteen dollars; privates of cavalry, artillery and infantry, sixteen dollars; principal musicians of artillery and infantry, twenty-two dollars; leaders of brigade and regimental bands, seventy-five dollars; musicians, sixteen dollars; hospital stewards of the first class, thirty-three dollars; hospital stewards of the second class, twenty-five dollars; hospital stewards of the third class, twenty-three dollars.

July 4—This bill became a law:

Be it enacted, &c. That the President of the United States may, at his discretion, at any time hereafter call for any number of men as volunteers for the respective terms of one, two, and three years for military service; and any such volunteer, or, in case of draft, as hereinafter provided, any substitute, shall be credited to the town, township, ward of a city, precinct, or election district, or of a county not so subdivided towards the quota of which he may have volunteered or engaged as a substitute; and every volunteer who is accepted and mustered into the service for a term of one year, unless sooner discharged, shall receive, and be paid by the United States, a bounty of one hundred dollars; and if for a term of two years, unless sooner discharged, a bounty of two hundred dollars; and if for a term of three years, unless sooner discharged, a bounty of three hundred dollars; one third of which bounty shall be paid to the soldier at the time of his being mustered into the service, one-third at the expiration of one-half of his term of service, and one-third at the expiration of his term of service. And in case of his death while in service, the residue of his bounty unpaid shall be paid to his widow, if he shall have left a widow; if not, to his children; or if there be

none, to his mother, if she be a widow.

SEC. 8. That all persons in the naval service of the United States, who have entered said service during the present rebellion, who have not been credited to the quota of any town, district, ward, or State, by reason of their being in said service and not enrolled prior to February twenty-four, eighteen hundred and sixty-four, shall be enrolled and credited to the quotas of the town, ward, district, or State, in which they respectively reside, upon satisfactory proof of their residence made to the Secretary of War.

"CONFEDERATE" MILITARY LEGISLATION.

February 28, 1861, (four days before the inauguration of Mr. Lincoln)—The "Confederate" Congress passed a bill providing—

1st. To enable the Government of the Confederate States to maintain its jurisdiction over all questions of peace and war, and to provide for the public defence, the President be, and he is hereby authorized and directed to assume control of all military operations in every State, having reference to a connection with questions between the said States, or any of them, and Powers foreign to themselves.

2d. The President was authorized to receive from the several States the arms and munitions of war which have been acquired from the United States.

3d. He was authorized to receive into Government service such forces in the service of the States, as may be tendered, in such number as he may require, for any time not less than twelve months, unless

sooner discharged.

March 6, 1861—The President was authorized to employ the militia, military and naval forces of the Confederate States to repel invasion, maintain rightful possession of the territory, and secure public tranquillity and independence against threatened assault, to the extent of 100,000 men, to serve for twelve months.

May 4, 1861—One regiment of Zouaves authorized.

May 6, 1861—Letters of marque and reprisal authorized.

1861, August 8—The Congress authorized the President to accept the services of 400,000 volunteers, to serve for not less than twelve months nor more than three years after they shall be mustered into service, unless sooner discharged.

The Richmond *Enquirer* of that date announced that it was ascertained from official data, before the passage of the bill, that there were not less than 210,000 men then in the field.

August 21—Volunteers authorized for local defence and special service.

1862, January—Publishers of newspapers, or other printed matter are prohibited from giving the number, disposition, movement, or destination of the land or naval forces, or description of vessel, or battery, fortification, engine of war, or signal, unless first authorized by the President or Congress, or the Secretary of War or Navy, or commanding officer of post, district, or expedition. The penalty is a fine of $1,000 and imprisonment not over twelve months.

1862, February—The Committee on Naval Affairs were instructed to inquire into the expediency of placing at the disposal of the President five millions

of dollars to build gunboats.

1862—Bill passed to "regulate the destruction of property under military necessity," referring particularly to cotton and tobacco. The authorities are authorized to destroy it to keep it from the enemy; and owners, destroying it for the same purpose, are to be indemnified upon proof of the value and the circumstances of the destruction.

1862, April 16—The first "conscription" bill became a law.

1864, February. The second conscription bill became a law.

The Richmond Sentinel of February 17, 1864, contains a synopsis of what is called the military bill, heretofore forbidden to be printed:

The first section provides that all white men residents of the Confederate States, between the ages of seventeen and fifty, shall be in the military service for the war.

The second section provides that all between eighteen and forty-five, now in service, shall be continued during the war in the same regiments, battalions, and companies to which they belong at the passage of this act, with the organization, officers, &c., provided that companies from one State organized against their consent, expressed at the time, with regrets, &c., from another State, shall have the privilege of being transferred to the same arm in a regiment from their own State, and men can be transferred to a company from their own State.

Section three gives a bounty eight months hence of $100 in rebel bonds.

Section four provides that no person shall be relieved from the operations of this act heretofore discharged for disability, *nor shall those who furnished*

substitutes be exempted, where no disability now exists; but exempts religious persons who have paid an exemption tax. * * *

The tenth section provides that no person shall be exempt except the following: ministers, superintendents of deaf, dumb, and blind, or insane asylums; one editor to each newspaper, and such employees as he may swear to be indispensable; the Confederate and State public printers, and the journeymen printers necessary to perform the public printing; one apothecary to each drug store, who was and has been continuously doing business as such since October 10, 1862; physicians over 30 years of age of seven years' practice, not including dentists; presidents and teachers of colleges, academies and schools, who have not less than thirty pupils; superintendents of public hospitals established by law, and such physicians and nurses as may be indispensable for their efficient management.

One agriculturist on such farm where there is no white male adult not liable to duty employing fifteen able-bodied slaves, between sixteen and fifty years of age, upon the following conditions:

The party exempted shall give bonds to deliver to the Government in the next twelve months, 100 pounds of bacon, or its equivalent in salt pork, at Government selection, and 100 pounds of beef for each such able-bodied slave employed on said farm at commissioner's rates.

In certain cases this may be commuted in grain or other provisions.

The person shall further bind himself to sell all surplus provisions now on hand, or which he may raise, to the Government, or the families of soldiers, at commissioner's rates, the person to be allowed a

credit of 25 per cent. on any amount he may deliver in three months from the passage of this act; Provided that no enrollment since Feb. 1, 1864, shall deprive the person enrolled from the benefit of this exemption.

In addition to the above, the Secretary of War is authorized to make such details as the public security requires.

The vote in the House of Representatives was—yeas, 41; nays, 31.

GUERRILLAS.

1862, April 21—The President was authorized to commission such officers as he may deem proper, with authority to form bands of partisan rangers, in companies, battalions or regiments, either as infantry or cavalry, to receive the same pay, rations, and quarters, and be subject to the same regulations as other soldiers. For any arms and munitions of war captured from the enemy by any body of partisan rangers, and delivered to any quartermaster at designated place, the rangers shall pay their full value.[18]

The following resolution, in relation to partisan service, was adopted by the Virginia Legislature, May 17, 1862:

Whereas, this General Assembly places a high estimate upon the value of the ranger or partisan service in prosecuting the present war to a successful issue, and regards it as perfectly legitimate; and it being understood that a Federal commander on the northern border of Virginia has intimated his purpose, if such service is not discontinued, to lay waste by fire the portion of our territory at present

under his power.

Resolved by the General Assembly, That in its opinion, the policy of employing such rangers and partisans ought to be carried out energetically, both by the authorities of this State and of the Confederate States, without the slightest regard to such threats.

By another act, the President was authorized, in addition to the volunteer force authorized under existing laws, to accept the services of volunteers who may offer them, without regard to the place of enlistment, to serve for and during the existing war.

1862, May 27—Major General John B. Floyd was authorized by the Legislature of Virginia, to raise ten thousand men, not now in service or liable to draft, for twelve months.

1862, September 27—The President was authorized to call out and place in the military service for three years, all white men who are residents, between the ages of thirty-five and forty-five, at the time the call may be made, not legally exempt. And such authority shall exist in the President, during the present war, as to all persons who now are, or hereafter may become eighteen years of age, and all persons between eighteen and forty-five, once enrolled, shall serve their full time.

THE TWENTY-NEGRO EXEMPTION LAW.

1862, October 11—Exempted certain classes, described in the repealing law of the next session, as follows:

The dissatisfaction of the people with an act passed by the Confederate Congress, at its last

session, by which persons owning a certain number of slaves were exempted from the operation of the conscription law, has led the members at the present session to reconsider their work, and already one branch has passed a bill for the repeal of the obnoxious law. This bill provides as follows:

"*The Congress of the Confederate States do enact*, That so much of the act approved October 11, 1862, as exempts from military service 'one person, either as agent, owner, or overseer, on each plantation on which one white person is required to be kept by the laws or ordinances of any State, and on which there is no white male adult not liable to military service, and in States having no such law, one person, as agent, owner, or overseer on such plantation of twenty negroes, and on which there is no white male adult not liable to military service;' and also the following clause in said act, to wit: 'and furthermore, for additional police of every twenty negroes, on two or more plantations, within five miles of each other, and each having less than twenty negroes, and on which there is no white male adult not liable to military duty, one person, being the oldest of the owners or overseers on such plantations,' be and the same are hereby repealed; and the persons so hitherto exempted by said clauses of said act are hereby made subject to military duty in the same manner that they would be had said clauses never been embraced in said act."

THE POSITION OF DOUGLAS.

After the President had issued his first call, Douglas saw the danger to which the Capitol was exposed, and he promptly called upon Lincoln to

express his full approval of the call. Knowing his political value and that of his following Lincoln asked him to dictate a despatch to the Associated Press, which he did in these words, the original being left in the possession of Hon. George Ashmun of Massachusetts:

"April 18, 1861, Senator Douglas, called on the President, and had an interesting conversation, on the present condition of the country. The substance of it was, on the part of Mr. Douglas, that while he was unalterably opposed to the administration in all its political issues, he was prepared to fully sustain the President, in the exercise of all his Constitutional functions, to preserve the Union, maintain the Government, and defend the Federal Capitol. A firm policy and prompt action was necessary. The Capitol was in danger, and must be defended at all hazards, and at any expense of men and money. He spoke of the present and future, without any reference to the past."

Douglas followed this with a great speech at Chicago, in which he uttered a sentence that was soon quoted on nearly every Northern tongue. It was simply this, "that there now could be but two parties, patriots and traitors." It needed nothing more to rally the Douglas Democrats by the side of the Administration, and in the general feeling of patriotism awakened not only this class of Democrats, but many Northern supporters of Breckinridge also enlisted in the Union armies. The leaders who stood aloof and gave their sympathies to the South, were stigmatized as "Copperheads," and these where they were so impudent as to give expression to their hostility, were as odious to the mass of Northerners as the Unionists of Tennessee and North Carolina were to the Secessionists—with

this difference—that the latter were compelled to seek refuge in their mountains, while the Northern leader who sought to give "aid and comfort to the enemy" was either placed under arrest by the government or proscribed politically by his neighbors. Civil war is ever thus. Let us now pass to

THE POLITICAL LEGISLATION INCIDENT TO THE WAR.

The first session of the 37th Congress began July 4, 1861, and closed Aug. 6. The second began December 2, 1861, and closed July 17, 1862. The third began December 1, 1862 and closed March 4, 1863.

All of these sessions of Congress were really embarrassed by the number of volunteers offering from the North, and sufficiently rapid provision could not be made for them. And as illustrative of how political lines had been broken, it need only be remarked that Benjamin F. Butler, the leader of the Northern wing of Breckinridge's supporters, was commissioned as the first commander of the forces which Massachusetts sent to the field. New York, Pennsylvania, Ohio—the great West—all the States, more than met all early requirements. So rapid were enlistments that no song was as popular as that beginning with the lines:

"We are coming, Father Abraham,
Six hundred thousand strong."

The first session of the 37th Congress was a special one, called by the President. McPherson, in his classification of the membership, shows the changes in a body made historic, if such a thing can be, not

only by its membership present, but that which had gone or made itself subject to expulsion by siding with the Confederacy. We quote the list so concisely and correctly presented:

MEMBERS OF THE 37TH CONGRESS.

March 4, 1861, to March 4, 1863.

HANNIBAL HAMLIN, of Maine, President of the Senate.

SENATORS.

Maine—Lot M. Morrill, Wm. Pitt Fessenden.

New Hampshire—John P. Hale, Daniel Clark.

Vermont—Solomon Foot, Jacob Collamer.

Massachusetts—Charles Sumner, Henry Wilson.

Rhode Island—James F. Simmons,[19] Henry B. Anthony.

Connecticut—James Dixon, Lafayette S. Foster.

New York—Preston King, Ira Harris.

New Jersey—John B. Thomson,[19] John C. Ten Eyck.

Pennsylvania—David Wilmot, Edgar Cowan.

Delaware—James A. Bayard, Willard Saulsbury.

Maryland—Anthony Kennedy, James A. Pearce.[19]

Virginia.[19]

Ohio—Benjamin F. Wade, John Sherman.

Kentucky—Lazarus W. Powell, John C. Breckinridge.[19]

Tennessee—Andrew Johnson.

Indiana—Jesse D. Bright,[19] Henry S. Lane.

Illinois—O. H. Browning,[19] Lyman Trumbull.

Missouri—Trusten Polk,[19] Waldo P. Johnson.[19]

Michigan—Z. Chandler, K. S. Bingham.[19]

Iowa—James W. Grimes, James Harlan.

Wisconsin—James R. Doolittle, Timothy O. Howe.

California—Milton S. Latham, James A. McDougall.

Minnesota—Henry M. Rice, Morton S. Wilkinson.

Oregon—Edward D. Baker,[19] James W. Nesmith.

Kansas—James H. Lane, S. C. Pomeroy.

REPRESENTATIVES.

GALUSHA A. GROW, of Pennsylvania, Speaker of the House.

Maine—John N. Goodwin, Charles W. Walton,[19] Samuel C. Fessenden, Anson P. Morrill, John H. Rice, Frederick A. Pike.

New Hampshire—Gilman Marston, Edward H. Rollins, Thomas M. Edwards.

Vermont—E. P. Walton, Jr., Justin S. Morrill, Portus Baxter.

Massachusetts—Thomas D. Eliot, James Buffinton, Benjamin F. Thomas, Alexander H. Rice, William Appleton,[19] John B. Alley, Daniel W. Gooch, Charles R. Train, Goldsmith F. Bailey,[19] Charles Delano, Henry L. Dawes.

Rhode Island—William P. Sheffield, George H. Browne.

Connecticut—Dwight Loomis, James E. English, Alfred A. Burnham,[19] George C. Woodruff.

New York—Edward H. Smith, Moses F. Odell,

Benjamin Wood, James E. Kerrigan, William Wall, Frederick A. Conkling, Elijah Ward, Isaac C. Delaplaine, Edward Haight, Charles H. Van Wyck, John B. Steele, Stephen Baker, Abraham B. Olin, Erastus Corning, James B. McKean, William A. Wheeler, Socrates N. Sherman, Chauncey Vibbard, Richard Franchot, Roscoe Conkling, R. Holland Duell, William E. Lansing, Ambrose W. Clark, Charles B. Sedgwick, Theodore M. Pomeroy, Jacob P. Chamberlain, Alexander S. Diven, Robert B. Van Valkenburgh, Alfred Ely, Augustus Frank, Burt Van Horn, Elbridge G. Spalding, Reuben E. Fenton.

New Jersey—John T. Nixon, John L. N. Stratton, William G. Steele, George T. Cobb, Nehemiah Perry.

Pennsylvania—William E. Lehman, Charles J. Biddle,[19] John P. Verree, William D. Kelley, William Morris Davis, John Hickman, Thomas B. Cooper,[19] Sydenham E. Ancona, Thaddeus Stevens, John W. Killinger, James H. Campbell, Hendrick B. Wright, Philip Johnson, Galusha A. Grow, James T. Hale, Joseph Baily, Edward McPherson, Samuel S. Blair, John Covode, Jesse Lazear, James K. Moorhead, Robert McKnight, John W. Wallace, John Patton, Elijah Babbitt.

Delaware—George P. Fisher.

Maryland—John W. Crisfield, Edwin H. Webster, Cornelius L. L. Leary, Henry May, Francis Thomas, Charles B. Calvert.

Virginia—Charles H. Upton,[19] William G. Brown, John S. Carlile,[19] Kellian V. Whaley.

Ohio—George H. Pendleton, John A. Gurley, Clement L. Vallandigham, William Allen, James M. Ashley, Chilton A. White, Richard A. Harrison, Samuel Shellabarger, Warren P. Noble, Carey A. Trimble, Valentine B. Horton, Samuel S. Cox, Samuel

T. Worcester, Harrison G. Blake, Robert H. Nugen, William P. Cutler, James R. Morris, Sidney Edgerton, Albert G. Riddle, John Hutchins, John A. Bingham.

Kentucky—Henry C. Burnett,[19] James S. Jackson,[19] Henry Grider, Aaron Harding, Charles A. Wickliffe, George W. Dunlap, Robert Mallory, John J. Crittenden, William H. Wadsworth, John W. Menzies.

Tennessee—Horace Maynard,[19] Andrew J. Clements,[19] George W. Bridges.[19]

Indiana—John Law, James A. Cravens, W. McKee Dunn, William S. Holman, George W. Julian, Albert G. Porter, Daniel W. Voorhees, Albert S. White, Schuyler Colfax, William Mitchell, John P. C. Shanks.

Illinois—Elihu B. Washburne, Isaac N. Arnold, Owen Lovejoy, William Kellogg, William A. Richardson,[19] John A. McClernand,[19] James C. Robinson, Philip B. Fouke, John A. Logan.[19]

Missouri—Francis P. Blair, Jr., James S. Rollins, John B. Clark,[19] Elijah H. Norton, John W. Reid,[19] John S. Phelps,[19] John W. Noell.

Michigan—Bradley F. Granger, Fernando C. Beaman, Francis W. Kellogg, Rowland E. Trowbridge.

Iowa—Samuel R. Curtis,[19] William Vandever.

Wisconsin—John F. Potter, Luther Hanchett,[19] A. Scott Sloan.

Minnesota—Cyrus Aldrich, William Windom.

Oregon—Andrew J. Thayer.[19]

Kansas—Martin F. Conway.

MEMORANDUM OF CHANGES.

The following changes took place during the

Congress:

IN SENATE.

Rhode Island—1862, Dec. 1, Samuel G. Arnold succeeded James F. Simmons, resigned.

New Jersey—1862, Dec. 1, Richard S. Field succeeded, by appointment, John R. Thompson, deceased Sept. 12, 1862. 1863, Jan. 21, James, W. Wall, succeeded, by election, Richard S. Field.

Maryland—1863, Jan. 14, Thomas H. Hicks, first by appointment and then by election succeeded James A. Pearce, deceased Dec. 20, 1862.

Virginia—1861, July 13, John S. Carlile and Waitman T. Willey, sworn in place of Robert M. T. Hunter and James M. Mason, withdrawn and abdicated.

Kentucky—1861, Dec. 23, Garrett Davis succeeded John C. Breckinridge, expelled December 4.

Indiana—1862, March 3, Joseph A. Wright succeeded Jesse D. Bright, expelled Feb. 5, 1863, Jan. 22, David Turpie, superseded, by election, Joseph A. Wright.

Illinois—1863, Jan. 30, William A. Richardson superseded, by election, O. H. Browning.

Missouri—1861, Jan. 24, R. Wilson succeeded Waldo P. Johnson, expelled Jan. 10. 1862, Jan. 29, John B. Henderson succeeded Trusten Polk, expelled Jan. 10.

Michigan—1862, Jan. 17, Jacob M. Howard succeeded K. S. Bingham, deceased October 5, 1861.

Oregon—1862, Dec. 1, Benjamin F. Harding succeeded Edward D. Baker, deceased Oct. 21, 1862.

IN HOUSE OF REPRESENTATIVES

Maine—1862, December 1, Thomas A. D. Fessenden succeeded Charles W. Walton, resigned May 26, 1862.

Massachusetts—1861, December 1, Amasa Walker succeeded Goldsmith F. Bailey, deceased May 8, 1862; 1861, December 2, Samuel Hooper succeeded William Appleton, resigned.

Connecticut—1861, December 2, Alfred A. Burnham qualified.

Pennsylvania—1861, December 2, Charles J. Biddle qualified; 1862, June 3, John D. Stiles succeeded Thomas B. Cooper, deceased April 4, 1862.

Virginia—1861, July 13, John S. Carlile resigned to take a seat in the Senate; 1861, December 2, Jacob B. Blair, succeeded John S. Carlile, resigned; 1862, February 28, Charles H. Upton unseated by a vote of the House; 1862, May 6, Joseph Segar qualified.

Kentucky—1862, December, 1, George H. Yeaman succeeded James S. Jackson, deceased; 1862, March 10, Samuel L. Casey succeeded Henry C. Burnett, expelled December 3, 1861.

Tennessee—1861, December 2, Horace Maynard qualified; 1862, January 13, Andrew J. Clements qualified; 1863, February 25, George W. Bridges qualified.

Illinois—1861, December 12, A. L. Knapp qualified, in place of J. A. McClernand, resigned; 1862, June 2, William J. Allen qualified, in place of John A. Logan, resigned; 1863, January 30, William A. Richardson withdrew to take a seat in the Senate.

Missouri—1862, January 21, Thomas L. Price succeeded John W. Reid, expelled December 2, 1861;

1862, January 20, William A. Hall succeeded John B. Clark, expelled July 13, 1861; 1862, May 9, John S. Phelps qualified.

Iowa—1861, December 2, James F. Wilson succeeded Samuel R. Curtis, resigned August 4, 1861.

Wisconsin—1863, January 26, Walter D. McIndoe succeeded Luther Hanchett, deceased November 24, 1862.

Oregon—1861, July 30, George K. Shiel succeeded Andrew J. Thayer, unseated.

Louisiana—1863, February 17, Michael Hahn qualified; 1863, February 23, Benjamin F. Flanders qualified.

Lincoln, in his message, recited the events which had transpired since his inauguration, and asked Congress to confer upon him the power to make the conflict short and decisive. He wanted 400,000 men, and four hundred millions of money, remarking that "the people will save their government if the government itself will do its part only indifferently well." Congress responded by adding an hundred thousand to each request.

There were exciting debates and scenes during this session, for many of the Southern leaders remained, either through hesitancy or with a view to check legislation and aid their section by adverse criticism on the measures proposed. Most prominent in the latter list was John C. Breckinridge, late Vice-President and now Senator from Kentucky. With singular boldness and eloquence he opposed every war measure, and spoke with the undisguised purpose of aiding the South. He continued this course until the close of the extra session, when he

accepted a General's commission in the Confederate army. But before its close, Senator Baker of Oregon, angered at his general course, said in reply to one of Breckinridge's speeches, Aug. 1st:

"What would the Senator from Kentucky, have? These speeches of his, sown broadcast over the land, what clear distinct meaning have they? Are they not intended for disorganization in our very midst? Are they not intended to destroy our zeal? Are they not intended to animate our enemies? Sir, are they not words of brilliant polished TREASON, even in the very Capitol of the Republic?" [Here there were such manifestations of applause in the galleries, as were with difficulty suppressed.]

Mr. Baker resumed, and turning directly to Mr. Breckinridge, inquired:

"What would have been thought, if, in another Capitol, in another republic, in a yet more martial age, a Senator as grave, not more eloquent, or dignified than the Senator from Kentucky, yet with the Roman purple flowing over his shoulders, had risen in his place, surrounded by all the illustrations of Roman glory, and declared that the cause of the advancing Hannibal was just, and that Carthage ought to be dealt with in terms of peace? What would have been thought if, after the battle of Cannæ, a Senator there had risen in his place, and denounced every levy of the Roman people, every expenditure of its treasure, and every appeal to the old recollections and the old glories?"

There was a silence so profound throughout the Senate and galleries, that a pinfall could have been heard, while every eye was fixed upon Breckinridge. Fessenden exclaimed in deep low tones, "he would have been hurled from the Tarpeian Rock!"

Baker resumed:

"Sir, a Senator himself learned far more than myself, in such lore, (Mr. Fessenden) tells me, in a low voice, he would have been hurled from the Tarpeian Rock." It is a grand commentary upon the American Constitution, that we permit these words of the Senator from Kentucky, to be uttered. I ask the Senator to recollect, to what, save to send aid and comfort to the enemy, do these predictions amount to? Every word thus uttered, falls as a note of inspiration upon every Confederate ear. Every sound thus uttered, is a word, (and falling from his lips, a mighty word) of kindling and triumph to the foe that determines to advance.

The Republicans of the North were the distinctive "war party," *i. e.*, they gave unqualified support to every demand made by the Lincoln administration. Most of the Democrats, acting as citizens, did likewise, but many of those in official position, assuming the prerogative of a minority, took the liberty in Congress and State Legislature to criticise the more important war measures, and the extremists went so far, in many instances, as to organize opposition, and to encourage it among their constituents. Thus in the States bordering the Ohio and Mississippi rivers, organized and individual efforts were made to encourage desertions, and the "Knights of the Golden Circle," and the "Sons of Liberty," secret societies composed of Northern sympathizers with the South, formed many troublesome conspiracies. Through their action troops were even enlisted in Southern Indiana, Illinois and Missouri for the Confederate armies, while the border States in the Union sent whole regiments to battle for the South. The "Knights of the Golden Circle" conspired to release Confederate

prisoners of war, and invited Morgan to raid their States. One of the worst forms of opposition took shape in a conspiracy to resist the draft in New York city. The fury of the mob was several days beyond control, and troops had to be recalled from the front to suppress it. The riot was really political, the prejudices of the mob under cover of resistance to the draft, being vented on the negroes, many of whom were killed before adequate numbers could be sent to their succor. The civil authorities of the city were charged with winking at the occurrence, and it was afterwards ascertained that Confederate agents really organized the riot as a movement to "take the enemy in the rear."

The Republican was as distinctively the war party during the Great Rebellion, as the Whigs were during the Revolution, the Democratic-Republicans during the War of 1812, and the Democrats during the War with Mexico, and, as in all of these war decades, kept the majority sentiment of the country with them. This is such a plain statement of facts that it is neither partisan to assert, nor a mark of party-fealty to deny. The history is indelibly written. It is stamped upon nearly every war measure, and certainly upon every political measure incident to growing out of the rebellion.

These were exciting and memorable scenes in the several sessions of the 37th Congress. During the first many Southern Senators and Representatives withdrew after angry statements of their reasons, generally in obedience to calls from their States or immediate homes. In this way the majority was changed. Others remained until the close of the first session, and then more quietly entered the rebellion. We have shown that of this class was Breckinridge, who thought he could do more good for his cause in

the Federal Congress than elsewhere, and it is well for the Union that most of his colleagues disagreed with him as to the propriety and wisdom of his policy. If all had followed his lead or imitated his example, the war would in all probability have closed in another compromise, or possibly in the accomplishment of southern separations. These men could have so obstructed legislation as to make all its early periods far more discouraging than they were. As it was the Confederates had all the advantages of a free and fair start, and the effect was traceable in all of the early battles and negotiations with foreign powers. There was one way in which these advantages could have been supported and continued. Breckenridge, shrewd and able politician as he was, saw that the way was to keep Southern Representatives in Congress, at least as long as Northern sentiment would abide it, and in this way win victories at the very fountain-head of power. But at the close of the extra session this view had become unpopular at both ends of the line, and even Breckenridge abandoned it and sought to hide his original purpose by immediate service in the Confederate armies.

It will be noted that those who vacated their seats to enter the Confederacy were afterwards expelled. In this connection a curious incident can be related, occurring as late as the Senate session of 1882:

The widow of the late Senator Nicholson, of Tennessee, who was in the Senate when Tennessee seceded, a short time ago sent a petition to Congress asking that the salary of her late husband, after he returned to Tennessee, might be paid to her. Mr. Nicholson’s term would have expired in 1865 had he remained in his seat. He did not appear at the special session of Congress convened in July, 1861, and with

other Senators from the South was expelled from the Senate on July 11th of that year. The Senate Committee on Claims, after examining the case thoroughly, submitted to the Senate an adverse report. After giving a concise history of the case the committee say: “We do not deem it proper, after the expiration of twenty years, to pass special acts of Congress to compensate the senators and Representatives who seceded in 1861 for their services in the early part of that year. We recommend that the claim of the petitioner be disallowed.”

The Sessions of the 37th Congress changed the political course of many public men. It made the Southern believers in secession still more vehement; it separated the Southern Unionists from their former friends, and created a wall of fire between them; it changed the temper of Northern Abolitionists, in so far as to drive from them all spirit of faction, all pride of methods, and compelled them to unite with a republican sentiment which was making sure advances from the original declaration that slavery should not be extended to the Territories, to emancipation, and, finally, to the arming of the slaves. It changed many Northern Democrats, and from the ranks of these, even in representative positions, the lines of the Republicans were constantly strengthened on pivotal questions. On the 27th of July Breckinridge had said in a speech: “When traitors become numerous enough treason becomes respectable.” Senator Andrew Johnson, of Tennessee, replied to this, and said: “God being willing, whether traitors be many or few, as I have hitherto waged war against traitors and treason, I intend to continue it to the end.” And yet Johnson had the year before warmly supported Breckinridge

in his presidential campaign.

Among the more conspicuous Republicans and anti-Lecompton Democrats in this session were Charles Sumner, a man who then exceeded all others in scholarly attainments and as an orator, though he was not strong in current debate. Great care and preparation marked every important effort, but no man's speeches were more admired throughout the North, and hated throughout the South, than those of Charles Sumner. An air of romance surrounded the man, because he was the first victim of a senatorial outrage, when beaten by Brooks of South Carolina; but, sneered his political enemies, "no man more carefully preserved his wounds for exhibition to a sympathetic world." He had some minor weaknesses, which were constantly displayed, and these centred in egotism and high personal pride—not very popular traits—but no enemy was so malicious as to deny his greatness.

Fessenden of Maine was one of the great lights of that day. He was apt, almost beyond example, in debate, and was a recognized leader of the Republicans until, in the attempt to impeach President Johnson, he disagreed with the majority of his party and stepped "down and out." Yet no one questioned his integrity, and all believed that his vote was cast on this question in a line with his convictions. The leading character in the House was Thaddeus Stevens, an original Abolitionist in sentiment, but a man eminently practical and shrewd in all his methods.

The chances of politics often carry men into the Presidential Chair, into Cabinets, and with later and demoralizing frequency into Senate seats; but chance never makes a Commoner, and Thaddeus Stevens was throughout the war, and up to the hour of his

death, recognized as the great Commoner of the Northern people. He led in every House battle, and a more unflinching party leader was never known to parliamentary bodies. Limp and infirm, he was not liable to personal assault, even in days when such assaults were common; but when on one occasion his fiery tongue had so exasperated the Southerners in Congress as to make them show their knives and pistols, he stepped out into the aisle, and facing, bid them defiance. He was a Radical of the Radicals, and constantly contended that the government—the better to preserve itself—could travel outside of the Constitution. What cannot be said of any other man in history, can be said of Thaddeus Stevens. When he lay dead, carried thus from Washington to his home in Lancaster, with all of his people knowing that he was dead, he was, on the day following the arrival of his corpse, and within a few squares of his residence, unanimously renominated by the Republicans for Congress. If more poetic and less practical sections or lands than the North had such a hero, hallowed by such an incident, both the name and the incident would travel down the ages in song and story.[20]

The “rising” man in the 37th Congress was Schuyler Colfax, of Indiana, elected Speaker of the 38th, and subsequently Vice-President. A great parliamentarian, he was gifted with rare eloquence, and with a kind which won friends without offending enemies—something too rare to last. In the House were also Justin S. Morrill, the author of the Tariff Bill which supplied the “sinews of war,” Henry L. Dawes of Massachusetts, then “the man of Statistics” and the “watch-dog of the treasury.” Roscoe Conkling was then the admitted leader of the New York delegation, as he was the admitted mental superior of any other in subsequent terms in the

Senate, up to the time of his resignation in 1881. Reuben E. Fenton, his factional opponent, was also there. Ohio was strongly represented in both parties —Pendleton, Cox and Vallandigham on the side of the Democrats; Bingham and Ashley on the part of the Republicans. Illinois showed four prominent anti-Lecompton supporters of the administration—Douglas in the Senate; Logan, McClernand and Richardson in the House; while prominent among the Republicans were Lovejoy (an original Abolitionist), Washburne, a candidate for the Presidential nomination in 1880—Kellogg and Arnold. John F. Potter was one of the prominent Wisconsin men, who had won additional fame by accepting the challenge to duel of Roger A. Pryor of Virginia, and naming the American rifle as the weapon. Fortunately the duel did not come off. Pennsylvania had then, as she still has, Judge Kelley of Philadelphia, chairman of Ways and Means in the 46th Congress; also Edward McPherson, frequently since Clerk of the House, temporary President of the Cincinnati Convention, whose decision overthrew the unit rule, and author of several valuable political works, some of which we freely quote in this history. John Hickman, subsequently a Republican, but one of the earliest of the anti-Lecompton Democrats, was an admitted leader, a man of rare force and eloquence. So radical did he become that he refused to support the re-election of Lincoln. He was succeeded by John M. Broomall, who made several fine speeches in favor of the constitutional amendments touching slavery and civil rights. Here also were James Campbell, Hendricks B. Wright, John Covode, James K. Morehead, and Speaker Grow—the father of the Homestead Bill, which will be found in Book V., giving the Existing Political Laws.

At this session Senator Trumbull of Illinois, renewed the agitation of the slavery question, by reporting from the Judiciary Committee of which he was Chairman, a bill to confiscate all property and free all slaves used for insurrectionary purposes.[21] Breckinridge fought the bill, as indeed he did all bills coming from the Republicans, and said if passed it would eventuate in "the loosening of all bonds." Among the facts stated in support of the measure was this, that the Confederates had at Bull Run used the negroes and slaves against the Union army—a statement never well established. The bill passed the Senate by 33 to 6, and on the 3d of August passed the House, though several Republicans there voted against it, fearing a too rapid advance would prejudice the Union cause. Indeed this fear was entertained by Lincoln when he recommended

COMPENSATED EMANCIPATION

in the second session of the 37th Congress, which recommendation excited official discussion almost up to the time the emancipation proclamation was issued as a war necessity. The idea of compensated emancipation originated with or was first formulated by James B. McKean of New York, who on Feb. 11th, 1861, at the 2d session of the 36th Congress, introduced the following resolution:

WHEREAS, The "Gulf States" have assumed to secede from the Union, and it is deemed important to prevent the "border slave States" from following their example; and whereas it is believed that those who are inflexibly opposed to any measure of compromise or concession that involves, or may involve, a sacrifice of principle or the extension of

slavery, would nevertheless cheerfully concur in any lawful measure for the emancipation of the slaves: Therefore,

Resolved, That the select committee of five be instructed to inquire whether, by the consent of the people, or of the State governments, or by compensating the slaveholders, it be practicable for the General Government to procure the emancipation of the slaves in some, or all, of the "border States;" and if so, to report a bill for that purpose.

Lincoln was so strongly impressed with the fact, in the earlier struggles of the war, that great good would follow compensated emancipation, that on March 2d, 1862, he sent a special message to the 2d session of the 37th Congress, in which he said:

"I recommend the adoption of a joint resolution by your honorable bodies, which shall be substantially as follows:

Resolved, That the United States ought to co-operate with any State which may adopt gradual abolishment of slavery, giving to such State pecuniary aid, to be used by such State in its discretion, to compensate for the inconveniences, public and private, produced by such change of system.

"If the proposition contained in the resolution does not meet the approval of Congress and the country, there is the end; but if it does command such approval, I deem it of importance that the States and people immediately interested should be at once distinctly notified of the fact, so that they may begin to consider whether to accept or reject it. The Federal Government would find its highest interest in such a measure, as one of the most efficient means of self-preservation. The leaders of the existing

insurrection entertain the hope that this Government will ultimately be forced to acknowledge the independence of some part of the disaffected region, and that all the slave States north of such part will then say, 'the Union for which we have struggled being already gone, we now choose to go with the southern section.' To deprive them of this hope, substantially ends the rebellion; and the initiation of emancipation completely deprives them of it as to all the States initiating it. The point is not that *all* the States tolerating slavery would very soon, if at all, initiate emancipation; but that, while the offer is equally made to all, the more northern shall, by such initiation, make it certain to the more southern that in no event will the former ever join the latter in their proposed confederacy. I say 'initiation,' because, in my judgment, gradual, and not sudden emancipation, is better for all. In the mere financial or pecuniary view, any member of Congress, with the census tables and Treasury reports before him, can readily see for himself how very soon the current expenditures of this war would purchase, at fair valuation, all the slaves in any named State. Such a proposition on the part of the General Government sets up no claim of a right by Federal authority to interfere with slavery within State limits, referring, as it does the absolute control of the subject in each case to the State and its people immediately interested. It is proposed as a matter of perfectly free choice with them.

"In the annual message last December, I thought fit to say, 'the Union must be preserved; and hence all indispensable means must be employed.' I said this not hastily, but deliberately. War has been made, and continues to be an indispensable means to this end. A practical reacknowledgment of the national

authority would render the war unnecessary, and it would at once cease. If, however, resistance continues, the war must also continue; and it is impossible to foresee all the incidents which may attend, and all the ruin which may follow it. Such as may seem indispensable, or may obviously promise great efficiency toward ending the struggle, must and will come.

"The proposition now made, though an offer only, I hope it may be esteemed no offence to ask whether the pecuniary consideration tendered would not be of more value to the States and private persons concerned, than are the institution, and property in it, in the present aspect of affairs?

"While it is true that the adoption of the proposed resolution would be merely initiatory, and not within itself a practical measure, it is recommended in the hope that it would soon lead to important practical results. In full view of my great responsibility to my God and to my country, I earnestly beg the attention of Congress and the people to the subject."

Mr. Conkling called the question up in the House March 10th, and under a suspension of the rules, it was passed by 97 to 36. It passed the Senate April 2, by 32 to 10, the Republicans, as a rule, voting for it, the Democrats, as a rule, voting against it; and this was true even of those in the Border States.

The fact last stated excited the notice of President Lincoln, and in July, 1862, he sought an interview with the Border State Congressmen, the result of which is contained in *McPherson's Political History of the Great Rebellion*, as follows:

The President's Appeal to the Border States.

The Representatives and Senators of the border slaveholding States, having, by special invitation of the President, been convened at the Executive Mansion, on Saturday morning last, (July 12,) Mr. Lincoln addressed them as follows from a written paper held in his hand:

"GENTLEMEN: After the adjournment of Congress, now near, I shall have no opportunity of seeing you for several months. Believing that you of the border States hold more power for good than any other equal number of members, I feel it a duty which I cannot justifiably waive, to make this appeal to you.

"I intend no reproach or complaint when I assure you that, in my opinion, if you all had voted for the resolution in the gradual emancipation message of last March, the war would now be substantially ended. And the plan therein proposed is yet one of the most potent and swift means of ending it. Let the States which are in rebellion see definitely and certainly that in no event will the States you represent ever join their proposed Confederacy, and they cannot much longer maintain the contest. But you cannot divest them of their hope to ultimately have you with them so long as you show a determination to perpetuate the institution within your own States. Beat them at elections, as you have overwhelmingly done, and, nothing daunted, they still claim you as their own. You and I know what the lever of their power is. Break that lever before their faces, and they can shake you no more forever.

"Most of you have treated me with kindness and consideration, and I trust you will not now think I

improperly touch what is exclusively your own, when, for the sake of the whole country, I ask, 'Can you, for your States, do better than to take the course I urge?' Discarding *punctilio* and maxims adapted to more manageable times, and looking only to the unprecedentedly stern facts of our case, can you do better in any possible event? You prefer that the constitutional relations of the States to the nation shall be practically restored without disturbance of the institution; and, if this were done, my whole duty, in this respect, under the Constitution and my oath of office, would be performed. But it is not done, and we are trying to accomplish it by war. The incidents of the war cannot be avoided. If the war continues long, as it must, if the object be not sooner attained, the institution in your States will be extinguished by mere friction and abrasion—by the mere incidents of the war. It will be gone, and you will have nothing valuable in lieu of it. Much of its value is gone already. How much better for you and for your people to take the step which at once shortens the war and secures substantial compensation for that which is sure to be wholly lost in any other event! How much better to thus save the money which else we sink forever in the war! How much better to do it while we can, lest the war ere long render us pecuniarily unable to do it! How much better for you, as seller, and the nation, as buyer, to sell out and buy out that without which the war could never have been, than to sink both the thing to be sold and the price of it in cutting one another's throats!

"I do not speak of emancipation *at once*, but of a *decision* at once to emancipate *gradually*. Room in South America for colonization can be obtained cheaply and in abundance, and when numbers shall

be large enough to be company and encouragement for one another, the freed people will not be so reluctant to go.

“I am pressed with a difficulty not yet mentioned, one which threatens division among those who, united, are none too strong. An instance of it is known to you. General Hunter is an honest man. He was, and I hope still is, my friend. I valued him none the less for his agreeing with me in the general wish that all men everywhere could be freed. He proclaimed all men free within certain States, and I repudiated the proclamation. He expected more good and less harm from the measure than I could believe would follow. Yet, in repudiating it, I gave dissatisfaction, if not offence, to many whose support the country cannot afford to lose. And this is not the end of it. The pressure in this direction is still upon me, and is increasing. By conceding what I now ask you can relieve me, and, much more, can relieve the country in this important point.

“Upon these considerations I have again begged your attention to the message of March last. Before leaving the Capitol, consider and discuss it among yourselves. You are patriots and statesmen, and as such I pray you consider this proposition; and at the least commend it to the consideration of your States and people. As you would perpetuate popular government for the best people in the world, I beseech you that you do in nowise omit this. Our common country is in great peril, demanding the loftiest views and boldest action to bring a speedy relief. Once relieved, its form of government is saved to the world, its beloved history and cherished memories are vindicated, and its happy future fully assured and rendered inconceivably grand. To you, more than to any others, the privilege is given to

assure that happiness and swell that grandeur, and to link your own names therewith forever."

At the conclusion of these remarks some conversation was had between the President and several members of the delegations from the border States, in which it was represented that these States could not be expected to move in so great a matter as that brought to their notice in the foregoing address while as yet the Congress had taken no step beyond the passage of a resolution, expressive rather of a sentiment than presenting a substantial and reliable basis of action.

The President acknowledged the force of this view, and admitted that the border States were entitled to expect a substantial pledge of pecuniary aid as the condition of taking into consideration a proposition so important in its relations to their social system.

It was further represented, in the conference, that the people of the border States were interested in knowing the great importance which the President attached to the policy in question, while it was equally due to the country, to the President, and to themselves, that the representatives of the border slaveholding States should publicly announce the motives under which they were called to act, and the considerations of public policy urged upon them and their constituents by the President.

With a view to such a statement of their position, the members thus addressed met in council to deliberate on the reply they should make to the President, and, as the result of a comparison of opinions among themselves, they determined upon the adoption of a majority and minority answer.

REPLY OF THE MAJORITY.

The following paper was yesterday sent to the President, signed by the majority of the Representatives from the border slaveholding States: —

WASHINGTON, *July 14, 1862*.

To the PRESIDENT:

The undersigned, Representatives of Kentucky, Virginia, Missouri, and Maryland, in the two Houses of Congress, have listened to your address with the profound sensibility naturally inspired by the high source from which it emanates, the earnestness which marked its delivery, and the overwhelming importance of the subject of which it treats. We have given it a most respectful consideration, and now lay before you our response. We regret that want of time has not permitted us to make it more perfect.

We have not been wanting, Mr. President, in respect to you, and in devotion to the Constitution and the Union. We have not been indifferent to the great difficulties surrounding you, compared with which all former national troubles have been but as the summer cloud; and we have freely given you our sympathy and support. Repudiating the dangerous heresies of the secessionists, we believed, with you, that the war on their part is aggressive and wicked, and the objects for which it was to be prosecuted on ours, defined by your message at the opening of the present Congress, to be such as all good men should approve. We have not hesitated to vote all supplies necessary to carry it on vigorously. We have voted all the men and money you have asked for, and even more; we have imposed onerous taxes on our people, and they are paying them with cheerfulness and alacrity; we have encouraged enlistments and sent to

the field many of our best men; and some of our number have offered their persons to the enemy as pledges of their sincerity and devotion to the country.

We have done all this under the most discouraging circumstances, and in the face of measures most distasteful to us and injurious to the interests we represent, and in the hearing of doctrines avowed by those who claim to be your friends, must be abhorrent to us and our constituents. But, for all this, we have never faltered, nor shall we as long as we have a Constitution to defend and a Government which protects us. And we are ready for renewed efforts, and even greater sacrifices, yea, any sacrifice, when we are satisfied it is required to preserve our admirable form of government and the priceless blessings of constitutional liberty.

A few of our number voted for the resolution recommended by your message of the 6th of March last, the greater portion of us did not, and we will briefly state the prominent reasons which influenced our action.

In the first place, it proposed a radical change of our social system, and was hurried through both Houses with undue haste, without reasonable time for consideration and debate, and with no time at all for consultation with our constituents, whose interests it deeply involved. It seemed like an interference by this Government with a question which peculiarly and exclusively belonged to our respective States, on which they had not sought advice or solicited aid. Many of us doubted the constitutional power of this Government to make appropriations of money for the object designated, and all of us thought our finances were in no condition to bear the immense outlay which its

adoption and faithful execution would impose upon the national Treasury. If we pause but a moment to think of the debt its acceptance would have entailed, we are appalled by its magnitude. The proposition was addressed to all the States, and embraced the whole number of slaves.

According to the census of 1860 there were then nearly four million slaves in the country; from natural increase they exceed that number now. At even the low average of $300, the price fixed by the emancipation act for the slaves of this District, and greatly below their real worth, their value runs up to the enormous sum of $1,200,000,000; and if to that we add the cost of deportation and colonization, at $100 each, which is but a fraction more than is actually paid by the Maryland Colonization Society, we have $400,000,000 more. We were not willing to impose a tax on our people sufficient to pay the interest on that sum, in addition to the vast and daily increasing debt already fixed upon them by the exigencies of the war, and if we had been willing, the country could not bear it. Stated in this form the proposition is nothing less than the deportation from the country of $1,600,000,000 worth of producing labor, and the substitution in its place of an interest-bearing debt of the same amount.

But, if we are told that it was expected that only the States we represent would accept the proposition, we respectfully submit that even then it involves a sum too great for the financial ability of this Government at this time. According to the census of 1860—

	Slaves.
Kentucky had	225,490

Maryland	87,188
Virginia	490,887
Delaware	1,798
Missouri	114,965
Tennessee	275,784
Making in the whole	1,196,112
At the same rate of valuation these would amount to	$358,933,500
Add for deportation and colonization $100 each	118,244,533
And we have the enormous sum of	$478,038,133

We did not feel that we should be justified in voting for a measure which, if carried out, would add this vast amount to our public debt at a moment when the Treasury was reeling under the enormous expenditure of the war.

Again, it seemed to us that this resolution was but the annunciation of a sentiment which could not or was not likely to be reduced to an actual tangible proposition. No movement was then made to provide and appropriate the funds required to carry it into effect; and we were not encouraged to believe that funds would be provided. And our belief has been fully justified by subsequent events. Not to mention other circumstances, it is quite sufficient for our purpose to bring to your notice the fact that, while this resolution was under consideration in the Senate, our colleague, the Senator from Kentucky, moved an amendment appropriating $500,000 to the object therein designated, and it was voted down

with great unanimity. What confidence, then, could we reasonably feel that if we committed ourselves to the policy it proposed, our constituents would reap the fruits of the promise held out; and on what ground could we, as fair men, approach them and challenge their support?

The right to hold slaves is a right appertaining to all the States of this Union. They have the right to cherish or abolish the institution, as their tastes or their interests may prompt, and no one is authorized to question the right or limit the enjoyment. And no one has more clearly affirmed that right than you have. Your inaugural address does you great honor in this respect, and inspired the country with confidence in your fairness and respect for the law. Our States are in the enjoyment of that right. We do not feel called on to defend the institution or to affirm it is one which ought to be cherished; perhaps, if we were to make the attempt, we might find that we differ even among ourselves. It is enough for our purpose to know that it is a right; and, so knowing, we did not see why we should now be expected to yield it. We had contributed our full share to relieve the country at this terrible crisis; we had done as much as had been required of others in like circumstances; and we did not see why sacrifices should be expected of us from which others, no more loyal, were exempt. Nor could we see what good the nation would derive from it.

Such a sacrifice submitted to by us would not have strengthened the arm of this Government or weakened that of the enemy. It was not necessary as a pledge of our loyalty, for that had been manifested beyond a reasonable doubt, in every form, and at every place possible. There was not the remotest probability that the States we represent would join in

the rebellion, nor is there now, or of their electing to go with the southern section in the event of a recognition of the independence of any part of the disaffected region. Our States are fixed unalterably in their resolution to adhere to and support the Union. They see no safety for themselves, and no hope for constitutional liberty but by its preservation. They will, under no circumstances, consent to its dissolution; and we do them no more than justice when we assure you that, while the war is conducted to prevent that deplorable catastrophe, they will sustain it as long as they can muster a man or command a dollar. Nor will they ever consent, in any event, to unite with the Southern Confederacy. The bitter fruits of the peculiar doctrines of that region will forever prevent them from placing their security and happiness in the custody of an association which has incorporated in its organic law the seeds of its own destruction.

Mr. President, we have stated with frankness and candor the reasons on which we forbore to vote for the resolution you have mentioned; but you have again presented this proposition, and appealed to us with an earnestness and eloquence which have not failed to impress us, to “consider it, and at the least to commend it to the consideration of our States and people.” Thus appealed to by the Chief Magistrate of our beloved country, in the hour of its greatest peril, we cannot wholly decline. We are willing to trust every question relating to their interest and happiness to the consideration and ultimate judgment of our own people. While differing from you as to the necessity of emancipating the slaves of our States as a means of putting down the rebellion, and while protesting against the propriety of any

extra-territorial interference to induce the people of our States to adopt any particular line of policy on a subject which peculiarly and exclusively belongs to them, yet, when you and our brethren of the loyal States sincerely believe that the retention of slavery by us is an obstacle to peace and national harmony, and are willing to contribute pecuniary aid to compensate our States and people for the inconveniences produced by such a change of system, we are not unwilling that our people shall consider the propriety of putting it aside.

But we have already said that we regarded this resolution as the utterance of a sentiment, and we had no confidence that it would assume the shape of a tangible, practical proposition which would yield the fruits of the sacrifice it required. Our people are influenced by the same want of confidence, and will not consider the proposition in its present impalpable form. The interest they are asked to give up is to them of much importance, and they ought not to be expected even to entertain the proposal until they are assured that when they accept it their just expectations will not be frustrated. We regard your plan as a proposition from the Nation to the States to exercise an admitted constitutional right in a particular manner and yield up a valuable interest. Before they ought to consider the proposition, it should be presented in such a tangible, practical, efficient shape as to command their confidence that its fruits are contingent only upon their acceptance. We cannot trust anything to the contingencies of future legislation.

If Congress, by proper and necessary legislation, shall provide sufficient funds and place them at your disposal, to be applied by you to the payment of any of our States or the citizens thereof who shall adopt

the abolishment of slavery, either gradual or immediate, as they may determine, and the expense of deportation and colonization of the liberated slaves, then will our State and people take this proposition into careful consideration, for such decision as in their judgment is demanded by their interest, their honor, and their duty to the whole country. We have the honor to be, with great respect,

C. A. Wickliffe, *Ch'n*,
Garrett Davis,
R. Wilson,
J. J. Crittenden,
John S. Carlile,
J. W. Crisfield,
J. S. Jackson,
H. Grider,
John S. Phelps,
Francis Thomas,
Chas. B. Calvert,
C. L. Leary,
Edwin H. Webster,
R. Mallory,
Aaron Harding,
James S. Rollins,
J. W. Menzies,
Thomas L. Price,
G. W. Dunlap,
Wm. A. Hall.

Others of the minority, among them Senator Henderson and Horace Maynard, forwarded separate replies, but all rejecting the idea of compensated emancipation. Still Lincoln adhered to and advocated it in his recent annual message sent to Congress, Dec. 1, 1862, from which we take the following paragraphs, which are in themselves at once curious and interesting:

"We have two million nine hundred and sixty-three thousand square miles. Europe has three million and eight hundred thousand, with a population averaging seventy-three and one-third persons to the square mile. Why may not our country, at some time, average as many? Is it less

fertile? Has it more waste surface, by mountains, rivers, lakes, deserts, or other causes? Is it inferior to Europe in any natural advantage? If, then, we are at some time to be as populous as Europe, how soon? As to when this *may* be, we can judge by the past and the present; as to when it *will* be, if ever, depends much on whether we maintain the Union. Several of our States are already above the average of Europe—seventy-three and a third to the square mile. Massachusetts has 157; Rhode Island, 133; Connecticut, 99; New York and New Jersey, each, 80. Also two other great states, Pennsylvania and Ohio, are not far below, the former having 63 and the latter 59. The states already above the European average, except New York, have increased in as rapid a ratio, since passing that point, as ever before; while no one of them is equal to some other parts of our country in natural capacity for sustaining a dense population.

"Taking the nation in the aggregate, and we find its population and ratio of increase, for the several decennial periods, to be as follows:

1790	3,929,827	Ratio of increase.	
1800	5,305,937	35.02	per cent.
1810	7,239,814	36.45	„
1820	9,638,131	33.13	„
1830	12,866,020	33.49	„
1840	17,069,453	32.67	„
1850	23,191,876	35.87	„
1860	31,443,790	35.58	„

This shows an annual decennial increase of 34.69 per cent, in population through the seventy years

from our first to our last census yet taken. It is seen that the ratio of increase, at no one of these seven periods is either two per cent. below or two per cent. above the average; thus showing how inflexible, and, consequently, how reliable, the law of increase in our case is. Assuming that it will continue, gives the following results:

1870	42,323,341
1880	56,967,216
1890	76,677,872
1900	103,208,415
1910	138,918,526
1920	186,984,335
1930	251,680,914

"These figures show that our country *may* be as populous as Europe now is at some point between 1920 and 1930—say about 1925—our territory, at seventy-three and a third persons to the square mile, being of capacity to contain 217,186,000.

"And we *will* reach this, too, if we do not ourselves relinquish the chance by the folly and evils of disunion, or by long and exhausting war springing from the only great element of national discord among us. While it cannot be foreseen exactly how much one huge example of secession, breeding lesser ones indefinitely, would retard population, civilization, and prosperity no one can doubt that the extent of it would be very great and injurious.

The proposed emancipation would shorten the war, perpetuate peace, insure this increase of population, and proportionately the wealth of the country. With these, we should pay all the

emancipation would cost, together with our other debt, easier than we should pay our other debt without it. If we had allowed our old national debt to run at six per cent. per annum, simple interest, from the end of our revolutionary struggle until to-day, without paying anything on either principal or interest, each man of us would owe less upon that debt now than each man owed upon it then; and this because our increase of men through the whole period has been greater than six per cent.; has run faster than the interest upon the debt. Thus, time alone relieves a debtor nation, so long as its population increases faster than unpaid interest accumulates on its debt.

"This fact would be no excuse for delaying payment of what is justly due; but it shows the great importance of time in this connection—the great advantage of a policy by which we shall not have to pay until we number a hundred millions, what, by a different policy, we would have to pay now, when we number but thirty-one millions. In a word, it shows that a dollar will be much harder to pay for the war than will be a dollar for emancipation on the proposed plan. And then the latter will cost no blood, no precious life. It will be a saving of both."

Various propositions and measures relating to compensated emancipation, were afterwards considered in both Houses, but it was in March, 1863, dropped after a refusal of the House to suspend the rules for the consideration of the subject.

Emancipation as a War Necessity.

Before the idea of compensated emancipation had been dropped, and it was constantly discouraged by the Democrats and Border Statesmen, President Lincoln had determined upon a more radical policy, and on the 22d of September, 1862, issued his celebrated proclamation declaring that he would emancipate "all persons held as slaves within any State or designated part of a State, the people whereof shall be in rebellion against the United States"—by the first of January, 1863, if such sections were not "in good faith represented in Congress." He followed this by actual emancipation at the time stated.

Proclamation of Sept. 22, 1862.

I, ABRAHAM LINCOLN, President of the United States of America, and Commander-in-Chief of the army and navy thereof, do hereby proclaim and declare that hereafter, as heretofore, the war will be prosecuted for the object of practically restoring the constitutional relation between the United States and each of the States and the people thereof, in which States that relation is or may be suspended or disturbed.

That it is my purpose, upon the next meeting of Congress, to again recommend the adoption of a practical measure tendering pecuniary aid to the free acceptance or rejection of all slave States, so called, the people thereof may not then be in rebellion against the United States, and which States may then have voluntarily adopted, or thereafter may

voluntarily adopt, immediate or gradual abolishment of slavery within their respected limits; and that the effort to colonize persons of African descent with their consent upon this continent or elsewhere, with the previously obtained consent of the Governments existing there, will be continued.

That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free; and the Executive Government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.

That the Executive will, on the first day of January aforesaid, by proclamation, designate the States and parts of States, if any, in which the people thereof respectively, shall then be in rebellion against the United States; and the fact that any State, or the people thereof, shall on that day be, in good faith, represented in the Congress of the United States by members chosen thereto at elections wherein a majority of the qualified voters of such State shall have participated, shall, in the absence of strong countervailing testimony, be deemed conclusive evidence that such State, and the people thereof, are not in rebellion against the United States.

That attention is hereby called to an act of Congress entitled “An act to make an additional article of war,” approved March 13, 1862, and which act is in the words and figures following:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That hereafter the following shall be promulgated as an additional article of war, for the government of the army of the United States, and shall be obeyed and observed as such.

"ARTICLE —. All officers or persons in the military or naval service of the United States are prohibited from employing any of the forces under their respective commands for the purpose of returning fugitives from service or labor who may have escaped from any persons to whom such service or labor is claimed to be due, and any officer who shall be found guilty by a court-martial of violating this article shall be dismissed from the service.

"SEC. 2. *And be it further enacted*, That this act shall take effect from and after its passage."

Also to the ninth and tenth sections of an act entitled "An act to suppress insurrection, to punish treason and rebellion, to seize and confiscate property of rebels, and for other purposes," approved July 17, 1862, and which sections are in the words and figures following:

"SEC. 9. *And be it further enacted*, That all slaves of persons who shall hereafter be engaged in rebellion against the Government of the United States or who shall in any way give aid or comfort thereto, escaping from such persons and taking refuge within the lines of the army; and all slaves captured from such persons or deserted by them, and coming under the control of the Government of the United States; and all slaves of such persons found *on* [or] being within any place occupied by rebel forces and afterwards occupied by the forces of the United States, shall be deemed captives of war, and shall be

forever free of their servitude, and not again held as slaves.

"SEC. 10. *And be it further enacted*, That no slave escaping into any State, Territory, or the District of Columbia, from any other State, shall be delivered up, or in any way impeded or hindered of his liberty, except for crime, or some offence against the laws, unless the person claiming said fugitive shall first make oath that the person to whom the labor or service of such fugitive is alleged to be due is his lawful owner, and has not borne arms against the United States in the present rebellion, nor in any way given aid and comfort thereto; and no person engaged in the military or naval service of the United States shall, under any pretence whatever, assume to decide on the validity of the claim of any person to the service or labor of any other person, or surrender up any such person to the claimant, on pain of being dismissed from the service."

And I do hereby enjoin upon and order all persons engaged in the military and naval service of the United States to observe, obey, and enforce, within their respective spheres of service, the act and sections above recited.

And the Executive will in due time recommend that all citizens of the United States who shall have remained loyal thereto throughout the rebellion shall (upon the restoration of the constitutional relation between the United States and their respective States and people, if that relation shall have been suspended or disturbed) be compensated for all losses by acts of the United States, including the loss of slaves.

In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the city of Washington this twenty-second day of September, in the year of our Lord one thousand eight hundred and sixty-two, and of the Independence of the United States the eighty-seventh.

ABRAHAM LINCOLN.

By the President:

WILLIAM H. SEWARD, *Secretary of State*.

Proclamation of January 1, 1863.

WHEREAS, on the twenty-second day of September, in the year of our Lord one thousand eight hundred and sixty-two, a proclamation was issued by the President of the United States, containing among other things, the following, to wit:

"That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever, free; and the Executive Government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.

"That the Executive will, on the first day of

January aforesaid, by proclamation, designate the States and parts of States, if any, in which the people thereof, respectively, shall then be in rebellion against the United States; and the fact that any State, or the people thereof, shall on that day be in good faith represented in the Congress of the United States, by members chosen thereto at elections wherein a majority of the qualified voters of such States shall have participated, shall, in the absence of strong countervailing testimony, be deemed conclusive evidence that such State, and the people thereof, are then in rebellion against the United States."

Now, therefore, I, ABRAHAM LINCOLN, President of the United States, by virtue of the power in me vested as Commander-in-Chief of the Army and Navy of the United States, in time of actual armed rebellion against the authority and Government of the United States, and as a fit and necessary war measure for suppressing said rebellion, do, on this first day of January, in the year of our Lord one thousand eight hundred and sixty-three, and in accordance with my purpose so to do, publicly proclaimed for the full period of one hundred days from the day first above mentioned, order and designate as the States and parts of States wherein the people thereof, respectively, are this day in rebellion against the United States, the following, to wit:

Arkansas, Texas, Louisiana, (except the parishes of St. Bernard, Plaquemines, Jefferson, St. John, St. Charles, St. James, Ascension, Assumption, Terre Bonne, Lafourche, St. Mary, St. Martin, and Orleans, including the city of New Orleans,) Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina, and Virginia, (except the forty-eight

counties designated as West Virginia, and also the counties of Berkeley, Accomac, Northampton, Elizabeth City, York, Princess Ann, and Norfolk, including the cities of Norfolk and Portsmouth,) and which excepted parts are for the present left precisely as if this proclamation were not issued.

And by virtue of the power and for the purpose aforesaid, I do order and declare that all persons held as slaves within said designated States and parts of States are, and henceforward shall be, free; and that the Executive Government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons.

And I hereby enjoin upon the people so declared to be free to abstain from all violence, unless in necessary self-defence; and I recommend to them that, in all cases when allowed, they labor faithfully for reasonable wages.

And I further declare and make known that such persons, of suitable condition, will be received into the armed service of the United States to garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service.

And upon this act, sincerely believed to be an act of justice, warranted by the Constitution upon military necessity, I invoke the considerate judgment of mankind and the gracious favor of Almighty God.

In witness whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this first day of January, in the year of our Lord one thousand eight hundred and sixty-three, and of the independence of the United States of America the eighty-seventh.

ABRAHAM LINCOLN.

By the President:
WILLIAM H. SEWARD,
Secretary of State.

These proclamations were followed by many attempts on the part of the Democrats to declare them null and void, but all such were tabled. The House on the 15th of December, 1862, endorsed the first by a vote of 78 to 51, almost a strict party vote. Two classed as Democrats, voted for emancipation—Haight and Noell; seven classed as Republicans, voted against it—Granger, Harrison, Leary, Maynard, Benj. F. Thomas, Francis Thomas, and Whaley.

Just previous to the issuance of the first proclamation a meeting of the Governors of the Northern States had been called to consider how best their States could aid the general conduct of the war. Some of them had conferred with the President, and while that meeting and the date of the emancipation proclamation are the same, it was publicly denied on the floor of Congress by Mr. Boutwell (June 25, 1864,) that the proclamation was the result of that meeting of the Governors. That they fully endorsed and knew of it, however, is shown by the following

Address of loyal Governors to the President.

Adopted at a meeting of Governors of loyal States, held to take measures for the more active support

of the Government, at Altoona, Pennsylvania, on the 22d day of September, 1862.

After nearly one year and a half spent in contest with an armed and gigantic rebellion against the national Government of the United States, the duty and purpose of the loyal States and people continue, and must always remain as they were at its origin—namely, to restore and perpetuate the authority of this Government and the life of the nation. No matter what consequences are involved in our fidelity, this work of restoring the Republic, preserving the institutions of democratic liberty, and justifying the hopes and toils of our fathers shall not fail to be performed.

And we pledge without hesitation, to the President of the United States, the most loyal and cordial support, hereafter as heretofore, in the exercise of the functions of his great office. We recognize in him the Chief Executive Magistrate of the nation, the Commander-in-chief of the Army and Navy of the United States, their responsible and constitutional head, whose rightful authority and power, as well as the constitutional powers of Congress, must be rigorously and religiously guarded and preserved, as the condition on which alone our form of Government and the constitutional rights and liberties of the people themselves can be saved from the wreck of anarchy or from the gulf of despotism.

In submission to the laws which may have been or which may be duly enacted, and to the lawful orders of the President, co-operating always in our own spheres with the national Government, we mean to continue in the most vigorous exercise of all our lawful and proper powers, contending against treason, rebellion, and the public enemies, and,

whether in public life or in private station, supporting the arms of the Union, until its cause shall conquer, until final victory shall perch upon its standard, or the rebel foe shall yield a dutiful, rightful, and unconditional submission.

And, impressed with the conviction that an army of reserve ought, until the war shall end, to be constantly kept on foot, to be raised, armed, equipped, and trained at home, and ready for emergencies, we respectfully ask the President to call for such a force of volunteers for one year's service, of not less than one hundred thousand in the aggregate, the quota of each State to be raised after it shall have filled its quota of the requisitions already made, both for volunteers and militia. We believe that this would be a measure of military prudence, while it would greatly promote the military education of the people.

We hail with heartfelt gratitude and encouraged hope the proclamation of the President, issued on the 22d instant, declaring emancipated from their bondage all persons held to service or labor as slaves in the rebel States, whose rebellion shall last until the first day of January now next ensuing. The right of any person to retain authority to compel any portion of the subjects of the national Government to rebel against it, or to maintain its enemies, implies in those who are allowed possession of such authority the right to rebel themselves; and therefore the right to establish martial law or military government in a State or territory in rebellion implies the right and the duty of the Government to liberate the minds of all men living therein by appropriate proclamations and assurances of protection, in order that all who are capable, intellectually and morally, of loyalty and obedience, may not be forced into treason as the

unwilling tools of rebellious traitors. To have continued indefinitely the most efficient cause, support, and stay of the rebellion, would have been, in our judgment, unjust to the loyal people whose treasure and lives are made a willing sacrifice on the altar of patriotism—would have discriminated against the wife who is compelled to surrender her husband, against the parent who is to surrender his child to the hardships of the camp and the perils of battle, in favor of rebel masters permitted to retain their slaves. It would have been a final decision alike against humanity, justice, the rights and dignity of the Government, and against sound and wise national policy. The decision of the President to strike at the root of the rebellion will lend new vigor to the efforts and new life and hope to the hearts of the people. Cordially tendering to the President our respectful assurance of personal and official confidence, we trust and believe that the policy now inaugurated will be crowned with success, will give speedy and triumphant victories over our enemies, and secure to this nation and this people the blessing and favor of Almighty God. We believe that the blood of the heroes who have already fallen, and those who may yet give their lives to their country, will not have been shed in vain.

The splendid valor of our soldiers, their patient endurance, their manly patriotism, and their devotion to duty, demand from us and from all their countrymen the homage of the sincerest gratitude and the pledge of our constant reinforcement and support. A just regard for these brave men, whom we have contributed to place in the field, and for the importance of the duties which may lawfully pertain to us hereafter, has called us into friendly conference. And now, presenting to our national

Chief Magistrate this conclusion of our deliberations, we devote ourselves to our country's service, and we will surround the President with our constant support, trusting that the fidelity and zeal of the loyal States and people will always assure him that he will be constantly maintained in pursuing with the utmost vigor this war for the preservation of the national life and the hope of humanity.

A. G. CURTIN,
JOHN A. ANDREW,
RICHARD YATES,
ISRAEL WASHBURNE, JR.,
EDWARD SOLOMON,
SAMUEL J. KIRKWOOD,
O. P. MORTON,
By D. G. ROSE, his representative,
WM. SPRAGUE,
F. H. PEIRPOINT,
DAVID TOD,
N. S. BERRY,
AUSTIN BLAIR.

Repeal of the Fugitive Slave Law.

The first fugitive slave law passed was that of February 12th, 1793, the second and last that of September 18th, 1850. Various efforts had been made to repeal the latter before the war of the rebellion, without a prospect of success. The situation was now different. The war spirit was high, and both Houses of Congress were in the hands of the Republicans as early as December, 1861, but all

of them were not then ready to vote for repeal, while the Democrats were at first solidly against it. The bill had passed the Senate in 1850 by 27 yeas to 12 nays; the House by 109 yeas to 76 nays, and yet as late as 1861 such was still the desire of many not to offend the political prejudices of the Border States and of Democrats whose aid was counted upon in the war, that sufficient votes could not be had until June, 1864, to pass the repealing bill. Republican sentiment advanced very slowly in the early years of the war, when the struggle looked doubtful and when there was a strong desire to hold for the Union every man and county not irrevocably against it; when success could be foreseen the advances were more rapid, but never as rapid as the more radical leaders desired. The record of Congress in the repeal of the Fugitive Slave Law will illustrate this political fact, in itself worthy of grave study by the politician and statesman, and therefore we give it as compiled by McPherson:—

Second Session, Thirty-Seventh Congress.

[22]

In Senate, 1861, December 26—Mr. Howe, of Wisconsin, introduced a bill to repeal the fugitive slave law; which was referred to the Committee on the Judiciary.

1862, May 24—Mr. Wilson, of Massachusetts, introduced a bill to amend the fugitive slave law; which was ordered to be printed and lie on the table.

June 10—Mr. Wilson moved to take up the bill;

which was agreed to—Yeas 25, nays 10, as follows:

YEAS—Messrs. Anthony, Browning, Chandler, Clark, Cowan, Dixon, Doolittle, Fessenden, Foot, Grimes, Hale, Harlan, Harris, Howard, Howe, King, Lane of Kansas, Morrill, Pomeroy, Simmons, Sumner, Ten Eyck, Trumbull, Wade, Wilson, of Massachusetts. —25.

NAYS—Messrs. *Carlile*, *Davis*, *Latham*, *McDougall*, *Nesmith*, *Powell*, *Saulsbury*, *Stark*, *Willey*, *Wright*—10. [23]

The bill was to secure to claimed fugitives a right to a jury trial in the district court for the United States for the district in which they may be, and to require the claimant to prove his loyalty. The bill repeals sections 6, 7, 8, 9, and 10 of the act of 1850, and that part of section 5, which authorizes the summoning of the *posse comitatus*. When a warrant of return is made either on jury trial or confession of the party in the presence of counsel, having been warned of his rights, the fugitive is to be surrendered to the claimant, or the marshal where necessary, who shall remove him to the boundary line of the district, and there deliver him to the claimant. The bill was not further considered.

In House, 1861, December 20—Mr. Julian offered this resolution:

Resolved, That the Judiciary Committee be instructed to report a bill, so amending the fugitive slave law enacted in 1850 as to forbid the recapture or return of any fugitive from labor without satisfactory proof first made that the claimant of such fugitive is loyal to the Government.

Mr. Holman moved to table the resolution, which was disagreed to—yeas 39, nays 78, as follows:

YEAS—Messrs. *Ancona*, *Joseph Baily*, *Biddle*, *George*

H. Browne, *Cobb*, *Cooper*, *Cox*, *Cravens*, *Crittenden*, *Dunlap*, *English*, *Fouke*, *Grider*, *Harding*, *Holman*, *Johnson*, *Law*, *Lazear*, *Leary*, *Lehman*, *Mallory*, *Morris*, *Noble*, *Noell*, *Norton*, *Nugen*, *Odell*, *Pendleton*, *Robinson*, *Shiel*, *John B. Steele*, *William G. Steele*, *Vallandigham*, *Wadsworth*, Webster, *Chilton A. White*, *Wickliffe*, *Woodruff*, *Wright*—39.

NAYS—Messrs. Aldrich, Alley, Arnold, Babbitt, Baker, Baxter, Beaman, Bingham, Francis P. Blair, Samuel S. Blair, Blake, Buffinton, Burnham, Chamberlain, Clark, Colfax, Frederick A. Conkling, Roscoe Conkling, Cutler, Davis, Dawes, Delano, Duell, Edwards, Eliot, Fessenden, Franchot, Frank, Gooch, Goodwin, Gurley, Hale, Hanchett, Harrison, Hooper, Hutchins, Julian, William Kellogg, Lansing, Loomis, Lovejoy, McKnight, McPherson, Marston, Mitchell, Moorhead, Anson P. Morrill, Justin S. Morrill, Olin, Patton, Pike, Pomeroy, Porter, John H. Rice, Riddle, Edward H. Rollins, Sargent, Sedgwick, Shanks. Shellabarger, Sherman, Sloan, Spaulding, Stevens, Benjamin F. Thomas, Train, Vandever, Wall, Wallace, Walton, Washburne, Wheeler, Whaley, Albert S. White, Wilson, Windom, Worcester—78.

The resolution was then adopted—yeas 78, nays 39.

1862, June 9—Mr. Julian, of Indiana, introduced into the House a resolution instructing the Judiciary Committee to report a bill for the purpose of repealing the fugitive slave law; which was tabled—yeas 66, nays 51, as follows:

YEAS—Messrs. *William J. Allen*, *Ancona*, *Baily*, *Biddle*, Francis P. Blair, Jacob B. Blair, *George H. Browne*, William G. Brown, Burnham, *Calvert*, Casey, Clements, *Cobb*, *Corning*, *Crittenden*, Delano, Diven, Granger, *Grider*, Haight, Hale, *Harding*, *Holman*,

Johnson, William Kellogg, *Kerrigan*, *Knapp*, *Lazear*, Low, Maynard, *Menzies*, Moorhead, *Morris*, *Noble*, Noell, *Norton*, *Odell*, *Pendleton*, *John S. Phelps*, Timothy G. Phelps, Porter, *Richardson*, *Robinson*, *James S. Rollins*, Sargent, Segar, *Sheffield*, *Shiel*, *Smith*, *John B. Steele*, *William G. Steele*, Benjamin F. Thomas, Francis Thomas, Trimble, *Vallandigham*, Verree, *Vibbard*, *Voorhees*, *Wadsworth*, Webster, *Chilton A. White*, *Wickliffe*, *Wood*, Woodruff, Worcester, *Wright* —66.

NAYS—Messrs. Aldrich, Alley, Baker, Baxter, Beaman, Bingham, Blake, Buffinton, Chamberlain, Colfax, Frederick A. Conkling, Davis, Dawes, Edgerton, Edwards, Eliot, Ely, Franchot, Gooch, Goodwin, Hanchett, Hutchins, Julian, Kelley, Francis W. Kellogg, Lansing, Lovejoy, McKnight, McPherson, Mitchell, Anson P. Morrill, Pike, Pomeroy, Potter, Alexander H. Rice, John H. Rice, Riddle, Edward H. Rollins, Shellabarger, Sloan, Spaulding, Stevens, Train, Trowbridge, Van Horn, Van Valkenburgh, Wall, Wallace, Washburne, Albert S. White, Windom —51.

Same day—Mr. Colfax, of Indiana, offered this resolution:

Resolved, That the Committee on the Judiciary be instructed to report a bill modifying the fugitive slave law so as to require a jury trial in all cases where the person claimed denies under oath that he is a slave, and also requiring any claimant under such act to prove that he has been loyal to the Government during the present rebellion.

Which was agreed to—yeas 77, nays 43, as follows:

YEAS—Messrs. Aldrich, Alley, Arnold, Ashley, Babbitt, Baker, Baxter, Beaman, Bingham, Francis P.

Blair, Blake, Buffinton, Burnham, Chamberlain, Colfax, Frederick A. Conkling, Davis, Dawes, Delano, Diven, Edgerton, Edwards, Eliot, Ely, Franchot, Gooch, Goodwin, Granger, Gurley, Haight, Hale, Hanchett, Hutchins, Julian, Kelley, Francis W. Kellogg, William Kellogg, Lansing, Loomis, Lovejoy, Lowe, McKnight, McPherson, Mitchell, Anson P. Morrill, Justin S. Morrill, Nixon, Timothy G. Phelps, Pike, Pomeroy, Porter, Potter, Alexander H. Rice, John H. Rice, Riddle, Edward H. Rollins, Sargent, Shanks, *Sheffield*, Shellabarger, Sloan, Spaulding, Stevens, Stratton, Benjamin F. Thomas, Train, Trimble, Trowbridge, Van Valkenburgh, Verree, Wall, Wallace, Washburne, Albert, S. White, Wilson, Windom, Worcester—77.

NAYS—Messrs. *William J. Allen*, *Ancona*, *Baily*, *Biddle*, Jacob B. Blair, William G. Brown, *Calvert*, Casey, Clements, *Cobb*, *Corning*, *Crittenden*, *Fouke*, *Grider*, *Harding*, *Holman*, *Johnson*, *Knapp*, Maynard, *Menzies*, *Noble*, Noell, *Norton*, *Pendleton*, *John S. Phelps*, *Richardson*, *Robinson*, *James S. Rollins*, Segar, *Shiel*, *Smith*, *John B. Steele*, *William G. Steele*, Francis Thomas, *Vallandigham*, *Vibbard*, *Voorhees*, *Wadsworth*, Webster, *Chilton A. White*, *Wickliffe*, *Wood*, *Wright*—43.

Third Session, Thirty-Seventh Congress.

In Senate, 1863, February 11—Mr. Ten Eyck, from the Committee on the Judiciary, to whom was referred a bill, introduced by Senator Howe, in second session, December 26, 1861, to repeal the

fugitive slave act of 1850, reported it back without amendment, and with a recommendation that it do not pass.

First Session, Thirty-Eighth Congress.

In House, 1863, Dec. 14.—Mr. Julian, of Indiana, offered this resolution:

Resolved, That the Committee on the Judiciary be instructed to report a bill for a repeal of the third and fourth sections of the "act respecting fugitives from justice and persons escaping from the service of their masters," approved February 12, 1793, and the act to amend and supplementary to the aforesaid act, approved September 18, 1850.

Mr. Holman moved that the resolution lie upon the table, which was agreed to—yeas 81, nays 73, as follows:

YEAS—Messrs. *James C. Allen*, *William J. Allen*, *Ancona*, Anderson, *Baily*, *Augustus C. Baldwin*, Jacob B. Blair, *Bliss*, *Brooks*, *James S. Brown*, William G. Browne, *Clay*, Cobb, *Coffroth*, *Cox*, *Cravens*, Creswell, *Dawson*, Demming, *Denison*, *Eden*, *Edgerton*, *Eldridge*, *English*, *Finck*, *Ganson*, *Grider*, *Griswold*, *Hall*, *Harding*, *Harrington*, *Benjamin G. Harris*, *Charles M. Harris*, Higby, *Holman*, *Hutchins*, *William Johnson*, *Kernan*, *King*, *Knapp*, *Law*, *Lazear*, *Le Blond*, *Long*, *Mallory*, *Marcy*, Marvin, McBride, *McDowell*, *McKinney*, *William H. Miller*, *James R. Morris*, *Morrison*, *Nelson*, *Noble*, *Odell*, *John O'Neil*, *Pendleton*, William H. Randall, *Robinson*, *Rogers*, *James S. Rollins*, *Ross*, *Scott*, Smith, Smithers, *Stebbins*, *John B. Steele*, *Stuart*,

Sweat, Thomas, *Voorhees*, *Wadsworth*, *Ward*, *Wheeler*, *Chilton A. White*, *Joseph W. White*, Williams, *Winfield*, *Fernando Wood*, *Yeaman*—81.

NAYS—Messrs. Alley, Allison, Ames, Arnold, Ashley, John D. Baldwin, Baxter, Beaman, Blaine, Blow, Boutwell, Boyd, Brandegee, Broomall, Ambrose W. Clark, Freeman Clark, Cole, Henry Winter Davis, Dawes, Dixon, Donnelly, Driggs, Dumont, Eckley, Eliot, Farnsworth, Fenton, Frank, Garfield, Gooch, Grinnell, Hooper, Hotchkiss, Asahel W. Hubbard, John H. Hubbard, Hulburd, Jenckes, Julian, Francis W. Kellogg, Orlando Kellogg, Loan, Longyear, Lovejoy, McClurg, McIndoe, Samuel F. Miller, Moorhead, Morrill, Amos Myers, Leonard Myers, Norton, Charles O'Neill, Orth, Patterson, Pike, Pomeroy, Price, Alexander H. Rice, John H. Rice, Edward H. Rollins, Schenck, Scofield, Shannon, Spalding, Thayer, Van Valkenburgh, Elihu B. Washburne, William B. Washburn, Whaley, Wilder, Wilson, Windom, Woodbidge—73.

1864, June 6, Mr. Hubbard, of Connecticut, offered this resolution:

Resolved, That the Committee on the Judiciary be instructed to report to this House a bill for the repeal of all acts and parts of acts which provide for the rendition of fugitive slaves, and that they have leave to make such report at any time.

Which went over under the rule. May 30, he had made an ineffectual effort to offer it, Mr. Holman objecting.

REPEALING BILLS.

1864, April 19, the Senate considered the bill to repeal all acts for the rendition of fugitives from

service or labor. The bill was taken up—yeas 26, nays 10.

Mr. Sherman moved to amend by inserting these words at the end of the bill:

Except the act approved February 12, 1793, entitled "An act respecting fugitives from justice, and persons escaping from the service of their masters."

Which was agreed to—yeas 24, nays 17, as follows:

YEAS—Messrs. *Buckalew*, *Carlile*, Collamer, Cowan, *Davis*, Dixon, Doolittle, Foster, Harris, Henderson, *Hendricks*, Howe, Johnson, Lane of Indiana, *McDougall*, *Nesmith*, *Powell*, *Riddle*, *Saulsbury*, Sherman, Ten Eyck, Trumbull, Van Winkle, Willey—24.

NAYS—Messrs. Anthony, Brown, Clark, Conness, Fessenden, Grimes, Hale, Howard, Lane of Kansas, Morgan, Morrill, Pomeroy, Ramsey, Sprague, Sumner, Wilkinson, Wilson—17.

Mr. Saulsbury moved to add these sections:

And be it further enacted, That no white inhabitant of the United States shall be arrested, or imprisoned, or held to answer for a capital or otherwise infamous crime, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger, without due process of law.

And be it further enacted, That no person engaged in the executive, legislative, or judicial departments of the Government of the United States, or holding any office or trust recognized in the Constitution of the United States, and no person in military or naval service of the United States, shall, without due process of law, arrest or imprison any white inhabitant of the United States who is not, or has not

been, or shall not at the time of such arrest or imprisonment be, engaged in levying war against the United States, or in adhering to the enemies of the United States, giving them aid and comfort, nor aid, abet, procure or advise the same, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger. And any person as aforesaid so arresting, or imprisoning, or holding, as aforesaid, as in this and the second section of this act mentioned, or aiding, abetting, or procuring, or advising the same, shall be deemed guilty of felony, and, upon conviction thereof in any court of competent jurisdiction, shall be imprisoned for a term of not less than one nor more than five years, shall pay a fine of not less than $1,000 nor more than $5000, and shall be forever incapable of holding any office or public trust under the Government of the United States.

Mr. HALE moved to strike out the word "white" wherever it occurs; which was agreed to.

The amendment of Mr. SAULSBURY, as amended, was then disagreed to—yeas 9, nays 27, as follows:

YEAS—Messrs. *Buckalew*, *Carlile*, Cowan, *Davis*, *Hendricks*, *McDougall*, *Powell*, *Riddle*, *Saulsbury*—9.

NAYS—Messrs. Anthony, Clark, Collamer, Conness, Doolittle, Fessenden, Foster, Grimes, Hale, Harris, Howard, Howe, Lane of Indiana, Lane, of Kansas, Morgan, Morrill, Pomeroy, Ramsey, Sherman, Sprague, Sumner, Ten Eyck, Trumbull, Van Winkle, Wilkinson, Willey, Wilson—27.

Mr. CONNESS moved to table the bill; which was disagreed to—yeas 9, (Messrs. *Buckalew*, *Carlile*, Conness, *Davis*, *Hendricks*, *Nesmith*, *Powell*, *Riddle*, *Saulsbury*,) nays 31.

It was not again acted upon.

1864, June 13—The House passed this bill, introduced by Mr. SPALDING, of Ohio, and reported from the Committee on the Judiciary by Mr. MORRIS, of New York, as follows:

Be it enacted, etc., that sections three and four of an act entitled "An act respecting fugitives from justice and persons escaping from the service of their masters," passed February 12, 1793, and an Act entitled "An act to amend, and supplementary to, the act entitled 'An act respecting fugitives from justice, and persons escaping from their masters,' passed February 12, 1793," passed September 18, 1850, be, and the same are hereby, repealed.

Yeas 86, nays 60, as follows:

YEAS—Messrs. Alley, Allison, Ames, Arnold, Ashley, John D. Baldwin, Baxter, Beaman, Blaine, Blair, Blow, Boutwell, Boyd, Brandegee, Broomall, Ambrose W. Clarke, Freeman Clark, Cobb, Cole, Creswell, Henry Winter Davis, Thomas T. Daavis, Dawes, Dixon, Donnelly, Driggs, Eckley, Eliot, Farnsworth, Fenton, Frank, Garfield, Gooch, *Griswold*, Higby, Hooper, Hotchkiss, Asahel W. Hubbard, John K. Hubbard, Hulburd, Ingersoll, Jenckes, Julian, Kelley, Francis W. Kellogg, O. Kellogg, Littlejohn, Loan, Longyear, Marvin, McClurg, McIndoe, Samuel F. Miller, Moorhead, Morrill, Daniel Morris, Amos Myers, Leonard Myers, Norton, Charles O'Neill, Orth, Patterson, Perham, Pike, Price, Alexander H. Rice, John H. Rice, Schenck, Scofield, Shannon, Sloan, Spalding, Starr, Stevens, Thayer, Thomas, Tracy, Upson, Van Valkenburgh, Webster, Whaley, Williams, Wilder, Wilson, Windom, Woodbridge—86.

NAYS—Messrs. *James C. Allen*, *William J. Allen*, *Ancona*, *Augustus C. Baldwin*, *Bliss*, *Brooks*, *James S.*

Brown, *Chanler*, *Coffroth*, *Cox*, *Cravens*, *Dawson*, *Denison*, *Eden*, *Edgerton*, *Eldridge*, *English*, *Finck*, *Ganson*, *Grider*, *Harding*, *Harrington*, *Charles M. Harris*, *Herrick*, *Holman*, *Hutchins*, *Kalbfleisch*, *Kernan*, *King*, *Knapp*, *Law*, *Lazear*, *Le Blond*, *Mallory*, *Marcy*, *McDowell*, *McKinney*, *Wm. H. Miller*, *James R. Morris*, *Morrison*, *Odell*, *Pendleton*, *Pruyn*, *Radford*, *Robinson*, *Jas. S. Rollins*, *Ross*, Smithers, *John B. Steele*, *Wm. G. Steele*, *Stiles*, *Strouse*, *Stuart*, *Sweat*, *Wadsworth*, *Ward*, *Wheeler*, *Chilton A. White*, *Joseph W. White*, *Fernando Wood*—60.

June 22—This bill was taken up in the Senate, when Mr. SAULSBURY moved this substitute:

That 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 due; and Congress shall pass all necessary and proper laws for the rendition of all such persons who shall so, as aforesaid, escape.

Which was rejected—yeas 9, nays 29, as follows:

YEAS—Messrs. *Buckalew*, *Carlile*, Cowan, *Davis*, *McDougall*, *Powell*, *Richardson*, *Riddle*, *Saulsbury*—9.

NAYS—Messrs. Anthony, Brown, Chandler, Clark, Conness, Dixon, Foot, Grimes, Hale, Harlan, Harris, Hicks, Howard, Howe, Johnson, Lane of Indiana, Lane of Kansas, Morgan, Morrill, Pomeroy, Ramsey, Sprague, Sumner, Ten Eyck, Trumbull, Van Winkle, Wade, Willey—29.

Mr. JOHNSON, of Maryland, moved an amendment to substitute a clause repealing the act of 1850; which was rejected—yeas 17, nays 22, as follows:

YEAS—Messrs. *Buckalew*, *Carlile*, Cowan, *Davis*, Harris, Hicks, Johnson, Lane of Indiana, *McDougall*,

Powell, *Richardson*, *Riddle*, *Saulsbury*, Ten Eyck, Trumbull, Van Winkle, Willey—17.

NAYS—Messrs. Anthony, Brown, Chandler, Clark, Conness, Dixon, Fessenden, Foot, Grimes, Hale, Harlan, Howard, Howe, Lane of Kansas, Morgan, Morrill, Pomeroy, Ramsey, Sprague, Sumner, Wade, Wilson—22.

The bill then passed—yeas 27, nays 12, as follows:

YEAS—Messrs. Anthony, Brown, Chandler, Clark, Conness, Dixon, Fessenden, Foot, Grimes, Hale, Harlan, Harris, Hicks, Howard, Howe, Lane of Indiana, Lane of Kansas, Morgan, Morrill, Pomeroy, Ramsey, Sprague, Sumner, Ten Eyck, Trumbull, Wade, Wilson—27.

NAYS—Messrs. *Buckalew*, *Carlile*, Cowan, *Davis*, Johnson, *McDougall*, *Powell*, *Richardson*, *Riddle*, *Saulsbury*, Van Winkle, Willey—12.

ABRAHAM LINCOLN, *President*, approved it, June 28, 1864.

Seward as Secretary of State.

Wm. H. Seward was a master in diplomacy and Statecraft, and to his skill the Unionists were indebted for all avoidance of serious foreign complications while the war was going on. The most notable case coming under his supervision was that of the capture of Mason and Slidell, by Commodore Wilkes, who, on the 8th of November, 1861, had intercepted the *Trent* with *San Jacinto*. The prisoners were Confederate agents on their way to St. James

and St. Cloud. Both had been prominent Senators, early secessionists, and the popular impulse of the North was to hold and punish them. Both Lincoln and Seward wisely resisted the passions of the hour, and when Great Britain demanded their release under the treaty of Ghent, wherein the right of future search of vessels was disavowed, Seward yielded, and referring to the terms of the treaty, said:

"If I decide this case in favor of my own Government, I must disavow its most cherished principles, and reverse and forever abandon its essential policy. The country cannot afford the sacrifice. If I maintain those principles and adhere to that policy, I must surrender the case itself."

The North, with high confidence in their President and Cabinet, readily conceded the wisdom of the argument, especially as it was clinched in the newspapers of the day by one of Lincoln's homely remarks: "*One war at a time*." A war with Great Britain was thus happily avoided.

With the incidents of the war, however, save as they affected politics and politicians, this work has little to do, and we therefore pass the suspension of the *writ of habeas corpus*, which suspension was employed in breaking up the Maryland Legislature and other bodies when they contemplated secession, and it facilitated the arrest and punishment of men throughout the North who were suspected of giving "aid and comfort to the enemy." The alleged arbitrary character of these arrests caused much complaint from Democratic Senators and Representatives, but the right was fully enforced in the face of every form of protest until the war closed. The most prominent arrest was that of Clement L. Vallandigham, member of Congress from Ohio, who was sent into the Southern lines. From thence he

went to Canada, and when a candidate for Governor in Ohio, was defeated by over 100,000 majority.

Financial Legislation—Internal Taxes.

The Financial legislation during the war was as follows:

1860, December 17—Authorized an issue of $10,000,000 in TREASURY NOTES, to be redeemed after the expiration of one year from the date of issue, and bearing such a rate of interest as may be offered by the lowest bidders. Authority was given to issue these notes in payment of warrants in favor of public creditors at their par value, bearing six per cent. interest per annum.

1861, February 8—Authorized a LOAN of $25,000,000, bearing interest at a rate not exceeding six per cent. per annum, and reimbursable within a period not beyond twenty years nor less than ten years. This loan was made for the payment of the current expenses, and was to be awarded to the most favorable bidders.

March 2—Authorized a LOAN of $10,000,000, bearing interest at a rate not exceeding six per cent. per annum, and reimbursable after the expiration of ten years from July 1, 1861. In case proposals for the loan were not acceptable, authority was given to issue the whole amount in TREASURY NOTES, bearing interest at a rate not exceeding six per cent. per annum. Authority was also given to substitute TREASURE NOTES for the whole or any part of the loans for which the Secretary was by law authorized

to contract and issue bonds, at the time of the passage of this act, and such treasury notes were to be made receivable in payment of all public dues, and redeemable at any time within two years from March 2, 1861.

March 2—Authorized an issue, should the Secretary of the Treasury deem it expedient, of $2,800,000 in coupon BONDS, bearing interest at the rate of six per cent. per annum, and redeemable in twenty years, for the payment of expenses incurred by the Territories of Washington and Oregon in the suppression of Indian hostilities during the year 1855–'56.

July 17—Authorized a loan of $250,000,000, for which could be issued BONDS bearing interest at a rate not exceeding 7 per cent. per annum, irredeemable for twenty years, and after that redeemable at the pleasure of the United States.

TREASURY NOTES bearing interest at the rate of 7.30 per cent. per annum, payable three years after date; and

United States NOTES without interest, payable on demand, to the extent of $50,000,000. (Increased by act of February 12, 1862, to $60,000,000.)

The bonds and treasury NOTES to be issued in such proportions of each as the Secretary may deem advisable.

August 5—Authorized an issue of BONDS bearing 6 per cent. interest per annum, and payable at the pleasure of the United States after twenty years from date, which may be issued in exchange for 7.30 treasury notes; but no such bonds to be issued for a less sum than $500, and the whole amount of such bonds not to exceed the whole amount of 7.30 treasury notes issued.

February 6, 1862—Making $50,000,000 of notes, of denominations less than $5, a legal tender, as recommended by Secretary Chase, was passed January 17, 1862. In the House it received the votes of the Republicans generally, and 38 Democrats. In the Senate it had 30 votes for to 1 against, that of Senator Powell.

1862, February 25—Authorized the issue of $15,000,000 in *legal tender United States* NOTES, $50,000,000 of which to be in lieu of demand notes issued under act of July 17, 1861, $500,000,000 in 6 per cent. bonds, redeemable after five years, and payable twenty years from date, which may be exchanged for United States notes, and a temporary loan of $25,000,000 in United States notes for not less than thirty days, payable after ten days' notice at 5 per cent. interest per annum.

March 17—Authorized an increase of TEMPORARY LOANS of $25,000,000, bearing interest at a rate not exceeding 5 per cent. per annum.

July 11—Authorized a further increase of TEMPORARY LOANS of $50,000,000, making the whole amount authorized $100,000,000.

March 1—Authorized an issue of CERTIFICATES OF INDEBTEDNESS, payable one year from date, in settlement of audited claims against the Government. Interest 6 per cent. per annum, payable in gold on those issued prior to March 4, 1863, and in lawful currency on those issued on and after that date. Amount of issue not specified.

1862, July 11—Authorized an additional issue of $150,000,000 *legal tender* NOTES, $35,000,000 of which might be in denominations less than five dollars. Fifty million dollars of this issue to be reserved to pay temporary loans promptly in case of

emergency.

July 17—Authorized an issue of NOTES of the fractional part of one dollar, receivable in payment of all dues, except customs, less than five dollars. Amount of issue not specified.

1863, January 17—Authorized the issue of $100,000,000 in United States NOTES for the immediate payment of the army and navy; such notes to be a part of the amount provided for in any bill that may hereafter be passed by this Congress. The amount in this resolution is included in act of March 3, 1863.

March 3—Authorized a LOAN of $300,000,000 for this and $600,000,000 for next fiscal year, for which could be issued bonds running not less than ten nor more than forty years, principal and interest payable in coin, bearing interest at a rate not exceeding 6 per cent. per annum, payable on bonds not exceeding $100, annually, and on all others semi-annually. And TREASURY NOTES (to the amount of $400,000,000) not exceeding three years to run, with interest not over 6 per cent. per annum, principal and interest payable in lawful money, which may be made a legal tender for their face value, excluding interest, or convertible into United States notes. And a further issue of $150,000,000 in United States NOTES for the purpose of converting the Treasury notes which may be issued under this act, and for no other purpose. And a further issue, if necessary, for the payment of the army and navy, and other creditors of the Government, of $150,000,000 in United States NOTES, which amount includes the $100,000,000 authorized by the joint resolution of Congress, January 17, 1863. The whole amount of bonds, treasury notes, and United States notes issued under this act not to exceed the sum of $900,000,000.

March 3—Authorized to issue not exceeding $50,000,000 in FRACTIONAL CURRENCY, (in lieu of postage or other stamps,) exchangeable for United States notes in sums not less than three dollars, and receivable for any dues to the United States less than five dollars, except duties on imports. The whole amount issued, including postage and other stamps issued as currency, not to exceed $50,000,000. Authority was given to prepare it in the Treasury Department, under the supervision of the Secretary.

1864, March 3—Authorized, in lieu of so much of the loan of March 3, 1863, a LOAN of $200,000,000 for the current fiscal year, for which may be issued bonds redeemable after five and within forty years, principal and interest payable in coin, bearing interest at a rate not exceeding 6 per cent. per annum, payable annually on bonds not over $100, and on all others semi-annually. These bonds to be exempt from taxation by or under State or municipal authority.

1864, June 30—Authorized a LOAN of $400,000,000, for which may be issued bonds, redeemable after five nor more than thirty years, or if deemed expedient, made payable at any period not more than forty years from date—interest not exceeding six per cent. semi-annually, in coin.

Pending the loan bill of June 22, 1862, before the House in Committee of the Whole, and the question being on the first section, authorizing a loan of $400,000,000, closing with this clause:

And all bonds, Treasury notes, and other obligations of the United States shall be exempt from taxation by or under state or municipal authority.

There was a sharp political controversy on this question, but the House finally agreed to it by 77 to

71. Party lines were not then distinctly drawn on financial issues.

INTERNAL TAXES.

The system of internal revenue taxes imposed during the war did not evenly divide parties until near its close, when Democrats were generally arrayed against these taxes. They cannot, from the record, be correctly classed as political issues, yet their adoption and the feelings since engendered by them, makes a brief summary of the record essential.

First Session, Thirty-Seventh Congress.

The bill to provide increased revenue from imports, &c., passed the House August 2, 1861—yeas 89, nays 39.

Same day, it passed the Senate—yeas 34, nays 8, (Messrs. *Breckinridge*, *Bright*, *Johnson*, of Missouri, *Kennedy*, *Latham*, *Polk*, *Powell*, *Saulsbury*.)[24]

Second Session, Thirty-Seventh Congress.

The Internal Revenue Act of 1862.

1862, April 8—The House passed the bill to provide internal revenue, support the Government,

and pay interest on the public debt—yeas 126, nays 15. The NAYS were:

Messrs. *William Allen*, *George H. Browne*, Buffinton, *Cox*, *Kerrigan*, *Knapp*, *Law*, *Norton*, *Pendleton*, *Richardson*, *Shiel*, *Vallandigham*, *Voorhees*, *Chilton A. White*, *Wickliffe*—15.

June 6—The bill passed in the Senate—yeas 37, nay 1, (Mr. *Powell*.)

First Session Thirty-Eighth Congress.

Internal Revenue Act of 1864.

April 28—The House passed the act of 1864—yeas 110, nays 39. The NAYS were:

Messrs. *James C. Allen*, *William J. Allen*, *Ancona*, *Brooks*, *Chanler*, *Cox*, *Dawson*, *Denison*, *Eden*, *Eldridge*, *Finck*, *Harrington*, *Benjamin G. Harris*, *Herrick*, *Philip Johnson*, *William Johnson*, *Knapp*, *Law*, *Le Blond*, *Long*, *Marcy*, *McDowell*, *McKinney*, *James R. Morris*, *Morrison*, *Noble*, *John O'Neil*, *Pendleton*, *Perry*, *Robinson*, *Ross*, *Stiles*, *Strouse*, *Stuart*, *Voorhees*, *Ward*, *Chilton A. White*, *Joseph W. White*, *Fernando Wood*—39.

June 6—The Senate amended and passed the bill—yeas 22, nays 3, (Messrs. *Davis*, *Hendricks*, *Powell*.)

The bill, as finally agreed upon by a Committee of Conference, passed without a division.

Second Session, Thirty-Seventh Congress.

Tariff Act of 1862.

In House—1862, July 1—The House passed, without a division, a bill increasing temporarily the duties on imports, and for other purposes.

July 8—The Senate passed it without a division.

THE TARIFF ACT OF 1864.

June 4—The House passed the bill—yeas 81, nays 28. The NAYS were:

Messrs. *James C. Allen*, *Bliss*, *James S. Brown*, *Cox*, *Edgerton*, *Eldridge*, *Finck*, *Grider*, *Harding*, *Harrington*, *Chas. M. Harris*, *Herrick*, *Holman*, *Hutchins*, *Le Blond*, *Long*, *Mallory*, *Marcy*, *McDowell*, *Morrison*, *Noble*, *Pendleton*, *Perry*, *Pruyn*, *Ross*, *Wadsworth*, *Chilton A. White*, *Joseph W. White*—28.

June 17—The Senate passed the bill—yeas 22, nays 5, (Messrs. *Buckalew*, *Hendricks*, *McDougall*, *Powell*, *Richardson*.)

Second Session, Thirty-Seventh Congress.

Taxes in Insurrectionary Districts, 1862.

1862, May 12—The bill for the collection of taxes in the insurrectionary districts passed the Senate—yeas 32, nays 3, as follows:

YEAS—Messrs. Anthony, Browning, Chandler,

Clark, *Davis*, Dixon, Doolittle, Fessenden, Foot, Foster, Harlan, Harris, Henderson, Howe, King, Lane of Indiana, Lane of Kansas, *Latham*, *McDougall*, Morrill, *Nesmith*, Pomeroy, *Rice*, Sherman, Sumner, Ten Eyck, Trumbull, Wade, Wilkinson, Willey, Wilson, of Massachusetts, *Wright*—32.

NAYS—Messrs. Howard, *Powell*, *Saulsbury*—3.

May 28—The bill passed House—yeas 98, nays 17. The NAYS were:

Messrs. *Biddle*, *Calvert*, *Cravens*, *Johnson*, *Kerrigan*, *Law*, *Mallory*, *Menzies*, *Noble*, *Norton*, *Pendleton*, *Perry*, Francis Thomas, *Vallandigham*, *Ward*, *Wickliffe*, *Wood* —17.

The Democrats who voted Aye were:

Messrs. *Ancona*, *Baily*, *Cobb*, *English*, *Haight*, *Holman*, *Lehman*, *Odell*, *Phelps*, *Richardson*, *James S. Rollins*, *Sheffield*, *Smith*, *John B. Steele*, *Wm. G. Steele*.

TAXES IN INSURRECTIONARY DISTRICTS, 1864.

In Senate, June 27—The bill passed the Senate without a division.

July 2—It passed the House without a division.

Many financial measures and propositions were rejected, and we shall not attempt to give the record on these. All that were passed and went into operation can be more readily understood by a glance at our Tabulated History, in Book VII., which gives a full view of the financial history and sets out all the loans and revenues. We ought not to close this review, however, without giving here a tabulated statement, from “McPherson’s History of the Great Rebellion,” of

The Confederate Debt.

December 31, 1862, the receipts of the Treasury from the commencement of the "Permanent Government," (February 18, 1862,) were as follows:

RECEIPTS.

Patent fund	$13,920 00
Customs	668,566 00
Miscellaneous	2,291,812 00
Repayments of disbursing officers	3,839,263 00
Interest on loans	26,583 00
Call loan certificates	59,742,796 00
One hundred million loan	41,398,286 00
Treasury notes	215,554,885 00
Interest bearing notes	113,740,000 00
War tax	16,664,513 00
Loan 28th of February, 1861	1,375,476 00
Coin received from Bank of Louisiana	2,539,799 00
Total	$457,855,704 00
Total debt up to December 31, 1862	556,105,100 00
Estimated amount at that date necessary to support the Government to July, 1868, was	357,929,229 00

Up to December 31, 1862, the issues of the

Treasury were:

Notes	$440,678,510 00
Redeemed	30,193,479 50
Outstanding	$410,485,030 50

From January 1, 1863, to September 30, 1863, the receipts of the Treasury were:

For 8 per cent. stock	$107,292,900 70
For 7 per cent. stock	38,757,650 70
For 6 per cent. stock	6,810,050 00
For 5 per cent. stock	22,992,900 00
For 4 per cent. stock	482,200 00
Cotton certificates	2,000,000 00
Interest on loans	140,210 00
War tax	4,128,988 97
Treasury notes	391,623,530 00
Sequestration	1,862,550 27
Customs	934,798 68
Export duty on cotton	8,101 78
Patent fund	10,794 04
Miscellaneous, including repayments by disbursing officers	24,498,217 93
Total	$601,522,893 12

EXPENDITURES DURING THAT TIME.

War Department	$377,988,244 00
Navy Department	38,437,661 00
Civil, miscellaneous, etc.	11,629,278 00
Customs	56,636 00
Public debt	32,212,290 00
Notes cancelled and redeemed	59,044,449 00
Total expenditures	$519,368,559 00
Total receipts	601,522,893 00
Balance in treasury	$82,154,334 00

But from this amount is to be deducted the amount of all Treasury notes that have been funded, but which have not yet received a true estimation, $65,000,000; total remaining, $17,154,334.

CONDITION OF THE TREASURY, JANUARY 1, 1864.

Jan. 25—The Secretary of the Treasury (C. G. Memminger) laid before the Senate a statement in reply to a resolution of the 20th, asking information relative to the funded debt, to call certificates, to non-interest and interest-bearing Treasury notes, and other financial matters. From this it appears that, January, 1864, the funded debt was as follows:

Act Feb. 28, 1861, 8 ℔ cent.,	15,000,000 00

Act May 16, 1861, 8 ₱ cent.,	8,774,900 00	
Act Aug. 19, 1861, 8 ₱ cent.,	100,000,000 00	
Act Apr. 12, 1862, 8 ₱ cent.,	3,612,300 00	
Act Feb. 20, 1863, 8 ₱ cent.,	95,785,000 00	
Act Feb. 20, 1863, 7 ₱ cent.,	63,615,750 00	
Act Mar. 23, 1863, 6 ₱ cent.,	2,831,700 00	
Act April 30, 1863 (cotton interest coupons)	8,252,000 00	
		$297,871,650 00
Call certificates		89,206,770 00
Non-interest bearing Treasury notes outstanding:		
Act May 16, 1861—Payable two years after date	8,320,875 00	
Act Aug. 19, 1861—General currency	189,719,251 00	
Act Oct. 13, 1861—All denominations	131,028,366 50	
Act March 23—All denominations	391,829,702 50	
		720,898,095 00
Interest-bearing Treasury notes outstanding		102,465,450 00

Amount of Treasury notes under $5, outstanding Jan. 1, 1864, viz:		
Act April 17, 1862, denominations of $1 and $2	4,860,277 50	
Act Oct. 13, 1862, $1 and $2	2,344,800 00	
Act March 23, 1863, 50 cents	3,419,000 00	
Total under $5		10,424,077 50
Total debt, Jan. 1, 1864		$1,220,866,042 50

ITS CONDITION, MARCH 31, 1864.

The Register of the Treasury, Robert Tyler, gave a statement, which appeared in the Richmond *Sentinel* after the passage of the funding law, which gives the amount of outstanding non-interest-bearing Treasury notes, March 31, 1864, as $796,264,403, as follows:

Act May 16, 1861—Ten-year notes	$7,201,375 00
Act Aug. 19, 1861—General currency	154,365,631 00
Act Apr. 19, 1862—ones and twos	4,516,509 00
Act Oct. 18, 1862—General currency	118,997,321 50
Act Mar. 23, 1863—General currency	511,182,566 50

Total	$796,264,403 00

He also publishes this statement of the issue of non-interest-bearing Treasury notes since the organization of the "Confederate" government:

Fifty cents	$911,258 50
Ones	4,882,000 00
Twos	6,086,320 00
Fives	79,090,315 00
Tens	157,982,750 00
Twenties	217,425,120 00
Fifties	188,088,200 00
Total	$973,277,363 50

Confederate Taxes.

We also append as full and fair a statement of Confederate taxes as can be procured, beginning with a summary of the act authorizing the issue of Treasury notes and bonds, and providing a war tax for their redemption:

THE TAX ACT OF JULY, 1861.

The Richmond *Enquirer* gives the following

summary of the act authorizing the issue of Treasury notes and bonds, and providing a war tax for their redemption:

Section one authorizes the issue of Treasury notes, payable to bearer at the expiration of six months after the ratification of a treaty of peace between the Confederate States and the United States. The notes are not to be of a less denomination than five dollars, to be re-issued at pleasure, to be received in payment of all public dues, except the export duty on cotton, and the whole issue outstanding at one time, including the amount issued under former acts, are not to exceed one hundred millions of dollars.

Section two provides that, for the purpose of funding the said notes, or for the purpose of purchasing specie or military stores, &c., bonds may be issued, payable not more than twenty years after date, to the amount of one hundred millions of dollars, and bearing an interest of eight per cent. per annum. This amount includes the thirty millions already authorized to be issued. The bonds are not to be issued in less amounts than $100, except when the subscription is for a less amount, when they may be issued as low as $50.

Section three provides that holders of Treasury notes may at any time exchange them for bonds.

Section four provides that, for the special purpose of paying the principal and interest of the public debt, and of supporting the Government, a war tax shall be assessed and levied of fifty cents upon each one hundred dollars in value of the following property in the Confederate States, namely: Real estate of all kinds; slaves; merchandise; bank stocks; railroad and other corporation stocks; money at interest or invested by individuals in the purchase of

bills, notes, and other securities for money, except the bonds of the Confederate States of America, and cash on hand or on deposit in bank or elsewhere; cattle, horses, and mules; gold watches, gold and silver plate; pianos and pleasure carriages: *Provided, however*, That when the taxable property, herein above enumerated, of any head of a family is of value less than five hundred dollars, such taxable property shall be exempt from taxation under this act. It provides further that the property of colleges, schools, and religious associations shall be exempt.

The remaining sections provide for the collection of the tax.

THE TAX ACT OF DECEMBER 19, 1861.

An act supplementary to an act to authorize the issue of Treasury notes, and to provide a war tax for their redemption.

SEC. 1. *The Congress of the Confederate States of America do enact*, That the Secretary of the Treasury is hereby authorized to pay over to the several banks, which have made advances to the Government, in anticipation of the issue of Treasury notes, a sufficient amount, not exceeding $10,000,000, for the principal and interest due upon the said advance, according to the engagements made with them.

SEC. 2. The time affixed by the said act for making assignments is hereby extended to the 1st day of January next, and the time for the completion and delivery of the lists is extended to the 1st day of March next, and the time for the report of the said lists to the chief collector is extended to the 1st day of May next; and in cases where the time thus fixed

shall be found insufficient, the Secretary of the Treasury shall have power to make further extension, as circumstances may require.

SEC. 3. The cash on hand, or on deposit in the bank, or elsewhere, mentioned in the fourth section of said act, is hereby declared to be subject to assessment and taxation, and the money at interest, or invested by individuals in the purchase of bills, notes, and other securities for money, shall be deemed to include securities for money belonging to non-residents, and such securities shall be returned, and the tax thereon paid by any agent or trustee having the same in possession or under his control. The term merchandise shall be construed to include merchandise belonging to any non-resident, and the property shall be returned, and the tax paid by any person having the same in possession as agent, attorney, or consignee: *Provided*, That the words "money at interest," as used in the act to which this act is an amendment, shall be so construed as to include all notes, or other evidences of debt, bearing interest, without reference to the consideration of the same. The exception allowed by the twentieth section for agricultural products shall be construed to embrace such products only when in the hands of the producer, or held for his account. But no tax shall be assessed or levied on any money at interest when the notes, bond, bill, or other security taken for its payment, shall be worthless from the insolvency and total inability to pay of the payer or obligor, or person liable to make such payment; and all securities for money payable under this act shall be assessed according to their value, and the assessor shall have the same power to ascertain the value of such securities as the law confers upon him with respect to other property.

SEC. 4. That an amount of money, not exceeding $25,000, shall be and the same is hereby appropriated, out of any money in the treasury not otherwise appropriated, to be disbursed under the authority of the Secretary of the Treasury, to the chief State tax collectors, for such expenses as shall be actually incurred for salaries of clerks, office hire, stationery, and incidental charges; but the books and printing required shall be at the expense of the department, and subject to its approval.

SEC. 5. The lien for the tax shall attach from the date of the assessment, and shall follow the same into every State in the Confederacy; and in case any person shall attempt to remove any property which may be liable to tax, beyond the jurisdiction of the State in which the tax is payable, without payment of the tax, the collector of the district may distrain upon and sell the same, in the same manner as is provided in cases where default is made in the payment of the tax.

SEC. 6. On the report of any chief collector, that any county, town or district, or any part thereof, is occupied by the public enemy, or has been so occupied as to occasion destruction of crops or property, the Secretary of the Treasury may suspend the collection of tax in such region until the same can be reported to Congress, and its action had thereon.

SEC. 7. In case any of the Confederate States shall undertake to pay the tax to be collected within its limits before the time at which the district collectors shall enter upon the discharge of their duties, the Secretary of the Treasury may suspend the appointment of such collectors, and may direct the chief collector to appoint assessors, and to take proper measures for the making and perfecting the

returns, assessments and lists required by law; and the returns, assessments and lists so made, shall have the same legal validity, to all intents and purposes, as if made according to the provisions of the act to which this act is supplementary.

SEC. 8. That tax lists already given, varying from the provisions of this act, shall be corrected so as to conform thereto.

THE TAX ACT OF APRIL 24, 1863.

[From the Richmond Whig, April 21.]

We present below a synopsis of the bill to lay taxes for the common defence and to carry on the government of the Confederate States, which has passed both branches of Congress. It is substantially the bill proposed by the committee on conference:

1. The first section imposes a tax of eight per cent. upon the value of all naval stores, salt, wines and spirituous liquors, tobacco, manufactured or unmanufactured, cotton, wool, flour, sugar, molasses, syrup, rice, and other agricultural products, held or owned on the 1st day of July next, and not necessary for family consumption for the unexpired portion of the year 1863, and of the growth or production of any year preceding the year 1863; and a tax of one per cent. upon all moneys, bank notes or other currency on hand or on deposit on the 1st day of July next, and on the value of all credits on which the interest has not been paid, and not employed in a business, the income derived from which is taxed under the provisions of this act: *Provided*, That all moneys owned, held or deposited beyond the limits of the Confederate States shall be valued at the current rate of exchange in Confederate

treasury notes. The tax to be assessed on the first day of July and collected on the first day of October next, or as soon thereafter as may be practicable.

2. Every person engaged, or intending to engage, in any business named in the fifth section, shall, within sixty days after the passage of the act, or at the time of beginning business, and on the first of January in each year thereafter, register with the district collector a true account of the name and residence of each person, firm, or corporation engaged or interested in the business, with a statement of the time for which, and the place and manner in which the same is to be conducted, &c. At the time of the registry there shall be paid the specific tax for the year ending on the next 31st of December, and such other tax as may be due upon sales or receipts in such business.

3. Any person failing to make such registry and pay such tax, shall, in addition to all other taxes upon his business imposed by the act, pay double the amount of the specific tax on such business, and a like sum for every thirty days of such failure.

4. Requires a separate registry and tax for each business mentioned in the fifth section, and for each place of conducting the same; but no tax for mere storage of goods at a place other than the registered place of business. A new registry required upon every change in the place of conducting a registered business, upon the death of any person conducting the same, or upon the transfer of the business to another, but no additional tax.

5. Imposing the following taxes for the year ending 31st of December, 1863, and for each year thereafter:

Bankers shall pay $500.

Auctioneers, retail dealers, tobacconists, pedlers, cattle brokers, apothecaries, photographers, and confectioners, $50, and two and a half per centum on the gross amount of sales made.

Wholesale dealers in liquors, $200, and five per centum on gross amount of sales. Retail dealers in liquors, $100, and ten per centum on gross amount of sales.

Wholesale dealers in groceries, goods, wares, merchandise, &c., $200, and two and a half per centum.

Pawnbrokers, money and exchange brokers, $200.

Distillers, $200, and twenty per centum. Brewers, $100, and two and a half per centum.

Hotels, inns, taverns, and eating-houses, first class, $500; second class, $300; third class, $200; fourth class, $100; fifth class, $30. Every house where food or refreshments are sold, and every boarding house where there shall be six boarders or more, shall be deemed an eating house under this act.

Commercial brokers or commission merchants, $200, and two and a half per centum.

Theatres, $500, and five per centum on all receipts. Each circus, $100, and $10 for each exhibition. Jugglers and other persons exhibiting shows, $50.

Bowling alleys and billiard rooms, $40 for each alley or table registered.

Livery stable keepers, lawyers, physicians, surgeons, and dentists, $50.

Butchers and bakers, $50, and one per centum.

6. Every person registered and taxed is required to make returns of the gross amount of sales from the passage of the act to the 30th of June, and every

three months thereafter.

7. A tax upon all salaries, except of persons in the military or naval service, of one per cent. when not exceeding $1,500, and two per cent. upon an excess over that amount: *Provided*, That no taxes shall be imposed by virtue of this act on the salary of any person receiving a salary not exceeding $1,000 per annum, or at a like rate for another period of time, longer or shorter.

8. Provides that the tax on annual incomes, between $500 and $1,500, shall be five per cent.; between $1,500 and $3,000, five per cent. on the first $1,500 and ten per cent. on the excess; between $3,000 and $5,000, ten per cent.; between $5,000 and $10,000, twelve and a half per cent.; over $10,000, fifteen per cent., subject to the following deductions: On incomes derived from rents of real estate, manufacturing, and mining establishments, &c., a sum sufficient for necessary annual repairs; on incomes from any mining or manufacturing business, the rent, (if rented,) cost of labor actually hired, and raw material; on incomes from navigating enterprises, the hire of the vessel, or allowance for wear and tear of the same, not exceeding ten per cent.; on incomes derived from the sale of merchandise or any other property, the prime cost of transportation, salaries of clerks, and rent of buildings; on incomes from any other occupation, the salaries of clerks, rent, cost of labor, material, &c.; and in case of mutual insurance companies, the amount of losses paid by them during the year. Incomes derived from other sources are subject to no deductions whatever.

All joint stock companies and corporations shall pay one tenth of the dividend and reserved fund annually. If the annual earnings shall give a profit of

more than ten and less than twenty per cent. on capital stock, one eighth to be paid; if more than twenty per cent., one sixth. The tax to be collected on the 1st of January next, and of each year thereafter.

9. Relates to estimates and deductions, investigations, referees, &c.

10. A tax of ten per cent. on all profits in 1862 by the purchase and sale of flour, corn, bacon, pork, oats, hay, rice, salt, iron or the manufactures of iron, sugar, molasses made of cane, butter, woolen cloths, shoes, boots, blankets, and cotton cloths. Does not apply to regular retail business.

11. Each farmer, after reserving for his own use fifty bushels sweet and fifty bushels Irish potatoes, one hundred bushels corn or fifty bushels wheat produced this year, shall pay and deliver to the Confederate Government one tenth of the grain, potatoes, forage, sugar, molasses, cotton, wool, and tobacco produced. After reserving twenty bushels peas or beans he shall deliver one tenth thereof.

12. Every farmer, planter, or grazier, one tenth of the hogs slaughtered by him, in cured bacon, at the rate of sixty pounds of bacon to one hundred pounds of pork; one per cent. upon the value of all meat cattle, horses, mules, not used in cultivation, and asses, to be paid by the owners of the same; beeves sold to be taxed as income.

13. Gives in detail the duties of post quartermasters under the act.

14. Relates to the duties of assessors and collectors.

15. Makes trustees, guardians, &c., responsible for taxes due from estates, &c., under their control.

16. Exempts the income and moneys of hospitals,

asylums, churches, schools, and colleges from taxation under the act.

17. Authorizes the Secretary of the Treasury to make all rules and regulations necessary to the operation of the act.

18. Provides that the act shall be in force for two years from the expiration of the present year, unless sooner repealed; that the tax on naval stores, flour, wool, cotton, tobacco, and other agricultural products of the growth of any year preceding 1863, imposed in the first section, shall be levied and collected only for the present year.

The tax act of February 17, 1864, levies, in addition to the above rates, the following, as stated in the Richmond *Sentinel* of February, 1864:

SEC. 1. Upon the value of real, personal, and mixed property, of every kind and description, except the exemptions hereafter to be named, five per cent.; the tax levied on property employed in agriculture to be credited by the value of property in kind.

On gold and silver ware, plate, jewels, and watches, ten per cent.

The tax to be levied on the value of property in 1860, except in the case of land, slaves, cotton, and tobacco, purchased since January 1st, 1862, upon which the tax shall be levied on the price paid.

SEC. 2. A tax of five per cent. on the value of all shares in joint stock companies of any kind, whether incorporated or not. The shares to be valued at their market value at the time of assessment.

SEC. 3. Upon the market value of gold and silver coin or bullion, five per cent.; also the same upon moneys held abroad, or all bills of exchange drawn therefor.

A tax of five per cent. on all solvent credits, and on all bank bills and papers used as currency, except non-interest-bearing Confederate Treasury notes, and not employed in a registered business taxed twenty-five per cent.

SEC. 4. Profits in trade and business taxed as follows:

On the purchase and sale of agricultural products and mercantile wares generally, from January 1, 1863, to January 1, 1865, ten per cent. in addition to the tax under the act of April 24, 1863.

The same on the purchase and sale of coin, exchange, stocks, notes, and credits of any kind, and any property not included in the foregoing.

On the amount of profits exceeding twenty-five per cent. of any bank, banking company, or joint stock company of any description, incorporated or not, twenty-five per cent. on such excess.

SEC. 5. The following are exempted from taxation.

Five hundred dollars' worth of property for each head of a family, and a hundred dollars additional for each minor child; and for each son in the army or navy, or who has fallen in the service, and a member of the family when he enlisted, the further sum of $500.

One thousand dollars of the property of the widow or minor children of any officer, soldier, sailor, or marine, who has died in the service.

A like amount of property of any officer, soldier, sailor, or marine, engaged in the service, or who has been disabled therein, provided said property, exclusive of furniture, does not exceed in value $1,000.

When property has been injured or destroyed by

the enemy, or the owner unable temporarily to use or occupy it by reason of the presence or proximity of the enemy, the assessment may be reduced in proportion to the damage sustained by the owner, and the tax in the same ratio by the district collector.

SEC. 6. The taxes on property for 1864 to be assessed as on the day of the passage of this act, and collected the 1st of June next, with ninety days extension west of the Mississippi. The additional tax on incomes or profits for 1863, to be paid forthwith; the tax on incomes, &c., for 1864, to be collected according to the acts of 1863.

SEC. 7. Exempts from tax on income for 1864, all property herein taxed *ad valorem*. The tax on Confederate bonds in no case to exceed the interest payable on the same; and said bonds exempt from tax when held by minors or lunatics, if the interest do not exceed one thousand dollars.

THE TAX LAW.

We learn that, according to the construction of the recent tax law in the Treasury Department, tax payers will be required to state the articles and objects subjected to a specific or *ad valorem* tax, held, owned, or possessed by them on the 17th day of February, 1864, the date of the act.

The daily wages of detailed soldiers and other employés of the Government are not liable to taxation as income, although they may amount, in the aggregate, to the sum of $1,000 per annum.

A tax additional to both the above was imposed as follows, June 1, 1864:

A bill to provide supplies for the army, and to prescribe the mode of making impressments.

SEC. 1. *The Congress of the Confederate States of America do enact*, Every person required to pay a tax in kind, under the provisions of the "Act to lay taxes for the common defense and carry on the Government of the Confederate States," approved April 24, 1863, and the act amendatory thereof, approved February 17, 1864, shall, in addition to the one tenth required by said acts to be paid as a tax in kind, deliver to the Confederate Government, of the products of the present year and of the year 1865, one other tenth of the several products taxed in kind by the acts aforesaid, which additional one tenth shall be ascertained, assessed and collected, in all respects, as is provided by law for the said tax in kind, and shall be paid for, on delivery, by the Post-Quartermasters in the several districts at the assessed value thereof, except that payment for cotton and tobacco shall be made by the agents of the Treasury Department appointed to receive the same.

SEC. 2. The supplies necessary to the support of the producer and his family, and to carry on his ordinary business, shall be exempted from the contribution required by the preceding section, and from the additional impressments authorized by the act: *Provided, however*, That nothing herein contained shall be construed to repeal or affect the provisions of an act entitled "An act to authorize the impressment of meat for the use of the army, under certain circumstances," approved Feb. 17, 1864, and if the amount of any article or product so necessary cannot be agreed upon between the assessor and the producer, it shall be ascertained and determined by disinterested freeholders of the vicinage, as is provided in cases of disagreement as to the estimates

and assessments of tax in kind. If required by the assessor, such freeholder shall ascertain whether a producer, who is found unable to furnish the additional one tenth of any one product, cannot supply the deficiency by the delivery of an equivalent in other products, and upon what terms such commutation shall be made. Any commutation thus awarded shall be enforced and collected, in all respects, as is provided for any other contribution required by this act.

SEC. 3. The Secretary of War may, at his discretion, decline to assess, or, after assessment, may decline to collect the whole or any part of the additional one tenth herein provided for, in any district or locality; and it shall be his duty promptly to give notice of any such determination, specifying, with reasonable certainty, the district or locality and the product, or the proportion thereof, as to which he so declines.

SEC. 4. The products received for the contribution herein required, shall be disposed of and accounted for in the same manner as those received for the tax in kind; and the Secretary of War may, whenever the exigencies of the public service will allow, authorize the sale of products received from either source, to public officers or agents charged in any State with the duty of providing for the families of soldiers. Such sale shall be at the prices paid or assessed for the products sold, including the actual cost of collections.

SEC. 5. If, in addition to the tax in kind and the contribution herein required, the necessities of the army or the good of the service shall require other supplies of food or forage, or any other private property, and the same cannot be procured by contract, then impressments may be made of such

supplies or other property, either for absolute ownership or for temporary use, as the public necessities may require. Such impressments shall be made in accordance with the provisions, and subject to the restrictions of the existing impressment laws, except so far as is herein otherwise provided.

SEC. 6. The right and the duty of making impressments is hereby confided exclusively to the officers and agents charged in the several districts with the assessment and collection of the tax in kind and of the contribution herein required; and all officers and soldiers in any department of the army are hereby expressly prohibited from undertaking in any manner to interfere with these officers and agents in any part of their duties in respect to the tax in kind, the contribution, or the impressment herein provided for: *Provided*, That this prohibition shall not be applicable to any district, county, or parish in which there shall be no officer or agent charged with the appointment and collection of the tax in kind.

SEC. 7. Supplies or other property taken by impressment shall be paid for by the post quartermasters in the several districts, and shall be disposed of and accounted for by them as is required in respect to the tax in kind and the contribution herein required; and it shall be the duty of the post quartermasters to equalize and apportion the impressments within their districts, as far as practicable, so as to avoid oppressing any portion of the community.

SEC. 8. If any one not authorized by law to collect the tax in kind or the contribution herein required, or to make impressments, shall undertake, on any pretence of such authority, to seize or impress, or to collect or receive any such property, or shall, on any such pretence, actually obtain such property, he

shall, upon conviction thereof, be punished by fine not exceeding five times the value of such property, and be imprisoned not exceeding five years, at the discretion of the court having jurisdiction. And it shall be the duty of all officers and agents charged with the assessment and collection of the tax in kind and of the contribution herein required, promptly to report, through the post quartermasters in the several districts, any violation or disregard of the provisions of this act by any officer or soldier in the service of the Confederate States.

SEC. 9. That it shall not be lawful to impress any sheep, milch cows, brood mares, stud horses, jacks, bulls, or other stock kept or necessary for raising horses, mules, or cattle.

The following is the vote by which the bill passed the Senate:

YEAS—Messrs. Caperton, Graham, Haynes, Jemison, Johnson (Ark.), Johnson (Mo.), Mitchell, Orr, Walker, Watson—10.

NAYS—Messrs. Baker, Burnett, Henry, Hunter, Maxwell, Semmes, Sparrow—7.

Admitting West Virginia.

An important political movement in the early years of the war was the separation of West Virginia from the mother State, which had seceded, and her admission into the Union.

SECOND SESSION, THIRTY-SEVENTH CONGRESS.

In Senate, 1862, July 14.—The bill providing for the admission of the State of West Virginia into the Union, passed—yeas 23, nays 17, as follows:

YEAS—Messrs. Anthony, Clark, Collamer, Fessenden, Foot, Foster, Grimes, Hale, Harlan, Harris, Howe, Lane of Indiana, Lane of Kansas, Morrill, Pomeroy, *Rice*, Sherman, Simmons, Ten Eyck, Wade, Wilkinson, Willey, Wilson of Massachusetts—23.

NAYS—Messrs. *Bayard*, Browning, *Carlile*, Chandler, Cowan, *Davis*, Howard, *Kennedy*, King, *McDougal*, *Powell*, *Saulsbury*, *Stark*, Sumner, Trumbull, *Wilson* of Missouri, *Wright*—17.

During the pendency of this bill, July 14, 1862, Mr. Sumner moved to strike from the first section of the second article the words: "the children of all slaves born within the limits of said State shall be free," and insert:

Within the limits of the said State there shall be neither slavery nor involuntary servitude, otherwise than in punishment of crimes whereof the party shall be duly convicted.

Which was rejected—yeas 11, nays 24, as follows:

YEAS—Messrs. Chandler, Clark, Grimes, King, Lane of Kansas, Pomeroy, Sumner, Trumbull, Wilkinson, Wilmot, Wilson, of Massachusetts—11.

NAYS—Messrs. Anthony, *Bayard*, Browning, *Carlile*, Collamer, Doolittle, Foot, Foster, Harris, Henderson, Howe, *Kennedy*, Lane of Indiana, *Powell*, *Rice*, *Saulsbury*, Sherman, Simmons, *Stark*, Ten Eyck, Wade, Wiley, *Wilson* of Missouri, *Wright*—24.

Mr. Willey proposed to strike out all after the word "That" in the first section, and insert:

That the State of West Virginia be, and is hereby,

declared to be one of the United States of America, and admitted into the Union on an equal footing with the original States in all respects whatever, and until the next general census shall be entitled to three members in the House of Representatives of the United States: *Provided always*, That this act shall not take effect until after the proclamation of the President of the United States hereinafter provided for.

SEC. 2. It being represented to Congress that since the convention of the 26th of November, 1861, that framed and proposed the constitution for the said State of West Virginia, the people thereof have expressed a wish to change the seventh section of the eleventh article of said constitution by striking out the same, and inserting the following in its place, namely, "The children of slaves born within the limits of this State after the 4th day of July, 1863, shall be free, and no slave shall be permitted to come into the State for permanent residence therein:" therefore,

Be it further enacted, That whenever the people of West Virginia shall, through their said convention, and by a vote to be taken at an election to be held within the limits of the State at such time as the convention may provide, make and ratify the change aforesaid and properly certify the same under the hand of the president of the convention, it shall be lawful for the President of the United States to issue his proclamation stating the fact, and thereupon this act shall take effect and be in force from and after sixty days from the date of said proclamation.

Mr. Lane of Kansas moved to amend the amendment by inserting after the word "Herein," and before the word, "Therefore" the words:

And that all slaves within the said State who shall at the time aforesaid be under the age of ten years shall be free when they arrive at the age of twenty-one years; and all slaves over ten and under twenty-one years shall be free when they arrive at the age of twenty-five years.

Which was agreed to—yeas 25, nays 12, as follows:

YEAS—Messrs. Anthony, Clark, Collamer, Doolittle, Foot, Foster, Grimes, Harlan, Harris, Howard, Howe, King, Lane of Indiana, Lane of Kansas, Morrill, Pomeroy, Sherman, Simmons, Sumner, Ten Eyck, Trumbull, Wade, Wilkinson, Wilmot, Wilson, of Massachusetts—25.

NAYS—Messrs. Browning, *Carlile*, *Davis*, Henderson, *Kennedy*, *McDougall*, *Powell*, *Saulsbury*, *Stark*, Willey, *Wilson* of Missouri, *Wright*—12.

The amendment as amended was then agreed to.

A motion to postpone the bill to the first Monday of the next December was lost—yeas 17, nays 23.

In House, July 16—The bill was postponed until the second Tuesday of the next December—yeas 63, nays 33.

THIRD SESSION, THIRTY-SEVENTH CONGRESS.

1863, Dec. 10, the House passed the bill—yeas 96, nays 57.

1863, April 20, the President issued a proclamation announcing the compliance, by West Virginia, of the conditions of admission.

COLOR IN WAR POLITICS.

Emancipation and its attendant agitations brought to the front a new class of political questions, which can best be grouped under the above caption. The following is a summary of the legislation:

Second Session, Thirty-Seventh Congress.

To Remove Disqualification of Color in Carrying the Mails.

In Senate, 1862, April 11—The Senate considered a bill "to remove all disqualification of color in carrying the mails of the United States." It directed that after the passage of the act no person, by reason of color, shall be disqualified from employment in carrying the mails, and all acts and parts of acts establishing such disqualification, including especially the seventh section of the act of March 3, 1825, are hereby repealed.

The vote in the Senate was, yeas 24, nays 11, as follows:

YEAS—Messrs. Anthony, Browning, Chandler, Clark, Collamer, Dixon, Doolittle, Fessenden, Foot, Foster, Grimes, Hale, Howard, Howe, King, Lane of Kansas, Morrill, Pomeroy, Sherman, Simmons, Sumner, Wade, Wilkinson, and Wilson of Massachusetts—24.

NAYS—Messrs. *Davis*, Henderson, *Kennedy*, Lane of Indiana, *Latham*, *Nesmith*, *Powell*, *Stark*, Willey,

Wilson of Missouri, Wright—11.[25]

In House, May 21—It was considered in the House and laid on the table—yeas 83, nays 43.

First Session, Thirty-Eighth Congress.

1864, February 26—The Senate considered the bill —the question being on agreeing to a new section proposed by the Committee on Post Offices and Post Roads—as follows:

SEC. 2. That in the courts of the United States there shall be no exclusion of any witness on account of color.

Mr. Powell moved to amend by inserting after the word "States" the words: "in all cases for robbing or violating the mails of the United States."

No further progress was made on the bill.

NEGRO SUFFRAGE IN MONTANA TERRITORY.

1864, March 18—The House passed, without a division, a bill in the usual form, to provide a temporary government for the Territory of Montana.

March 31—The Senate considered it, when Mr. Wilkinson moved to strike from the second line of the fifth section, (defining the qualifications of voters,) the words "white male inhabitant" and insert the words: "male citizen of the United States, and those who have declared their intention to become such;" which was agreed to—yeas 22, nays 17, as follows:

YEAS—Messrs. Brown, Chandler, Clark, Collamer, Conness, Dixon, Fessenden, Foot, Foster, Grimes, Hale, Harlan, Harris, Howard, Howe, Morgan, Morrill, Pomeroy, Sumner, Wade, Wilkinson, Wilson —22.

NAYS—Messrs. *Buckalew*, *Carlile*, Cowan, *Davis*, Harding, Henderson, Johnson, Lane of Indiana, *Nesmith*, *Powell*, *Riddle*, *Saulsbury*, Sherman, Ten Eyck, Trumbull, Van Winkle, Willey—17.

The bill was then passed—yeas 29, nays 8, (Messrs. *Buckalew*, *Davis*, *Johnson*, *Powell*, *Riddle*, *Saulsbury*, Van Winkle, Willey.)

April 15—The Senate adopted the report of the Committee of Conference on the Montana bill, which recommended the Senate to recede from their second amendment, and the House to agree to the first and third amendments of the Senate, (including the above.)

April 15—Mr. Beaman presented the report of the Committee of Conference on the Montana bill, a feature of which was that the House should recede from its disagreement to the Senate amendment striking out the word “white” in the description of those authorized to vote.

Mr. Holman moved that the report be tabled; which was lost by the casting vote of the Speaker—yeas 66, nays 66.

Upon agreeing to the report the yeas were 54, nays 85.

On motion to adhere to its amendments, and ask another Committee of Conference, Mr. Webster moved instructions:

And that said committee be instructed to agree to no report that authorizes any other than free white male citizens, and those who have declared their

intention to become such, to vote.

Which was agreed to—yeas 75, nays 67.

April 15—The Senate declined the conference upon the terms proposed by the House resolution of that day.

April 18—The House proposed a further free conference, to which, April 25, the Senate acceded.

May 17—In Senate, Mr. Morrill submitted a report from the Conference Committee who recommend that qualified voters shall be:

All citizens of the United States, and those who have declared their intention to become such, and who are otherwise described and qualified under the fifth section of the act of Congress providing for a temporary government for the Territory of Idaho approved March 3, 1863.

The report was concurred in—yeas 26, nays 13.

May 20—The above report was made by Mr. Webster in the House, and agreed to—yeas 102, nays 26.

IN WASHINGTON CITY.[26]

1864, May 6—The Senate considered the bill for the registration of voters in the city of Washington, when

Mr. Cowan moved to insert the word “white” in the first section, so as to confine the right of voting to white male citizens.

May 12—Mr. Morrill moved to amend the amendment by striking out the words—

And shall have paid all school taxes and all taxes on personal property properly assessed against him,

shall be entitled to vote for mayor, collector, register, members of the board of aldermen and board of common council, and assessor, and for every officer authorized to be elected at any election under any act or acts to which this is amendatory or supplementary, and inserting the words—

And shall within the year next preceding the election have paid a tax, or been assessed with a part of the revenue of the District, county, or cities, therein, or been exempt from taxation having taxable estate, and who can read and write with facility, shall enjoy the privileges of an elector.

May 26—Mr. Sumner moved to amend the bill by adding this proviso:

Provided, That there shall be no exclusion of any person from the registry on account of color.

May 27—Mr. Harlan moved to amend the amendment by making the word "person" read "persons," and adding the words—

Who have borne arms in the military service of the United States, and have been honorably discharged therefrom.

Which was agreed to yeas 26, nays 12, as follows:

YEAS—Messrs. Anthony, Chandler, Clark, Collamer, Conness, Dixon, Fessenden, Foot, Foster, Grimes, Hale, Harlan, Harris, Johnson, Lane of Indiana, Lane of Kansas, Morgan, Morrill, Pomeroy, Ramsey, Sherman, Ten Eyck, Trumbull, Wade, Willey, Wilson—26.

NAYS—Messrs. *Buckalew*, *Carlile*, Cowan, *Davis*, *Hendricks*, *McDougall*, *Powell*, *Richardson*, *Saulsbury*, Sumner, Van Winkle, Wilkinson—12.

May 28—Mr. Sumner moved to add these words to the last proviso:

And provided further, That all persons, without distinction of color, who shall, within the year next preceding the election, have paid a tax on any estate, or been assessed with a part of the revenue of said District, or been exempt from taxation having taxable estate, and who can read and write with facility, shall enjoy the privilege of an elector. But no person now entitled to vote in the said District, continuing to reside therein, shall be disfranchised hereby.

Which was rejected—yeas 8, nays 27, as follows:

YEAS—Messrs. Anthony, Clark, Lane of Kansas, Morgan, Pomeroy, Ramsey, Sumner, Wilkinson—8.

NAYS—Messrs. *Buckalew*, *Carlile*, Collamer, Cowan, *Davis*, Dixon, Fessenden, Foot, Foster, Grimes, Hale, Harlan, Harris, *Hendricks*, Hicks, Johnson, Lane of Indiana, *McDougall*, Morrill, *Powell*, *Saulsbury*, Sherman. Ten Eyck, Trumbull, Van Winkle, Willey, Wilson—27.

The other proposition of Mr. Sumner, amended on motion of Mr. Harlan, was then rejected—yeas 18, nays 20, as follows:

YEAS—Messrs. Anthony, Chandler, Clark, Dixon, Foot, Foster, Hale, Harlan, Howard, Howe, Lane of Kansas, Morgan, Pomeroy, Ramsey, Sherman, Sumner, Wilkinson, Wilson—18.

NAYS—Messrs. *Buckalew*, *Carlile*, Cowan, *Davis*, Grimes, Harris, *Hendricks*, Hicks, Johnson, Lane of Indiana, *McDougall*, Morrill, *Nesmith*, *Powell*, *Richardson*, *Saulsbury*, Ten Eyck, Trumbull, Van Winkle, Willey—20.

The bill then passed the Senate, and afterward the House, without amendment.

Third Session, Thirty-Seventh Congress.

Excluding Colored Persons from Cars.

In Senate—1863, February 27—Pending a supplement to the charter of the Washington and Alexandria Railroad Company, Mr. Sumner offered this proviso to the first section:

That no person shall be excluded from the cars on account of color.

Which was agreed to—yeas 19, nays 18, as follows:

YEAS—Messrs. Arnold, Chandler, Clark, Fessenden, Foot, Grimes, Harris, Howard, King, Lane of Kansas, Morrill, Pomeroy, Sumner, Ten Eyck, Trumbull, Wade, Wilkinson, Wilmot, Wilson, of Massachusetts —19.

NAYS—Messrs. Anthony, *Bayard*, *Carlile*, Cowan, *Davis*, Henderson, Hicks, Howe, *Kennedy*, Lane of Indiana, *Latham*, *McDougall*, *Powell*, *Richardson*, *Saulsbury*, *Turpie*, Willey, *Wilson* of Missouri—18.

March 2.—The House concurred in the amendment without debate, under the previous question.

First Session, Thirty-Eighth Congress.

In Senate—1864, February 10—Mr. Sumner offered the following:

Resolved, That the Committee on the District of Columbia be directed to consider the expediency of further providing by law against the exclusion of colored persons from the equal enjoyment of all

railroad privileges in the District of Columbia.

Which was agreed to—yeas 30, nays 10.

February 24—Mr. Willey, from the Committee on the District of Columbia, made this report, and the committee were discharged.

The Committee on the District of Columbia, who were required by resolution of the Senate, passed February 8, 1864, "to consider the expediency of further providing by law against the exclusion of colored persons from the equal enjoyment of all railroad privileges in the District of Columbia," have had the matter thus referred to them under consideration, and beg leave to report:

The act entitled "An act to incorporate the Washington and Georgetown Railroad Company," approved May 17, 1862, makes no distinction as to passengers over said road on account of the color of the passengers, and that in the opinion of the committee colored persons are entitled to all the privileges of said road which other persons have, and to all remedies for any denial or breach of such privileges which belongs to any person.

The committee therefore ask to be discharged from the further consideration of the premises.

March 17—The Senate considered the bill to incorporate the Metropolitan Railroad Company, in the District of Columbia, the pending question being an amendment, offered by Mr. Sumner, to add to the fourteenth section the words:

Provided, That there shall be no regulation excluding any person from any car on account of color.

Which was agreed to—yeas 19, nays 17, as follows:

YEAS—Messrs. Anthony, Brown, Clark, Conness, Fessenden, Foot, Foster, Grimes, Harlan, Howe, Lane of Kansas, Morgan, Morrill, Pomeroy, Ramsey, Sumner, Wade, Wilkinson, Wilson—19.

NAYS—Messrs. *Buckalew*, *Carlile*, *Davis*, Doolittle, Harding, Harris, *Hendricks*, Johnson, Lane of Indiana, *Powell*, *Riddle*, *Saulsbury*, Sherman, Ten Eyck, Trumbull, Van Winkle, Willey—17.

The bill then passed the Senate.

June 19—The House refused to strike out the proviso last adopted in the Senate—yeas 60, nays 76.

And the bill passed the House and was approved by the President.

Second Session, Thirty-Seventh Congress.

Colored Persons as Witnesses.

In Senate—Pending the confiscation bill, June 28, 1862.

Mr. Sumner moved these words as an addition to the 14th section:

And in all the proceedings under this act there shall be no exclusion of any witness on account of color.

Which was rejected—yeas 14, nays 25, as follows:

YEAS--Messrs. Chandler, Grimes, Harlan, Howard, King, Lane of Kansas, Morrill, Pomeroy, Sumner, Trumbull, Wade, Wilkinson, Wilmot—14.

NAYS—Messrs. Anthony, Browning, *Carlile*, Clark, Collamer, Cowan, *Davis*, Dixon, Doolittle, Fessenden,

Foot, Foster, Harris, Henderson, Lane of Indiana, *Nesmith*, *Pearce*, *Powell*, Sherman, Simmons, *Stark*, Ten Eyck, Willey, *Wilson* of Missouri, *Wright*—25.

Pending the consideration of the supplement to the emancipation bill for the District of Columbia,

1862, July 7—Mr. Sumner moved a new section:

That in all the judicial proceedings in the District of Columbia there shall be no exclusion of any witness on account of color.

Which was adopted—yeas 25, nays 11.

The bill then passed—yeas 29, nays 6; (Messrs. *Carlile*, *Davis*, *Kennedy*, *Powell*, *Wilson*, of Missouri, *Wright*.)

July 9—The bill passed the House—yeas 69, nays 36. There was no separate vote on the above proposition.

Pending the consideration in the Senate of the House bill in relation to the competency of witnesses in trials of equity and admiralty,

1862, July 15—Mr. Sumner offered this proviso to the first section:

Provided, That there shall be no exclusion of any witness on account of color. Which was rejected—yeas 14, nays 23.

First Session, Thirty-Eighth Congress.

1864, June 25—Pending the civil appropriation bill, in Committee of the Whole, Mr. Sumner offered this proviso:

Provided, That in the courts of the United States there shall be no exclusion of any witness on account of color.

Mr. Buckalew moved to add:

Nor in civil actions because he is a party to or interested in the issue tried.

Which was agreed to; and the amendment as amended was agreed to—yeas 22, nays 16.

The Senate subsequently concurred in this amendment—yeas 29, nays 10.

IN HOUSE.

June 29—The question being on agreeing to the amendment,

Mr. Mallory moved to add this proviso to the section amended in the Senate:

Provided, That negro testimony shall only be taken in the United States courts in those States the laws of which authorize such testimony.

Which was rejected—yeas 47, nays 66.

The amendment of the Senate was then agreed to —yeas 67, nays 48.

COLORED SCHOOLS.

June 8.—The House passed a bill to provide for the public instruction of youth in Washington city, with an amendment providing for separate schools for the colored children, by setting apart such a proportion of the entire school fund as the number of colored children between the ages of six and seventeen bear to the whole number of children in

the District. The bill, with amendments, passed both Houses without a division.

On all of these questions of color, the Democrats invariably, on test votes, were found against any concession of rights to the negro. These were frequently aided by some Republicans, more conservative than their colleagues, or representing closer districts where political prejudices would affect their return to their seats. It will be observed that on nearly all these questions Senator Charles Sumner took the lead. He was at that time pre-eminently the Moses of the colored man, and led him from one right to another through Senatorial difficulties, which by the way, were never as strong as that in the House, where Thaddeus Stevens was the boldest champion of “the rights of the black man.” In the field, rather in the direction of what should be done with the “contrabands” and escaped slaves, the Secretary of War, General Cameron, was their most radical friend, and his instructions were so outspoken that Lincoln had to modify them. As early as December 1, 1861, General Cameron wrote:

“While it is plain that the slave property of the South is justly subjected to all the consequences of this rebellious war, and that the Government would be untrue to its trust in not employing all the rights and powers of war to bring it to a speedy close, the details of the plan for doing so, like all other military measures, must, in a great degree, be left to be determined by particular exigencies. The disposition of other property belonging to the rebels that becomes subject to our arms is governed by the circumstances of the case. The Government has no power to hold slaves, none to restrain a slave of his liberty, or to exact his service. It has a right, however, to use the voluntary service of slaves

liberated by war from their rebel masters, like any other property of the rebels, in whatever mode may be most efficient for the defence of the Government, the prosecution of the war, and the suppression of rebellion. It is clearly a right of the government to arm slaves when it may become necessary as it is to take gunpowder from the enemy. Whether it is expedient to do so is purely a military question. The right is unquestionable by the laws of war. The expediency must be determined by circumstances, keeping in view the great object of overcoming the rebels, re-establishing the laws, and restoring peace to the nation.

"It is vain and idle for the Government to carry on this war, or hope to maintain its existence against rebellious force, without enjoying all the rights and powers of war. As has been said, the right to deprive the rebels of their property in slaves and slave labor is as clear and absolute as the right to take forage from the field, or cotton from the warehouse, or powder and arms from the magazine. To leave the enemy in the possession of such property as forage and cotton and military stores, and the means of constantly reproducing them, would be madness. It is, therefore, equal madness to leave them in peaceful and secure possession of slave property, more valuable and efficient to them for war than forage, cotton and military stores. Such policy would be national suicide. What to do with that species of property is a question that time and circumstances will solve, and need not be anticipated further than to repeat that they cannot be held by the Government as slaves. It would be useless to keep them as prisoners of war; and self-preservation, the highest duty of a Government, or of individuals, demands that they should be disposed of or

employed in the most effective manner that will tend most speedily to suppress the insurrection and restore the authority of the Government. If it shall be found that the men who have been held by the rebels as slaves are capable of bearing arms and performing efficient military service, it is the right, and may become the duty, of this Government to arm and equip them, and employ their services against the rebels, under proper military regulations, discipline and command.

"But in whatever manner they may be used by the Government, it is plain that, once liberated by the rebellious act of their masters, they should never again be restored to bondage. By the master's treason and rebellion he forfeits all right to the labor and service of his slave; and the slave of the rebellious master, by his service to the Government, becomes justly entitled to freedom and protection.

"The disposition to be made of the slaves of rebels, after the close of the war, can be safely left to the wisdom and patriotism of Congress. The representatives of the people will unquestionably secure to the loyal slaveholders every right to which they are entitled under the Constitution of the country."

[Subsequent events proved the wisdom of this policy, and it was eventually adopted by an Administration which proclaimed its policy "to move not ahead but with the people."]

President Lincoln and his Cabinet modified the above language so as to make it read:

"It is already a grave question what shall be done with those slaves who were abandoned by their owners on the advance of our troops into southern territory, as at Beaufort district, in South Carolina.

The number left within our control at that point is very considerable, and similar cases will probably occur. What shall be done with them? Can we afford to send them forward to their masters, to be by them armed against us, or used in producing supplies to sustain the rebellion? Their labor may be useful to us; withheld from the enemy it lessens his military resources, and withholding them has no tendency to induce the horrors of insurrection, even in the rebel communities. They constitute a military resource, and, being such, that they should not be turned over to the enemy is too plain to discuss. Why deprive him of supplies by a blockade, and voluntarily give him men to produce them?

"The disposition to be made of the slaves of rebels, after the close of the war, can be safely left to the wisdom and patriotism of Congress. The Representatives of the people will unquestionably secure to the loyal slaveholders every right to which they are entitled under the Constitution of the country."

Secretary Cameron was at all times in favor of "carrying the war into Africa" and it was this stern view of the situation which eventually led him to sanction measures which brought him into plainer differences with the Administration. Lincoln took offense at the printing of his report before submitting it to him. As a result he resigned and went to Russia as Minister, on his return being again elected to the United States Senate—a place which he filled until the winter of 1877, when he resigned, and his son, J. Donald Cameron, was elected to the vacancy, and re-elected for the term ending in 1885. General B. F. Butler was the author of the "contraband" idea. A year later the views of the Administration became more radical on questions of color, and July 22,

1862, Secretary Stanton ordered all Generals in command "to seize and use any property, real or personal, which may be necessary or convenient for their several commands, for supplies, or for other military purposes; and that while property may be destroyed for proper military objects, none shall be destroyed in wantonness or malice.

"*Second.* That military and naval commanders shall employ as laborers, within and from said States, so many persons of African descent as can be advantageously used for military or naval purposes, giving them reasonable wages for their labor.

"*Third.* That, as to both property, and persons of African descent, accounts shall be kept sufficiently accurate and in detail to show quantities and amounts, and from whom both property and such persons shall have come, as a basis upon which compensation can be made in proper cases; and the several departments of this Government shall attend to and perform their appropriate parts towards the execution of these orders."

The manner and language employed by General McClellan in promulgating this order to the Army of the Potomac, led to his political differences with the Administration, and in the end caused him to be the Democratic candidate for President in 1864, against Lincoln. His language is peculiar and some of it worthy of presentation as of political importance. He said:

"Inhabitants, especially women and children, remaining peaceably at their homes, must not be molested; and wherever commanding officers find families peculiarly exposed in their persons or property to marauding from this army, they will, as heretofore, so far as they can do with safety and

without detriment to the service, post guards for their protection.

"In protecting private property, no reference is intended to persons held to service or labor by reason of African descent. Such persons will be regarded by this army, as they heretofore have been, as occupying simply a peculiar legal status under State laws, which condition the military authorities of the United States are not required to regard at all in districts where military operations are made necessary by the rebellious action of the State governments.

"Persons subject to suspicion of hostile purposes, residing or being near our forces, will be, as heretofore, subject to arrest and detention, until the cause or necessity is removed. All such arrested parties will be sent, as usual, to the Provost Marshal General, with a statement of the facts in each case.

"The general commanding takes this occasion to remind the officers and soldiers of this army that we are engaged in supporting the Constitution and the laws of the United States and suppressing rebellion against their authority; that we are not engaged in a war of rapine, revenge, or subjugation; that this is not a contest against populations, but against armed forces and political organizations; that it is a struggle carried on with the United States, and should be conducted by us upon the highest principles known to Christian civilization."

At this time such were the prejudices of Union soldiers against negroes, because of growing political agitation in the North, that many would loudly jeer them when seen within the lines. The feeling was even greater in the ranks of civilians, and yet Congress moved along, step by step. The 37th

abolished slavery in the District of Columbia; prohibited it in all the territories; confirmed the freedom of the slaves owned by those in arms against the government; authorized the employment of colored men in fortifications, their enlistment, etc.; and enacted an additional article of war, which prohibited any officer from returning or aiding the return of any fugitive slave. These were rapid strides, but not as rapid as were demanded by the more radical wing of the Republican party. We have shown that most of them were opposed by the Democrats, not solidly sure where they were plainly political, but this party became less solid as the war advanced.

Senator Wilson was the author of the bill to abolish slavery in the District of Columbia. It excited much debate, and the range of the speeches covered the entire question of slavery. Those from the Border States opposed it (a few Republicans and all Democrats) but some of the Democrats of the North supported it. The vote in the Senate was 29 for to 6 against. In the House Frank P. Blair, Jr., advocated colonization in connection with the bill, but his idea met with little favor. Crittenden, Wickliffe and Vallandigham were prominent in opposition. Its most prominent advocates were Stevens of Pennsylvania, and Bingham of Ohio. The vote was 92 for to 38 against.

The bill of Arnold, of Illinois, “to render freedom national and slavery sectional,” the leading idea in the platform of the convention which nominated Lincoln, prohibited slavery in “all the Territories of the United States then existing, or thereafter to be formed or acquired in any way.” It was vehemently opposed, but passed with some modifications by 58 ayes to 50 noes, and it also passed the Senate.

In the Spring of 1862 General David Hunter brought the question of the enlistment of colored troops to a direct issue by raising a regiment of them. On the 9th of June following, Mr. Wickliffe of Kentucky, succeeded in getting the House to adopt a resolution of inquiry. Correspondence followed with General Hunter. He confessed the fact, stated that "he found his authority in the instructions of Secretary Cameron, and said that he hoped by fall to enroll about fifty thousand of these hardy and devoted soldiers." When this reply was read in the House it was greeted with shouts of laughter from the Republicans, and signs of anger from the others. A great debate followed on the amendment to the bill providing for the calling out of the militia, clothing the President with full power to enlist colored troops, and to proclaim "he, his mother, and wife and children forever free," after such enlistment. Preston King, of New York, was the author of this amendment. Davis, of Kentucky, and Carlisle of West Virginia, were prominent Senators in opposition; while Ten Eyck, of New Jersey, Sherman of Ohio, and Browning of Illinois sought to modify it. Garrett Davis said in opposition:

"Do you expect us to give our sanction and approval to these things? No, no! We would regard their authors as our worst enemies; and there is no foreign despotism that could come to our rescue, that we would not fondly embrace, before we would submit to any such condition of things."

Senator Fessenden of Maine, in advocacy of the amendment, said:

"I tell the President from my place here as a Senator, and I tell the generals of our army, they must reverse their practices and course of proceeding on this subject. * * * Treat your enemies as enemies,

as the worst of enemies, and avail yourselves like men of every power which God has placed in your hands, to accomplish your purpose, within the rules of civilized warfare."

The bill passed, so modified, as to give freedom to all who should perform military service, but restricting liberty to the families of such only as belonged to rebel masters. It passed the House July 16th, 1862, and received the sanction of the President, who said:—"And the promise made must be kept!" General Hunter for his part in beginning colored enlistments, was outlawed by the Confederate Congress. Hunter followed with an order freeing the slaves in South Carolina.

In January, 1863, pursuant to a suggestion in the annual report of Secretary Stanton, who was by this time as radical as his predecessor in office, the House passed a bill authorizing the President to enroll into the land and naval service such number of volunteers of African descent as he might deem useful to suppress the rebellion, and for such term as he might prescribe, not exceeding five years. The slaves of loyal citizens in the Border States were excluded from the provisions of this bill. In the Senate an adverse report was made on the ground that the resident already possessed these powers.

In January, 1863, Senator Wilson, who was by this time chairman of the Military Committee of the Senate, secured the passage of a bill which authorized a draft for the National forces from the ranks of all male citizens, and those of foreign birth who had declared their intentions, etc. The bill contained the usual exemptions.

CONFEDERATE USE OF COLORED MEN.

In June, 1861, the rebel Legislature of Tennessee passed this enlistment bill, which became a law:

SEC. 1. *Be it enacted by the General Assembly of the State of Tennessee*, That from and after the passage of this act the Governor shall be, and he is hereby, authorized, at his discretion, to receive into the military service of the State all male free persons of color between the ages of fifteen and fifty, or such numbers as may be necessary, who may be sound in mind and body, and capable of actual service.

2. That such free persons of color shall receive, each, eight dollars per month, as pay, and such persons shall be entitled to draw, each, one ration per day, and shall be entitled to a yearly allowance each for clothing.

3. That, in order to carry out the provisions of this act, it shall be the duty of the sheriffs of the several counties in this State to collect accurate information as to the number and condition, with the names of free persons of color, subject to the provisions of this act, and shall, as it is practicable, report the same in writing to the Governor.

4. That a failure or refusal of the sheriffs, or any one or more of them, to perform the duties required, shall be deemed an offence, and on conviction thereof shall be punished as a misdemeanor.

5. That in the event a sufficient number of free persons of color to meet the wants of the State shall not tender their services, the Governor is empowered, through the sheriffs of the different counties, to press such persons until the requisite number is obtained.

6. That when any mess of volunteers shall keep a servant to wait on the members of the mess, each servant shall be allowed one ration.

This act to take effect from and after its passage.

W. C. WHITTHORNE,
Speaker of the House of Representatives.

B. L. STOVALL,
Speaker of the Senate.

Passed June 28, 1861.

1862, November 2—Governor Joseph E. Brown, of Georgia, issued a call announcing that if a sufficient supply of negroes be not tendered within ten days, General Mercer will, in pursuance of authority given him, proceed to impress, and asking of every planter of Georgia a tender of one fifth of his negroes to complete the fortifications around Savannah. This one-fifth is estimated at 15,000.

1863. The Governor of South Carolina in July, issued a proclamation for 3,000 negroes to work on the fortifications, "the need for them being pressing."

THE CHANGING SENTIMENT OF CONGRESS.

In the Rebel House of Representatives, December 29th, Mr. DARGAN, of Alabama, introduced a bill to receive into the military service all that portion of population in Alabama, Mississippi, Louisiana, and Florida, known as "Creoles."

Mr. Dargan supported the bill in some remarks. He said the Creoles were a mixed-blooded race. Under the treaty of Paris in 1803, and the treaty of Spain in 1810, they were recognized as freemen. Many of them owned large estates, and were intelligent men. They were as much devoted to our cause as any class of men in the South, and were even anxious to go

into service. They had applied to him to be received into service, and he had applied to Mr. Randolph, then Secretary of War. Mr. Randolph decided against the application, on the ground that it might furnish to the enemy a pretext of arming our slaves against us. Some time after this he was again applied to by them, and he went to the present Secretary of War, Mr. Seddon, and laid the matter before him. Mr. Seddon refused to entertain the proposition, on the ground that it did not come up before him through the military authorities. To obviate this objection, Gen. Maury, at Mobile, soon afterwards represented their wishes to the War Department. Mr. Seddon refused the offer of their services, on the ground that it would be incompatible with the position we occupied before the world; that it could not be done.

Mr. Dargan said he differed with the Secretary of War. He cared not for "the world." He cared no more for their opinions than they did for ours. He was anxious to bring into service every free man, be he who he may, willing to strike for our cause. He saw no objection to employing Creoles; they would form a potent element in our army. In his district alone a brigade of them could be raised. The crisis had been brought upon us by the enemy, and he believed the time would yet come when the question would not be the Union or no Union, but whether Southern men should be permitted to live at all. In resisting subjugation by such a barbarous foe he was for employing all our available force. *He would go further and say that he was for arming and putting the slaves into military service. He was in favor even of employing them as a military arm in the defence of the country.*

1864. The Mayor of Charleston, Charles Macbeth, summons all slaveholders within the city to furnish to the military authorities forthwith, one-fourth of all

their male slaves between the ages of fifteen and fifty, to labor upon the fortifications. The penalty announced, in case of failure to comply with this requisition is a fine of $200 for every slave not forthcoming. Compensation is allowed at the rate of $400 a year.

All free male persons of color between the ages of fifteen and fifty are required to give themselves up for the same purpose. Those not complying will be imprisoned, and set to work upon the fortifications along the coast. To free negroes no other compensation than rations is allowed.

NEGROES IN THE ARMY.

The Richmond press publish the official copy of "An act to increase the efficiency of the army by the employment of free negroes and slaves in certain capacities," lately passed by the Rebel Congress. The negroes are to perform "such duties as the Secretary of War or Commanding General may prescribe." The first section is as follows:

The Congress of the Confederate States of America do enact, That all male free negroes, and other free persons of color, not including those who are free under the treaty of Paris, of 1803, or under the treaty of Spain, of 1819, resident in the Confederate States, between the ages of eighteen and fifty years, shall be held liable to perform such duties with the army, or in connection with the military defences of the country, in the way of work upon the fortifications, or in government works for the production or preparation of materials of war, or in military hospitals, as the Secretary of War or the Commanding General of the Trans-Mississippi

Department may, from time to time, prescribe; and while engaged in the performances of such duties shall receive rations and clothing and compensation at the rate of eleven dollars a month, under such rules and regulations as the said Secretary may establish: *Provided*, That the Secretary of War or the Commanding General of the Trans-Mississippi Department, with the approval of the President, may exempt from the operations of this act such free negroes as the interests of the country may require should be exempted, or such as he may think proper to exempt on the ground of justice, equity or necessity.

The third section provides that when the Secretary of War shall be unable to procure the services of slaves in any military department, then he is authorized to impress the services of as many male slaves, not to exceed twenty thousand, as may be required, from time to time, to discharge the duties indicated in the first section of the act.

The owner of the slave is to be paid for his services; or, if he be killed or "escape to the enemy," the owner shall receive his full value.

Governor Smith, of Virginia, has made a call for five thousand male slaves to work on the batteries, to be drawn from fifty counties. The call for this force has been made by the President under a resolution of Congress.

"CONFEDERATE" LEGISLATION UPON NEGRO PRISONERS AND THEIR WHITE OFFICERS WHEN CAPTURED.[27]

1863, May 1—An act was approved declaring that the commissioned officers of the enemy ought not to

be delivered to the authorities of the respective States, (as suggested in Davis's message;) but all captives taken by the Confederate forces ought to be dealt with and disposed of by the Confederate Government.

President Lincoln's emancipation proclamations of September 22, 1862, and January 1, 1863, were resolved to be inconsistent with the usages of war among civilized nations, and should be repressed by retaliation; and the President is authorized to cause full and complete retaliation for every such violation, in such manner and to such extent as he may think proper.

Every white commissioned officer commanding negroes or mulattoes in arms against the Confederate States shall be deemed as inciting servile insurrection, and shall, if captured, be put to death, or be otherwise punished, at the discretion of the court.

Every person charged with an offence made punishable under the act shall be tried by the military court of the army or corps of troops capturing him; and, *after conviction, the President may commute the punishment in such manner and on such terms as he may deem proper*.

All negroes and mulattoes who shall be engaged in war or taken in arms against the Confederate States, or shall give aid or comfort to the enemies of the Confederate States, shall, when captured in the Confederate States, be delivered to the authorities of the State or States in which they shall be captured, to be dealt with according to the present or future laws of such State or States.

Passage of the Thirteenth Amendment.

The first amendment to the Constitution growing out of the war, and one of its direct results, was that of abolishing slavery. It was first introduced to the House December 14th, 1863, by James M. Ashley of Ohio. Similar measures were introduced by James M. Wilson, Senators Henderson, Sumner and others. On the 10th of February, Senator Trumbull reported Henderson's joint resolution amended as follows:

"That the following article be proposed to the Legislatures of the several States, as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid to all intents and purposes as a part of the said Constitution, namely:

"ART. 13, Sec. 1. Neither slavery nor involuntary servitude except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

"Sec. 2. Congress shall have power to enforce this article by appropriate legislation."

The Senate began the consideration of the question March 28th, Senator Trumbull opening the debate in favor of the amendment. He predicted that within a year the necessary number of States would ratify it. Wilson of Massachusetts made a long and able speech in favor. Davis of Kentucky and Saulsbury of Delaware led the opposition, but Reverdy Johnson, an independent Democratic Senator from Maryland, surprised all by his bold support of the measure. Among other things he said:

"I think history will bear me out in the statement,

that if the men by whom that Constitution was framed, and the people by whom it was adopted, had anticipated the times in which we live, they would have provided by constitutional enactment, that that evil and that sin should in some comparatively unremote day be removed. Without recurring to authority, the writings public or private of the men of that day, it is sufficient for my purpose to state what the facts will justify me in saying, that every man of them who largely participated in the deliberations of the Convention by which the Constitution was adopted, earnestly desired, not only upon grounds of political economy, not only upon reasons material in their character, but upon grounds of morality and religion, that sooner or later the institution should terminate."

Senator McDougall of California, opposed the amendment. Harlan of Iowa, Hale of New Hampshire, and Sumner, made characteristic speeches in favor. Saulsbury advocated the divine right of slavery. It passed April 8th, by 38 ayes to 6 noes, the latter comprising Davis and Powell of Kentucky; McDougall of California; Hendricks of Indiana; Saulsbury and Riddle of Delaware.

Arnold of Illinois, was the first to secure the adoption in the House (Feb. 15, 1864,) of a resolution to abolish slavery; but the Constitutional amendment required a two-thirds vote, and this it was difficult to obtain, though all the power of the Administration was bent to that purpose. The discussion began May 31st; the vote was reached June 15th, but it then failed of the required two-thirds—93 for to 65 against, 23 not voting. Its more pronounced advocates were Arnold, Ashley, Broomall, Stevens, and Kelly of Pennsylvania; Farnsworth and Ingersoll of Illinois, and many

others. Its ablest opponents were Holman, Wood, Mallory, Cox and Pendleton—the latter rallying nearly all of the Democrats against it. Its Democratic friends were McAllister and Bailey of Pennsylvania; Cobb of Wisconsin; Griswold and Odell of New York. Before the vote was announced Ashley changed his vote so as to move a reconsideration and keep control of the question. At the next session it was passed, receiving every Republican and 16 Democratic votes, 8 Democrats purposely refraining, so that it would surely pass.

Admission of Representatives from Louisiana.

The capture of New Orleans by Admiral Farragut, led to the enrollment of 60,000 citizens of Louisiana as citizens of the United States. The President thereupon appointed a Military Governor for the entire State, and this Governor ordered an election for members of Congress under the old State constitution. This was held Dec. 3, 1862, when Messrs. Flanders and Hahn were returned, neither receiving 3,000 votes. They received certificates, presented them, and thus opened up a new and grave political question. The Democrats opposed their admission on grounds so well stated by Voorhees of Indiana, that we quote them:

"Understand this principle. If the Southern Confederacy is a foreign power, an independent nationality to-day, and you have conquered back the territory of Louisiana, you may then substitute a new

system of laws in the place of the laws of that State. You may then supplant her civil institutions by institutions made anew for her by the proper authority of this *Government*—not by the executive—but by the *legislative* branch of the Government, assisted by the Executive simply to the extent of signing his name to the bills of legislation. If the Chairman of the Committee of Ways and Means, (Mr. Stevens) is correct; if the gentleman from Kansas (Mr. Conway) is correct, and this assumed power in the South is a power of the earth, and stands to-day upon equal terms of nationality with ourselves, and reconquer back State by State its territory by the power of arms, then we may govern them independently of their local laws. But if the theory we have been proceeding upon here, that this Union is unbroken; that no States have sundered the bonds that bind us together; that no successful disunion has yet taken place,—if that theory is still to prevail in these halls, then this cannot be done. You are as much bound to uphold the laws of Louisiana in all their extent and in all their parts, as you are to uphold the laws of Pennsylvania or New York, or any other State whose civil policy has not been disturbed."

Michael Hahn, one of the Representatives elect, closed a very effective speech, which secured the personal good will of the House in favor of his admission, in these words:

"And even, sir, within the limits of the dreary and desolated region of the rebellion itself, despair, which has already taken hold of the people, will gain additional power and strength, at the reception of the news that Louisiana sends a message of peace, good will, and hearty fellowship to the Union. This intelligence will sound more joyful to patriot ears

than all the oft repeated tidings of 'Union victories.' And of all victories, this will be the most glorious, useful and solid, for it speaks of *reorganization*, soon to become the great and difficult problem with which our statesmen will have to familiarize themselves, and when this shall have commenced, we will be able to realize that God, in his infinite mercy has looked down upon our misfortunes, and in a spirit of paternal love and pity, has addressed us in the language ascribed to him by our own gifted Longfellow:

"I am weary of your quarrels,
Weary of your ware and bloodshed,
Weary of your prayers for vengeance,
Of your wranglings and dissensions;
All your strength is in your *Union*,
All your danger is in *discord*,
Therefore, be at peace, henceforward,
And as *brothers* live together."

"Mr. Speaker, Louisiana—ever loyal, honorable Louisiana—seeks no greater blessing in the future, than to remain a part of this great and glorious Union. She has stood by you in the darkest hours of the rebellion; and she intends to stand by you. Sir, raise your eyes to the gorgeous ceilings which ornament this Hall, and look upon her fair and lovely escutcheon. Carefully read the patriotic words which surround her affectionate pelican family, and you will find there inscribed, '*Justice, Union, Confidence*.' Those words have with us no idle meaning; and would to God that other members of this Union, could properly appreciate our motto, our motives and our position!"

The debate attracted much attention, because of the novelty of a question upon which, it has since

been contended, would have turned a different plan of reconstructing the rebellious States if the President's plans had not been destroyed by his assassination. Dawes, of Massachusetts, was the Chairman of the Committee on Elections, and he closed the debate in favor of admission. The vote stood 92 for to 44 against, almost a strict party test, the Democrats voting no.

RECONSTRUCTION.

In the House as early as Dec. 15, 1863, Henry Winter Davis moved that so much of the President's message as relates to the duty of the United States to guaranty a Republican form of government to the States in which the governments recognized by the United States have been abrogated or overthrown, be referred to a select committee of nine to report the bills necessary and proper for carrying into execution the foregoing guarantee, was passed, and on May 4th, 1864, the House adopted the first reconstruction bill by 74 yeas to 66 nays—a strict party vote.[28] The Senate passed it by yeas 18, nays 14—Doolittle, Henderson, Lane of Indiana, Ten Eyck, Trumbull, and Van Winkle voting with the Democrats against it.

The bill authorizes the President to appoint in each of the States declared in rebellion, a Provisional Governor, with the pay and emoluments of a brigadier; to be charged with the civil administration until a State government therein shall be recognized. As soon as the military resistance to the United States shall have been suppressed, and the people sufficiently returned to their obedience to the Constitution and laws, the Governor shall direct the marshal of the United States to enroll all the white

male citizens of the United States, resident in the State in their respective counties, and whenever a majority of them take the oath of allegiance, the loyal people of the State shall be entitled to elect delegates to a convention to act upon the re-establishment of a State government—the proclamation to contain details prescribed. Qualified voters in the army may vote in their camps. No person who has held or exercised any civil, military, State, or Confederate office, under the rebel occupation, and who has voluntarily borne arms against the United States, shall vote or be eligible as a delegate. The convention is required to insert in the constitution provisions—

1st. No person who has held or exercised any civil or military office, (except offices merely ministerial and military offices below a colonel,) State or Confederate, under the usurping power, shall vote for, or be a member of the legislature or governor.

2d. Involuntary servitude is forever prohibited, and the freedom of all persons is guarantied in said State.

3d. No debt, State or Confederate, created by or under the sanction of the usurping power, shall be recognized or paid by the State.

Upon the adoption of the constitution by the convention, and its ratification by the electors of the State, the Provisional Governor shall so certify to the President, who, after obtaining the assent of Congress, shall, by proclamation, recognize the government as established, and none other, as the constitutional government of the State; and from the date of such recognition, and not before, Senators and Representatives and electors for President and Vice-President may be elected in such State. Until

reorganization the Provisional Governor shall enforce the laws of the Union and of the State before the rebellion.

The remaining sections are as follows:

SEC. 12. That all persons held to involuntary servitude or labor in the States aforesaid are hereby emancipated and discharged therefrom, and they and their posterity shall be forever free. And if any such persons or their posterity shall be restrained of liberty, under pretence of any claim to such service or labor, the courts of the United States shall, on *habeas corpus*, discharge them.

SEC. 13. That if any person declared free by this act, or any law of the United States, or any proclamation of the President, be restrained of liberty, with intent to be held in or reduced to involuntary servitude or labor, the person convicted before a court of competent jurisdiction of such act shall be punished by fine of not less than $1,500, and be imprisoned not less than five, nor more than twenty years.

SEC. 14. That every person who shall hereafter hold or exercise any office, civil or military, except offices merely ministerial and military offices below the grade of colonel, in the rebel service, State or Confederate, is hereby declared not to be a citizen of the United States.

Lincoln's Proclamation on Reconstruction

President Lincoln failed to sign the above bill because it reached him less than one hour before final adjournment, and thereupon issued a proclamation which closed as follows:

"Now, therefore, I, Abraham Lincoln, President of the United States, do proclaim, declare, and make known, that, while I am (as I was in December last, when by proclamation I propounded a plan for restoration) unprepared, by a formal approval of this bill, to be inflexibly committed to any single plan of restoration; and, while I am also unprepared to declare that the free State constitutions and governments already adopted and installed in Arkansas and Louisiana shall be set aside and held for nought, thereby repelling and discouraging the loyal citizens who have set up the same as to further effort, or to declare a constitutional competency in Congress to abolish slavery in States, but am at the same time sincerely hoping and expecting that a constitutional amendment abolishing slavery throughout the nation may be adopted, nevertheless I am fully satisfied with the system for restoration contained in the bill as one very proper plan for the loyal people of any State choosing to adopt it, and that I am, and at all times shall be, prepared to give the Executive aid and assistance to any such people, so soon as the military resistance to the United States shall have been suppressed in any such State, and the people thereof shall have sufficiently returned to their obedience to the Constitution and laws of the United States, in which cases Military Governors will be appointed, with directions to proceed according to the bill."

Admission of Arkansas.

On the 10th of June, 1864, introduced a joint resolution for the recognition of the free State government of Arkansas. A new State government had then been organized, with Isaac Murphy, Governor, who was reported to have received nearly 16,000 votes at a called election. The other State officers are:

Lieutenant-Governor, C. C. Bliss; Secretary of State, R. J. T. White; Auditor, J. B. Berry; Treasurer, E. D. Ayers; Attorney General, C. T. Jordan; Judges of the Supreme Court, T. D. W. Yowley, C. A. Harper, E. Baker.

The Legislature also elected Senators, but neither Senators nor Representatives obtained their seats. Trumbull, from the Senate Judiciary Committee, made a long report touching the admission of the Senators, which closed as follows:

"When the rebellion in Arkansas shall have been so far suppressed that the loyal inhabitants thereof shall be free to re-establish their State government upon a republican foundation, or to recognize the one already set up, and by the aid and not in subordination to the military to maintain the same, they will then, and not before, in the opinion of your committee, be entitled to a representation in Congress, and to participate in the administration of the Federal Government. Believing that such a state of things did not at the time the claimants were elected, and does not now, exist in the State of Arkansas, the committee recommend for adoption the following resolution:

"*Resolved*, That William M. Fishback and Elisha Baxter are not entitled to seats as Senators from the

State of Arkansas."

1864, June 29—The resolution of the Committee on the Judiciary was adopted—yeas 27, nays 6.

President Lincoln was known to favor the immediate admission of Arkansas and Louisiana, but the refusal of the Senate to admit the Arkansas Senators raised an issue which partially divided the Republicans in both Houses, some of whom favored forcible reconstruction through the aid of Military Governors and the machinery of new State governments, while others opposed. The views of those opposed to the President's policy are well stated in a paper signed by Benjamin F. Wade and Henry Winter Davis, published in the New York *Tribune*, August 5th, 1864. From this we take the more pithy extracts:

The President, by preventing this bill from becoming a law, holds the electoral votes of the rebel States at the dictation of his personal ambition.

If those votes turn the balance in his favor, is it to be supposed that his competitor, defeated by such means, will acquiesce?

If the rebel majority assert their supremacy in those States, and send votes which elect an enemy of the Government, will we not repel his claims?

And is not civil war for the Presidency inaugurated by the votes of rebel States?

Seriously impressed with these dangers, Congress, "*the proper constitutional authority*," formally declared that there are no State governments in the rebel States, and provided for their erection at a proper time; and both the Senate and the House of Representatives rejected the Senators and Representatives chosen under the authority of what the President calls the free constitution and

government of Arkansas.

The President's proclamation "*holds for naught*" this judgment, and discards the authority of the Supreme Court, and strides headlong toward the anarchy his proclamation of the 8th of December inaugurated.

If electors for President be allowed to be chosen in either of those States, a sinister light will be cast on the motives which induced the President to "hold for naught" the will of Congress rather than his government in Louisiana and Arkansas.

That judgment of Congress which the President defies was the exercise of an authority exclusively vested in Congress by the Constitution to determine what is the established government in a State, and in its own nature and by the highest judicial authority binding on all other departments of the Government. * * *

A more studied outrage on the legislative authority of the people has never been perpetrated.

Congress passed a bill; the President refused to approve it, and then by proclamation puts as much of it in force as he sees fit, and proposes to execute those parts by officers unknown to the laws of the United States and not subject to the confirmation of the Senate!

The bill directed the appointment of Provisional Governors by and with the advice and consent of the Senate.

The President, after defeating the law, proposes to appoint without law, and without the advice and consent of the Senate, *Military* Governors for the rebel States!

He has already exercised this dictatorial usurpation in Louisiana, and he defeated the bill to

prevent its limitation. * * *

The President has greatly presumed on the forbearance which the supporters of his Administration have so long practiced, in view of the arduous conflict in which we are engaged, and the reckless ferocity of our political opponents.

But he must understand that our support is of a cause and not of a man; that the authority of Congress is paramount and must be respected; that the whole body of the Union men of Congress will not submit to be impeached by him of rash and unconstitutional legislation; and if he wishes our support, he must confine himself to his executive duties—to obey and execute, not make the laws—to suppress by arms armed rebellion, and leave political reorganization to Congress.

If the supporters of the Government fail to insist on this, they become responsible for the usurpations which they fail to rebuke, and are justly liable to the indignation of the people whose rights and security, committed to their keeping, they sacrifice.

Let them consider the remedy for these usurpations, and, having found it, fearlessly execute it.

The question, as presented in 1864, now passed temporarily from public consideration because of greater interest in the closing events of the war and the Presidential succession. The passage of the 14th or anti-slavery amendment by the States also intervened. This was officially announced on the 18th of December 1865, by Mr. Seward, 27 of the then 36 States having ratified, as follows: Illinois, Rhode Island, Michigan, Maryland, New York, West Virginia, Maine, Kansas, Massachusetts, Pennsylvania, Virginia, Ohio, Missouri, Nevada,

Indiana, Louisiana, Minnesota, Wisconsin, Vermont, Tennessee, Arkansas, Connecticut, New Hampshire, South Carolina, Alabama, North Carolina, and Georgia.

TEXT OF THE RECONSTRUCTION MEASURES. 14th Constitutional Amendment.

Joint Resolution proposing an Amendment to the Constitution of the United States.

Be it resolved by the Senate and House of Representatives of the United States of America, in Congress assembled, (two-thirds of both houses concurring,) That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid as part of the Constitution, namely:

[Here follows the 14th amendment. See Book IV.]

Reconstruction Act of Thirty-Ninth Congress.

An Act to provide for the more efficient government of the rebel States.

Whereas no legal State governments or adequate protection for life or property now exists in the rebel States of Virginia, North Carolina, South Carolina, Georgia, Mississippi, Alabama, Louisiana, Florida, Texas, and Arkansas; and whereas it is necessary that peace and good order should be enforced in said States until loyal and republican State governments can be legally established: Therefore

Be it enacted, &c., That said rebel States shall be divided into military districts and made subject to the military authority of the United States, as hereinafter prescribed, and for that purpose Virginia shall constitute the first district; North Carolina and South Carolina the second district; Georgia, Alabama, and Florida the third district; Mississippi and Arkansas the fourth district; and Louisiana and Texas the fifth district.

SEC. 2. That it shall be the duty of the President to assign to the command of each of said districts an officer of the army, not below the rank of brigadier-general, and to detail a sufficient military force to enable such officer to perform his duties and enforce his authority within the district to which he is assigned.

SEC. 3. That it shall be the duty of each officer assigned as aforesaid to protect all persons in their rights of person and property, to suppress insurrection, disorder, and violence, and to punish, or cause to be punished, all disturbers of the public peace and criminals, and to this end he may allow local civil tribunals to take jurisdiction of and to try offenders, or, when in his judgment it may be necessary for the trial of offenders, he shall have power to organize military commissions or tribunals for that purpose; and all interference under color of State authority with the exercise of military

authority under this act shall be null and void.

SEC. 4. That all persons put under military arrest by virtue of this act shall be tried without unnecessary delay, and no cruel or unusual punishment shall be inflicted; and no sentence of any military commission or tribunal hereby authorized, affecting the life or liberty of any person, shall be executed until it is approved by the officer in command of the district, and the laws and regulations for the government of the army shall not be affected by this act, except in so far as they conflict with its provisions: *Provided*, That no sentence of death under the provisions of this act shall be carried into effect without the approval of the President.

SEC. 5. That when the people of any one of said rebel States shall have formed a constitution of government in conformity with the Constitution of the United States in all respects, framed by a convention of delegates elected by the male citizens of said State twenty-one years old and upward, of whatever race, color, or previous condition, who have been resident in said State for one year previous to the day of such election, except such as may be disfranchised for participation in the rebellion, or for felony at common law, and when such constitution shall provide that the elective franchise shall be enjoyed by all such persons as have the qualifications herein stated for electors of delegates, and when such constitution shall be ratified by a majority of the persons voting on the question of ratification who are qualified as electors for delegates, and when such constitution shall have been submitted to Congress for examination and approval, and Congress shall have approved the same, and when said State, by a vote of its legislature

elected under said constitution, shall have adopted the amendment to the Constitution of the United States, proposed by the Thirty-ninth Congress, and known as article fourteen, and when said article shall have become a part of the Constitution of the United States, said State shall be declared entitled to representation in Congress, and Senators and Representatives shall be admitted therefrom on their taking the oaths prescribed by law, and then and thereafter the preceding sections of this act shall be inoperative in said State: *Provided*, That no person excluded from the privilege of holding office by said proposed amendment to the Constitution of the United States shall be eligible to election as a member of the convention to frame a constitution for any of said rebel States, nor shall any such person vote for members of such convention.

SEC. 6. That until the people of said rebel States shall be by law admitted to representation in the Congress of the United States, any civil governments which may exist therein shall be deemed provisional only, and in all respects subject to the paramount authority of the United States at any time to abolish, modify, control, or supersede the same; and in all elections to any office under such provisional governments all persons shall be entitled to vote, and none others, who are entitled to vote under the provisions of the fifth section of this act; and no person shall be eligible to any office under any such provisional governments who would be disqualified from holding office under the provisions of the third article of said constitutional amendment.

Passed March 2, 1867.

Supplemental Reconstruction Act of Fortieth Congress.

An Act supplementary to an act entitled "An act to provide for the more efficient government of the rebel States," passed March second, eighteen hundred and sixty-seven, and to facilitate restoration.

Be it enacted, &c., That before the first day of September, eighteen hundred and sixty-seven, the commanding general in each district defined by an act entitled "An act to provide for the more efficient government of the rebel States," passed March second, eighteen hundred and sixty-seven, shall cause a registration to be made of the male citizens of the United States, twenty-one years of age and upwards, resident in each county or parish in the State or States included in his district, which registration shall include only those persons who are qualified to vote for delegates by the act aforesaid, and who shall have taken and subscribed the following oath or affirmation: "I, ——, do solemnly swear, (or affirm,) in the presence of Almighty God, that I am a citizen of the State of ——; that I have resided in said State for —— months next preceding this day, and now reside in the county of ——, or the parish of ——, in said State, (as the case may be;) that I am twenty-one years old; that I have not been disfranchised for participation in any rebellion or civil war against the United States, nor for felony committed against the laws of any State or of the United States; that I have never been a member of any State legislature, nor held any executive or judicial office in any State and afterwards engaged in insurrection or rebellion against the United States, or

given aid or comfort to the enemies thereof; that I have never taken an oath as a member of Congress of the United States, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, and afterwards engaged in insurrection or rebellion against the United States or given aid or comfort to the enemies thereof; that I will faithfully support the Constitution and obey the laws of the United States, and will, to the best of my ability, encourage others so to do, so help me God;" which oath or affirmation maybe administered by any registering officer.

SEC. 2. That after the completion of the registration hereby provided for in any State, at such time and places therein as the commanding general shall appoint and direct, of which at least thirty days' public notice shall be given, an election shall be held of delegates to a convention for the purpose of establishing a constitution and civil government for such State loyal to the Union, said convention in each State, except Virginia, to consist of the same number of members as the most numerous branch of the State legislature of such State in the year eighteen hundred and sixty, to be apportioned among the several districts, counties, or parishes of such State by the commanding general, giving to each representation in the ratio of voters or registered as aforesaid, as nearly as may be. The convention in Virginia shall consist of the same number of members as represented the territory now constituting Virginia in the most numerous branch of the legislature of said State in the year eighteen hundred and sixty, to be appointed as aforesaid.

SEC. 3. That at said election the registered voters of each State shall vote for or against a convention to

form a constitution therefor under this act. Those voting in favor of such a convention shall have written or printed on the ballots by which they vote for delegates, as aforesaid, the words "For a convention," and those voting against such a convention shall have written or printed on such ballots the words "Against a convention." The person appointed to superintend said election, and to make return of the votes given thereat, as herein provided, shall count and make return of the votes given for and against a convention; and the commanding general to whom the same shall have been returned shall ascertain and declare the total vote in each State for and against a convention. If a majority of the votes given on that question shall be for a convention, then such convention shall be held as hereinafter provided; but if a majority of said votes shall be against a convention, then no such convention shall be held under this act: *Provided*, That such convention shall not be held unless a majority of all such registered voters shall have voted on the question of holding such convention.

SEC. 4. That the commanding general of each district shall appoint as many boards of registration as may be necessary, consisting of three loyal officers or persons, to make and complete the registration, superintend the election, and make return to him of the votes, lists of voters, and of the persons elected as delegates by a plurality of the votes cast at said election; and upon receiving said returns he shall open the same, ascertain the persons elected as delegates according to the returns of the officers who conducted said election, and make proclamation thereof; and if a majority of the votes given on that question shall be for a convention, the commanding general, within sixty days from the date of election,

shall notify the delegates to assemble in convention, at a time and place to be mentioned in the notification, and said convention, when organized, shall proceed to frame a constitution and civil government according to the provisions of this act and the act to which it is supplementary; and when the same shall have been so framed, said constitution shall be submitted by the convention for ratification to the persons registered under the provisions of this act at an election to be conducted by the officers or persons appointed or to be appointed by the commanding general, as hereinbefore provided, and to be held after the expiration of thirty days from the date of notice thereof, to be given by said convention; and the returns thereof shall be made to the commanding general of the district.

SEC. 5. That if, according to said returns, the constitution shall be ratified by a majority of the votes of the registered electors qualified as herein specified, cast at said election, (at least one-half of all the registered voters voting upon the question of such ratification,) the president of the convention shall transmit a copy of the same, duly certified, to the President of the United States, who shall forthwith transmit the same to Congress, if then in session, and if not in session, then immediately upon its next assembling; and if it shall, moreover, appear to Congress that the election was one at which all the registered and qualified electors in the State had an opportunity to vote freely and without restraint, fear, or the influence of fraud; and if the Congress shall be satisfied that such constitution meets the approval of a majority of all the qualified electors in the State, and if the said constitution shall be declared by Congress to be in conformity with the provisions of the act to which this is supplementary, and the other

provisions of said act shall have been complied with, and the said constitution shall be approved by Congress, the State shall be declared entitled to representation, and Senators and Representatives shall be admitted therefrom as therein provided.

SEC. 6. That all elections in the States mentioned in the said "Act to provide for the more efficient government of the rebel States," shall, during the operation of said act, be by ballot; and all officers making the said registration of voters and conducting said elections shall, before entering upon the discharge of their duties, take and subscribe the oath prescribed by the act approved July second, eighteen hundred and sixty-two, entitled "An act to prescribe an oath of office:"[29] *Provided*, That if any person shall knowingly and falsely take and subscribe any oath in this act prescribed, such person so offending and being thereof duly convicted, shall be subject to the pains, penalties, and disabilities which by law are provided for the punishment of the crime of wilful and corrupt perjury.

SEC. 7. That all expenses incurred by the several commanding generals, or by virtue of any orders issued, or appointments made, by them, under or by virtue of this act, shall be paid out of any moneys in the treasury not otherwise appropriated.

SEC. 8. That the convention for each State shall prescribe the fees, salary, and compensation to be paid to all delegates and other officers and agents herein authorized or necessary to carry into effect the purposes of this act not herein otherwise provided for, and shall provide for the levy and collection of such taxes on the property in such State as may be necessary to pay the same.

SEC. 9. That the word article, in the sixth section

of the act to which this is supplementary, shall be construed to mean section.

Passed March 23, 1867.

Votes of State Legislatures on the Fourteenth Constitutional Amendment.

[30]

LOYAL STATES.

Ratified—Twenty-one States.

Maine—SENATE, January 16, 1867, yeas 31, nays 0; HOUSE, January 11, 1867, yeas 126, nays 12.

New Hampshire—SENATE, July 6, 1866, yeas 9, nays 3; HOUSE, June 28, 1866, yeas 207, nays 112.

Vermont—SENATE, October 23, 1866, yeas 28, nays 0; HOUSE, October 30, 1866, yeas 199, nays 11.

Massachusetts—SENATE, March 20, 1867, yeas 27, nays 6; HOUSE, March 14, 1867, yeas 120, nays 20.

Rhode Island—SENATE, February 5, 1867, yeas 26, nays 2; HOUSE, February 7, 1867, yeas 60, nays 9

Connecticut—SENATE, June 25, 1866, yeas 11, nays 6; HOUSE, June 29, 1866, yeas 131, nays 92.

New York—SENATE, January 3, 1867, yeas 23, nays 3; HOUSE, January 10, 1867, yeas 76, nays 40.

New Jersey—SENATE, September 11, 1866, yeas 11, nays 10; HOUSE, September 11, 1866, yeas 34, nays 24.

Pennsylvania—SENATE, January 17, 1867, yeas 20,

nays 9; HOUSE, February 6, 1867, yeas 58, nays 29.

West Virginia—SENATE, January 15, 1867, yeas 15, nays 3; HOUSE, January 16, 1867, yeas 43, nays 11.

Ohio—SENATE, January 3, 1867, yeas 21, nays 12; HOUSE, January 4, 1867, yeas 54, nays 25.

Tennessee—SENATE, July 11, 1866, yeas 15, nays 6; HOUSE, July 12, 1866, yeas 43, nays 11.

Indiana—SENATE, January 16, 1867, yeas 29, nays 18; HOUSE, January 23, 1867, yeas —, nays —.

Illinois—SENATE, January 10, 1867, yeas 17, nays 7; HOUSE, January 15, 1867, yeas 59, nays 25.

Michigan—SENATE, —— 1867, yeas 25, nays 1; HOUSE, —— 1867, yeas 77, nays 15.

Missouri—SENATE, January 5, 1867, yeas 26, nays 6; HOUSE, January 8, 1867, yeas 85, nays 34.

Minnesota—SENATE, January 16, 1867, yeas 16, nays 5; HOUSE, January 15, 1867, yeas 40, nays 6.

Kansas—SENATE, January 11, 1867, unanimously; HOUSE, January 10, 1867, yeas, 75, nays 7.

Wisconsin—SENATE, January 23, 1867, yeas 22, nays 10; HOUSE, February 7, 1867, yeas 72, nays 12.

Oregon—[31]SENATE, ——, 1866, yeas 13, nays 7; HOUSE, September 19, 1866, yeas 25, nays 22.

Nevada—[31]SENATE, January 22, 1867, yeas 14, nays 2; HOUSE, January 11, 1867, yeas 34, nays 4.

Rejected—Three States.

Delaware—SENATE, —— ——; HOUSE, February 7, 1867, yeas 6, nays 15.

Maryland—SENATE, March 23, 1867, yeas 4, nays 13; HOUSE, March 23, 1867, yeas 12, nays 45.

Kentucky—SENATE, January 8, 1867, yeas 7, nays

24; HOUSE, January 8, 1867, yeas 26, nays 62.

Not acted—Three States.

Iowa, California, Nebraska.

INSURRECTIONARY STATES.

Rejected—Ten States.

Virginia—SENATE, January 9, 1867, unanimously; HOUSE, January 9, 1867, 1 for amendment.

North Carolina—SENATE, December 13, 1866, yeas 1, nays 44; HOUSE, December 13, 1866, yeas 10, nays 93.

South Carolina—SENATE —— ——; HOUSE, December 20, 1866, yeas 1, nays 95.

Georgia—SENATE, November 9, 1866, yeas 0, nays 36; HOUSE, November 9, 1866, yeas 2, nays 131.

Florida—SENATE, December 3, 1866, yeas 0, nays 20; HOUSE, December 1, 1866, yeas 0, nays 49.

Alabama—SENATE, December 7, 1866, yeas 2, nays 27; HOUSE, December 7, 1866, yeas 8, nays 69.

Mississippi—SENATE, January 30, 1867, yeas 0, nays 27; HOUSE, January 25, 1867, yeas 0, nays 88.

Louisiana—SENATE, February 5, 1867, unanimously; HOUSE, February 6, 1867, unanimously.

Texas—SENATE, —— ——; HOUSE, October 13, 1866, yeas 5, nays 67.

Arkansas—SENATE, December 15, 1866, yeas 1, nays 24; HOUSE, December 17, 1866, yeas 2, nays 68.

The passage of the 14th Amendment and of the Reconstruction Acts, was followed by Presidential proclamations dated August 20, 1866, declaring the insurrection at an end in Texas, and civil authority existing throughout the whole of the United States.

PRESIDENTIAL ELECTION OF 1864.

The Republican National Convention met at Baltimore, June 7th, 1864, and renominated President Lincoln unanimously, save the vote of Missouri, which was cast for Gen. Grant. Hannibal Hamlin, the old Vice-President, was not renominated, because of a desire to give part of the ticket to the Union men of the South, who pressed Senator Andrew Johnson of Tennessee. “Parson” Brownlow made a strong appeal in his behalf, and by his eloquence captured a majority of the Convention.

The Democratic National Convention met at Chicago, August 29th, 1864, and nominated General George B. McClellan, of New Jersey, for President, and George H. Pendleton, of Ohio, for Vice-President. General McClellan was made available for the Democratic nomination through certain political letters which he had written on points of difference between himself and the Lincoln administration. Two of these letters are sufficient to show his own and the views of the party which nominated him, in the canvass which followed:

Gen. McClellan’s Letters.

On Political Administration, July 7, 1862.

HEADQUARTERS ARMY OF THE POTOMAC,
CAMP NEAR HARRISON'S LANDING, VA., *July 7, 1862.*

MR. PRESIDENT:—You have been fully informed that the rebel army is in the front, with the purpose of overwhelming us by attacking our positions or reducing us by blocking our river communications. I cannot but regard our condition as critical, and I earnestly desire, in view of possible contingencies, to lay before your excellency, for your private consideration, my general views concerning the existing state of the rebellion, although they do not strictly relate to the situation of this army, or strictly come within the scope of my official duties. These views amount to convictions, and are deeply impressed upon my mind and heart. Our cause must never be abandoned; it is the cause of free institutions and self-government. The Constitution and the Union must be preserved, whatever may be the cost in time, treasure, and blood. If secession is successful, other dissolutions are clearly to be seen in the future. Let neither military disaster, political faction, nor foreign war shake your settled purpose to enforce the equal operation of the laws of the United States upon the people of every State.

The time has come when the government must determine upon a civil and military policy, covering the whole ground of our national trouble.

The responsibility of determining, declaring, and supporting such civil and military policy, and of directing the whole course of national affairs in regard to the rebellion, must now be assumed and

exercised by you, or our cause will be lost. The Constitution gives you power, even for the present terrible exigency.

This rebellion has assumed the character of a war; as such it should be regarded, and it should be conducted upon the highest principles known to Christian civilization. It should not be a war looking to the subjugation of the people of any State, in any event. It should not be at all a war upon population, but against armed forces and political organizations. Neither confiscation of property, political executions of persons, territorial organization of States, or forcible abolition of slavery, should be contemplated for a moment.

In prosecuting the war, all private property and unarmed persons should be strictly protected, subject only to the necessity of military operations; all private property taken for military use should be paid or receipted for; pillage and waste should be treated as high crimes; all unnecessary trespass sternly prohibited, and offensive demeanor by the military towards citizens promptly rebuked. Military arrests should not be tolerated, except in places where active hostilities exist; and oaths, not required by enactments, constitutionally made, should be neither demanded nor received.

Military government should be confined to the preservation of public order and the protection of political right. Military power should not be allowed to interfere with the relations of servitude, either by supporting or impairing the authority of the master, except for repressing disorder, as in other cases. Slaves, contraband under the act of Congress, seeking military protection, should receive it. The right of the government to appropriate permanently to its own service claims to slave labor should be

asserted, and the right of the owner to compensation therefor should be recognized. This principle might be extended, upon grounds of military necessity and security, to all the slaves of a particular State, thus working manumission in such State; and in Missouri, perhaps in Western Virginia also, and possibly even in Maryland, the expediency of such a measure is only a question of time. A system of policy thus constitutional, and pervaded by the influences of Christianity and freedom, would receive the support of almost all truly loyal men, would deeply impress the rebel masses and all foreign nations, and it might be humbly hoped that it would commend itself to the favor of the Almighty.

Unless the principles governing the future conduct of our struggle shall be made known and approved, the effort to obtain requisite forces will be almost hopeless. A declaration of radical views, especially upon slavery, will rapidly disintegrate our present armies. The policy of the government must be supported by concentrations of military power. The national forces should not be dispersed in expeditions, posts of occupation, and numerous armies, but should be mainly collected into masses, and brought to bear upon the armies of the Confederate States. Those armies thoroughly defeated, the political structure which they support would soon cease to exist.

In carrying out any system of policy which you may form, you will require a commander-in-chief of the army, one who possesses your confidence, understands your views, and who is competent to execute your orders by directing the military forces of the nation to the accomplishment of the objects by you proposed. I do not ask that place for myself. I am willing to serve you in such position as you may

assign me, and I will do so as faithfully as ever subordinate served superior.

I may be on the brink of eternity; and as I hope forgiveness from my Maker, I have written this letter with sincerity towards you and from love for my country.

Very respectfully, your obedient servant,

GEORGE B. MCCLELLAN,
Major-General Commanding.

His Excellency A. LINCOLN, *President.*

IN FAVOR OF the ELECTION OF GEORGE W. WOODWARD AS GOVERNOR OF PENNSYLVANIA.

ORANGE, NEW JERSEY, *October 12, 1863.*

DEAR SIR:—My attention has been called to an article in the Philadelphia *Press*, asserting that I had written to the managers of a Democratic meeting at Allentown, disapproving the objects of the meeting, and that if I voted or spoke it would be in favor of Governor Curtin, and I am informed that similar assertions have been made throughout the State.

It has been my earnest endeavor heretofore to avoid participation in party politics. I had determined to adhere to this course, but it is obvious that I cannot longer maintain silence under such misrepresentations. I therefore request you to deny that I have written any such letter, or entertained any such views as those attributed to me in the Philadelphia *Press*, and I desire to state clearly and distinctly, that having some days ago had a full conversation with Judge Woodward, I find that our

views agree, and I regard his election as Governor of Pennsylvania called for by the interests of the nation.

I understand Judge Woodward to be in favor of the prosecution of the war with all the means at the command of the loyal States, until the military power of the rebellion is destroyed. I understand him to be of the opinion that while the war is urged with all possible decision and energy, the policy directing it should be in consonance with the principles of humanity and civilization, working no injury to private rights and property not demanded by military necessity and recognized by military law among civilized nations.

And, finally, I understand him to agree with me in the opinion that the sole great objects of this war are the restoration of the unity of the nation, the preservation of the Constitution, and the supremacy of the laws of the country. Believing our opinions entirely agree upon these points, I would, were it in my power, give to Judge Woodward my voice and vote.

I am, very respectfully, yours,

GEORGE B. MCCLELLAN.

HON. CHARLES J. BIDDLE.

The views of Mr. Lincoln were well known; they were felt in the general conduct of the war. The Republicans adopted as one of their maxims the words of their candidate, “that it was dangerous to swap horses while crossing a stream.” The campaign was exciting, and was watched by both armies with interest and anxiety. In this election, by virtue of an act of Congress, the soldiers in the field were permitted to vote, and a large majority of every branch of the service sustained the Administration,

though two years before General McClellan had been the idol of the Army of the Potomac. Lincoln and Johnson received 212 electoral votes, against 21 for McClellan and Pendleton.

Lincoln's Second Administration.

In President Lincoln's second inaugural address, delivered on the 4th of March, 1865, he spoke the following words, since oft quoted as typical of the kindly disposition of the man believed by his party to be the greatest President since Washington: "With malice toward none, with charity for all, with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in, to bind up the Nation's wounds, to care for him who shall have borne the battle, and for his widow and orphans—to do all which may achieve a just and lasting peace among ourselves and with all nations."

Lincoln could well afford to show that generosity which never comes more properly than from the hands of the victor. His policy was about to end in a great triumph. In less than five weeks later on General Lee had surrendered the main army of the South to General Grant at Appomattox, on terms at once magnanimous and so briefly stated that they won the admiration of both armies, for the rebels had been permitted to retain their horses and side arms, and to go at once to their homes, not to be disturbed by United States authority so long as they observed their paroles and the laws in force where they resided. Lee's surrender was rapidly followed by

that of all Southern troops.

Next came a grave political work—the actual reconstruction of the States lately in rebellion. This work gave renewed freshness to the leading political issues incident to the war, and likewise gave rise to new issues. It was claimed at once that Lincoln had a reconstruction policy of his own, because of his anxiety for the prompt admission of Louisiana and Arkansas, but it had certainly never taken definite shape, nor was there time to get such a policy in shape, between the surrender of Lee and his own assassination. On the night of the 15th of April, six days after the surrender, J. Wilkes Booth shot him while sitting in a box in Ford's theatre. The nation stood appalled at the deed. No man was ever more sincerely mourned in all sections and by all classes. The Southern leaders thought that this rash act had lost to them a life which had never been harsh, and while firm, was ever generous. The North had looked upon him as "Father Abraham," and all who viewed the result of the shooting from sectional or partisan standpoints, thought his policy of "keeping with the people," would have shielded every proper interest. No public man ever felt less "pride of opinion" than Lincoln, and we do believe, had he lived, that he would have shaped events, as he did during the war, to the best interests of the victors, but without unnecessary agitation or harshness. All attempts of writers to evolve from his proclamation a reconstruction policy, applicable to peace, have been vain and impotent. He had none which would not have changed with changing circumstances. A "policy" in an executive office is too often but another name for executive egotism, and Lincoln was almost absolutely free from that weakness.

On the morning of Mr. Lincoln's death, indeed

within the same hour (and very properly so under the circumstances), the Vice-President Andrew Johnson was inaugurated as President. The excitement was painfully high, and the new President, in speeches, interviews and proclamations if possible added to it. From evidence in the Bureau of Military Justice he thought the assassination of Lincoln, and the attempted assassination of Secretary Seward had been procured by Jefferson Davis, Clement C. Clay, Jacob Thompson, Geo. N. Saunders, Beverly Tucker, Wm. C. Cleary, and "other rebels and traitors harbored in Canada." The evidence, however, fully drawn out in the trial of the co-conspirators of J. Wilkes Booth, showed that the scheme was hair-brained, and from no responsible political source. The proclamation, however, gave keenness to the search for the fugitive Davis, and he was soon captured while making his way through Georgia to the Florida coast with the intention of escaping from the country. He was imprisoned in Fortress Monroe, and an indictment for treason was found against him, but he remained a close prisoner for nearly two years, until times when political policies had been changed or modified. Horace Greeley was one of his bondsmen. By this time there was grave doubt whether he could be legally convicted,[32] "now that the charge of inciting Wilkes Booth's crime had been tacitly abandoned. Mr. Webster (in his Bunker Hill oration) had only given clearer expression to the American doctrine, that, after a revolt has levied a regular army, and fought therewith a pitched battle, its champions, even though utterly defeated, cannot be tried and convicted as traitors. This may be an extreme statement; but surely a rebellion which has for years maintained great armies, levied taxes and

conscriptions, negotiated loans, fought scores of sanguinary battles with alternate successes and reverses, and exchanged tens of thousands of prisoners of war, can hardly fail to have achieved thereby the position and the rights of a lawful belligerent." This view, as then presented by Greeley, was accepted by President Johnson, who from intemperate denunciation had become the friend of his old friends in the South. Greeley's view was not generally accepted by the North, though most of the leading men of both parties hoped the responsibility of a trial would be avoided by the escape and flight of the prisoner. But he was confident by this time, and sought a trial. He was never tried, and the best reason for the fact is given in Judge Underwood's testimony before a Congressional Committee (and the Judge was a Republican) "that no conviction was possible, except by packing a jury."

Andrew Johnson.

On the 29th of April, 1865, President Johnson issued a proclamation removing all restrictions upon internal, domestic and coastwise and commercial intercourse in all Southern States east of the Mississippi; the blockade was removed May 22, and on May 29 a proclamation of amnesty was issued, with fourteen classes excepted therefrom, and the requirement of an "iron-clad oath" from those accepting its provisions. Proclamations rapidly followed in shaping the lately rebellious States to the conditions of peace and restoration to the Union.

These States were required to hold conventions, repeal secession ordinances, accept the abolition of slavery, repudiate Southern war debts, provide for Congressional representation, and elect new State Officers and Legislatures. The several constitutional amendments were of course to be ratified by the vote of the people. These conditions were eventually all complied with, some of the States being more tardy than others. The irreconcilables charged upon the Military officers, the Freedmen's Bureau, and the stern application of the reconstruction acts, these results, and many of them showed a political hostility which, after the election of the new Legislatures, took shape in what were in the North at the time denounced as

"THE BLACK CODES."

These were passed by all of the eleven States in the rebellion. The codes varied in severity, according to the views of the Legislatures, and for a time they seriously interfered with the recognition of the States, the Republicans charging that the design was to restore slavery under new forms. In South Carolina Gen'l Sickles issued military orders, as late as January 17, 1866, against the enforcement of such laws.

To assure the rights, of the freedmen the 14th amendment of the Constitution was passed by Congress, June 18th, 1866. President Johnson opposed it, refused to sign, but said he would submit it to the several States. This was done, and it was accepted by the required three-fourths, January 28th, 1868. This had the effect to do away with many of the "black codes," and the States which

desired readmission to the Union had to finally give them up. Since reconstruction, and the political ousting of what were called the "carpet-bag governments," some of the States, notably Georgia, has passed class laws, which treat colored criminals differently from white, under what are now known as the "conduct laws." Terms of sentence are served out, in any part of the State, under the control of public and private contractors, and "vagrants" are subjected to sentences which it is believed would be less extended under a system of confinement.

Johnson's Policy.

While President Johnson's policy did not materially check reconstruction, it encouraged Southern politicians to political effort, and with their well known tact they were not long in gaining the ascendancy in nearly every State. This ascendancy excited the fears and jealousies of the North, and the Republicans announced as their object and platform "that all the results of the war" should be secured before Southern reconstruction and representation in Congress should be completed. On this they were almost solidly united in Congress, but Horace Greeley trained an independent sentiment which favored complete amnesty to the South. President Johnson sought to utilize this sentiment, and to divide the Republican party through his policy, which now looked to the same ends. He had said to a delegation introduced by Gov. Oliver P. Morton, April 21, 1865:

"Your slavery is dead, but I did not murder it. As Macbeth said to Banquo's bloody ghost:

'Never shake thy gory locks at me;
Thou canst not say I did it.'

"Slavery is dead, and you must pardon me if I do not mourn over its dead body; you can bury it out of sight. In restoring the State, leave out that disturbing and dangerous element, and use only those parts of the machinery which will move in harmony.

"But in calling a convention to restore the State, who shall restore and re-establish it? Shall the man who gave his influence and his means to destroy the Government? Is he to participate in the great work of reorganization? Shall he who brought this misery upon the State be permitted to control its destinies? If this be so, then all this precious blood of our brave soldiers and officers so freely poured out will have been wantonly spilled. All the glorious victories won by our noble armies will go for nought, and all the battle-fields which have been sown with dead heroes during the rebellion will have been made memorable in vain."

In a speech at Washington, Feb. 22nd, 1866, Johnson said:

"The Government has stretched forth its strong arm, and with its physical power it has put down treason in the field. That is, the section of country that arrayed itself against the Government has been conquered by the force of the Government itself. Now, what had we said to those people? We said, 'No compromise; we can settle this question with the South in eight and forty hours.'

"I have said it again and again, and I repeat it now, 'disband your armies, acknowledge the

supremacy of the Constitution of the United States, give obedience to the law, and the whole question is settled.'

"What has been done since? Their armies have been disbanded. They come now to meet us in a spirit of magnanimity and say, 'We were mistaken; we made the effort to carry out the doctrine of secession and dissolve this Union, and having traced this thing to its logical and physical results, we now acknowledge the flag of our country, and promise obedience to the Constitution and the supremacy of the law.'

"I say, then, when you comply with the Constitution, when you yield to the law, when you acknowledge allegiance to the Government—I say let the door of the Union be opened, and the relation be restored to those that had erred and had strayed from the fold of our fathers."

It is not partisanship to say that Johnson's views had undergone a change. He did not admit this in his speeches, but the fact was accepted in all sections, and the leaders of parties took position accordingly—nearly all of the Republicans against him, nearly all of the Democrats for him. So radical had this difference become that he vetoed nearly all of the political bills passed by the Republicans from 1866 until the end of his administration, but such was the Republican preponderance in both Houses of Congress that they passed them over his head by the necessary two-thirds vote. He vetoed the several Freedmen's Bureau Bills, the Civil Rights Bill, that for the admission of Nebraska and Colorado, the Bill to permit Colored Suffrage in the District of Columbia, one of the Reconstruction Bills, and finally made a direct issue with the powers of Congress by his veto of the Civil Tenure Bill, March 2, 1867, the substance

of which is shown in the third section, as follows:

SEC. 3. That the President shall have power to fill all vacancies which may happen during the recess of the Senate, by reason of death or resignation, by granting commissions which shall expire at the end of their next session thereafter. And if no appointment, by and with the advice and consent of the Senate, shall be made to such office so vacant or temporarily filled as aforesaid during such next session of the Senate, such office shall remain in abeyance without any salary, fees, or emoluments attached thereto, until the same shall be filled by appointment thereto, by and with the advice and consent of the Senate; and during such time all the powers and duties belonging to such office shall be exercised by such other officer as may by law exercise such powers and duties in case of a vacancy in such office.

The bill originally passed the Senate by 22 to 10—all of the nays Democrats save Van Winkle and Willey. It passed the House by 112 to 41—all of the yeas Republicans; all of the nays Democrats save Hawkins, Latham and Whaley. The Senate passed it over the veto by 35 to 11—a strict party vote; the House by 138 to 40—a strict party vote, except Latham (Rep.) who voted nay.

The refusal of the President to enforce this act, and his attempted removal of Secretary Stanton from the Cabinet when against the wish of the Senate, led to the effort to impeach him. Stanton resisted the President, and General Grant took an active part in sustaining the War Secretary. He in fact publicly advised him to “stick,” and his attitude showed that in the great political battle which must follow, they would surely have the support of the army and its great commander.

Impeachment Trial of Andrew Johnson.

[33]The events which led to the impeachment of President Johnson, may be briefly stated as follows: On the 21st of February, 1868, the President issued an order to Mr. Stanton, removing him from office as Secretary of War, and another to General Lorenzo Thomas, Adjutant-General of the Army, appointing him Secretary of War *ad interim*, directing the one to surrender and the other to receive, all the books, papers, and public property belonging to the War Department. As these orders fill an important place in the history of the impeachment, we give them here. The order to Mr. Stanton reads:

"By virtue of the power and authority vested in me as President by the Constitution and laws of the United States, you are hereby removed from office as Secretary for the Department of War, and your functions as such will terminate upon the receipt of this communication. You will transfer to Brevet Major-General Lorenzo Thomas, Adjutant-General of the Army, who has this day been authorized and empowered to act as Secretary of War *ad interim*, all records, books, papers, and other public property now in your custody and charge."

The order to General Thomas reads:

"The Hon. Edwin M. Stanton having been this day removed from office as Secretary for the Department of War, you are hereby authorized and empowered to act as Secretary of War *ad interim*, and will immediately enter upon the discharge of the duties pertaining to that office. Mr. Stanton has been instructed to transfer to you all the records, books, and other public property now in his custody and charge."

These orders having been officially communicated to the Senate, that body, after an earnest debate, passed the following resolution:

"*Resolved, by the Senate of the United States*, That under the Constitution and laws of the United States the President has no power to remove the Secretary of War and designate any other officer to perform the duties of that office."

The President, upon the 24th, sent a message to the Senate, arguing at length that not only under the Constitution, but also under the laws as now existing, he had the right of removing Mr. Stanton and appointing another to fill his place. The point of his argument is: That by a special proviso in the Tenure-of-Office Bill the various Secretaries of Departments "shall hold their offices respectively for and during the term of the President by whom they may have been appointed, and for one month thereafter, subject to removal by and with the advice of the Senate." The President affirms that Mr. Stanton was appointed not by him, but by his predecessor, Mr. Lincoln, and held office only by the sufferance, not the appointment, of the present Executive; and that therefore his tenure is, by the express reading of the law excepted from the general provision, that every person duly appointed to office, "by and with the advice and consent of the Senate," etc., shall be "entitled to hold office until a successor shall have been in like manner appointed and duly qualified, except as herein otherwise provided." The essential point of the President's argument, therefore, is that, as Mr. Stanton was not appointed by him, he had, under the Tenure-of-Office Bill, the right at any time to remove him; the same right which his own successor would have, no matter whether the incumbent had, by sufferance, not by appointment of

the existing Executive, held the office for weeks or even years. “If,” says the President, “my successor would have the power to remove Mr. Stanton, after permitting him to remain a period of two weeks, because he was not appointed by him, I who have tolerated Mr. Stanton for more than two years, certainly have the same right to remove him, upon the same ground, namely that he was not appointed by me but by my predecessor.”

In the meantime General Thomas presented himself at the War Department and demanded to be placed in the position to which he had been assigned by the President. Mr. Stanton refused to surrender his post, and ordered General Thomas to proceed to the apartment which belonged to him as Adjutant-General. This order was not obeyed, and so the two claimants to the Secretaryship of War held their ground. A sort of legal by-play then ensued. Mr. Stanton entered a formal complaint before Judge Carter, Chief Justice of the Supreme Court of the District of Columbia, charging that General Thomas had illegally exercised and attempted to exercise the duties of Secretary of War; and had threatened to “forcibly remove the complainant from the buildings and apartments of the Secretary of War in the War Department, and forcibly take possession and control thereof under his pretended appointment by the President of the United States as Secretary of War *ad interim*;” and praying that he might be arrested and held to answer this charge. General Thomas was accordingly arrested, and held to bail in the sum of $15,000 to appear before the court on the 24th. Appearing on that day he was discharged from custody and bail; whereupon he entered an action against Mr. Stanton for false imprisonment, laying his damages at $150,000.

On the 22d of February the House Committee on Reconstruction, through its Chairman, Mr. Stevens, presented a brief report, merely stating the fact of the attempted removal by the President of Mr. Stanton, and closing as follows:

"Upon the evidence collected by the Committee, which is hereafter presented, and in virtue of the powers with which they have been invested by the House, they are of the opinion that Andrew Johnson, President of the United States, should be impeached of high crimes and misdemeanors. They, therefore, recommend to the House the adoption of the following resolution:

"*Resolved*, That Andrew Johnson, President of the United States be impeached of high crimes and misdemeanors."

After earnest debate, the question on the resolution was adopted, on the 24th, by a vote of 126 to 47. A committee of two members—Stevens and Bingham—were to notify the Senate of the action of the House; and another committee of seven —Boutwell, Stevens, Bingham, Wilson, Logan, Julian, and Ward—to prepare the articles of impeachment. On the 25th (February) Mr. Stevens thus announced to the Senate the action which had been taken by the House:

"In obedience to the order of the House of Representatives we have appeared before you, and in the name of the House of Representatives and of all the people of the United States, we do impeach Andrew Johnson, President of the United States, of high crimes and misdemeanors in office. And we further inform the Senate that the House of Representatives will in due time exhibit particular articles of impeachment against him, to make good

the same; and in their name we demand that the Senate take due order for the appearance of the said Andrew Johnson to answer to the said impeachment."

The Senate thereupon, by a unanimous vote, resolved that this message from the House should be referred to a select Committee of Seven, to be appointed by the chair, to consider the same and report thereon. The Committee subsequently made a report laying down the rules of procedure to be observed on the trial.

On the 29th of February the Committee of the House appointed for that purpose presented the articles of impeachment which they had drawn up. These, with slight modification, were accepted on the 2d of March. They comprise nine articles, eight of which are based upon the action of the President in ordering the removal of Mr. Stanton, and the appointment of General Thomas as Secretary of War. The general title to the impeachment is:

"Articles exhibited by the House of Representatives of the United States, in the name of themselves and all the people of the United States, against Andrew Johnson, President of the United States, as maintenance and support of their impeachment against him for high crimes and misdemeanors in office."

Each of the articles commences with a preamble to the effect that the President, "unmindful of the high duties of his office, of his oath of office, and of the requirements of the Constitution that he should take care that the laws be faithfully executed, did unlawfully and in violation of the laws and Constitution of the United States, perform the several acts specified in the articles respectively;" closing

with the declaration: “Whereby the said Andrew Johnson, President of the United States, did then and there commit and was guilty of a high misdemeanor in office.” The phraseology is somewhat varied. In some cases the offense is designated as a “misdemeanor,” in others as a “crime.” The whole closes thus:

“And the House of Representatives, by protestation, saving to themselves the liberty of exhibiting at any time hereafter any further articles or other accusation or impeachment against the said Andrew Johnson, President of the United States, and also of replying to his answers which he shall make to the articles herein preferred against him, and of offering proof to the same and every part thereof, and to all and every other article, accusation, or impeachment which shall be exhibited by them as the case shall require, do demand that the said Andrew Johnson may be put to answer the high crimes and misdemeanors in office herein charged against him, and that such proceedings, examinations, trials, and judgments may be thereupon had and given as may be agreeable to law and justice.”

The following is a summary in brief of the points in the articles of impeachment, legal and technical phraseology being omitted:

Article 1. Unlawfully ordering the removal of Mr. Stanton as Secretary of War, in violation of the provisions of the Tenure-of-Office Act.—*Article 2*. Unlawfully appointing General Lorenzo Thomas as Secretary of War *ad interim*.—*Article 3* is substantially the same as Article 2, with the addition that there was at the time of the appointment of General Thomas no vacancy in the office of Secretary of War. —*Article 4* charges the President with “conspiring

with one Lorenzo Thomas and other persons, to the House of Representatives unknown," to prevent, by intimidation and threats, Mr. Stanton, the legally-appointed Secretary of War, from holding that office.—*Article 5* charges the President with conspiring with General Thomas and others to hinder the execution of the Tenure-of-Office Act; and, in pursuance of this conspiracy, attempting to prevent Mr. Stanton from acting as Secretary of War.—*Article 6* charges that the President conspired with General Thomas and others to take forcible possession of the War Department.—*Article 7* repeats the charge, in other terms, that the President conspired with General Thomas and others to hinder the execution of the Tenure-of-Office Act, and to prevent Mr. Stanton from executing the office of Secretary of War.—*Article 8* again charges the President with conspiring with General Thomas and others to take possession of the property in the War Department.—*Article 9* charges that the President called before him General Emory, who was in command of the forces in the Department of Washington, and declared to him that a law, passed on the 30th of June, 1867, directing that "all orders and instructions relating to military operations, issued by the President or Secretary of War, shall be issued through the General of the Army, and, in case of his inability, through the next in rank," was unconstitutional, and not binding upon General Emory; the intent being to induce General Emory to violate the law, and to obey orders issued directly from the President.

The foregoing articles of impeachment were adopted on the 2d of March, the votes upon each slightly varying, the average being 125 ayes to 40 nays. The question then came up of appointment of managers on the part of the House to conduct the

impeachment before the Senate. Upon this question the Democratic members did not vote; 118 votes were cast, 60 being necessary to a choice. The following was the result, the number of votes cast for each elected manager being given: Stevens of Penn., 105; Butler, of Mass., 108; Bingham, of Ohio, 114; Boutwell, of Mass., 113; Wilson, of Iowa, 112; Williams, of Penn., 107; Logan, of Ill., 106. The foregoing seven Representatives were, therefore, duly chosen as Managers of the Bill of Impeachment. The great body of the Democratic members of the House entered a formal protest against the whole course of proceedings involved in the impeachment of the President. They claimed to represent "directly or in principle more than one-half of the people of the United States." This protest was signed by forty-five Representatives.

On the 3d the Board of Managers presented two additional articles of impeachment, which were adopted by the House. The first charges, in substance, that

"The President, unmindful of the high duties of his office and of the harmony and courtesies which ought to be maintained between the executive and legislative branches of the Government of the United States, designing to set aside the rightful authority and powers of Congress, did attempt to bring into disgrace the Congress of the United States and the several branches thereof, to impair and destroy the regard and respect of all the good people of the United States for the Congress and legislative power thereof, and to excite the odium and resentment of all the good people of the United States against Congress and the laws by it enacted; and in pursuance of his said design openly and publicly, and before divers assemblages convened in divers parts

thereof to meet and receive said Andrew Johnson as the Chief Magistrate of the United States, did on the 18th day of August, in the year of our Lord 1866, and on divers other days and times, as well before as afterward, make and deliver with a loud voice certain intemperate, inflammatory, and scandalous harangues, and did therein utter loud threats and bitter menaces as well against Congress as the laws of the United States duly enacted thereby."

To this article are appended copious extracts from speeches of Mr. Johnson. The second article is substantially as follows:

"The President did, on the 18th day of August, 1866, at the City of Washington, by public speech, declare and affirm in substance that the Thirty-ninth Congress of the United States was not a Congress of the United States, authorized by the Constitution to exercise legislative power under the same, but, on the contrary, was a Congress of only a part of the States, thereby denying and intending to deny that the legislation of said Congress was valid or obligatory upon him, except in so far as he saw fit to approve the same, and did devise and contrive means by which he might prevent Edwin M. Stanton from forthwith resuming the functions of the office of Secretary for the Department of War; and, also, by further unlawfully devising and contriving means to prevent the execution of an act entitled 'An act making appropriations for the support of the army for the fiscal year ending June 30, 1868, and for other purposes,' approved March 2, 1867; and also to prevent the execution of an act entitled 'An act to provide for the more efficient government of the rebel States,' passed March 2, 1867, did commit and was guilty of a high misdemeanor in office."

On the 4th of March the Senate notified the House

that they were ready to receive the Managers of the Impeachment. They appeared, and the articles were formally read. The Senate had meanwhile adopted the rules of procedure. Chief Justice Chase sent a communication to the Senate to the effect that this body, when acting upon an impeachment, was a Court presided over by the Chief Justice, and that all orders and rules should be framed by the Court. On the 5th the Court was formally organized. An exception was taken to the eligibility of Mr. Wade as a member of the Court, on the ground that he was a party interested, since, in the event of the impeachment being sustained, he, as President of the Senate, would become Acting President of the United States. This objection was withdrawn, and Mr. Wade was sworn as a member of the Court. On the 7th the summons for the President to appear was formally served upon him. On the 13th the Court was again formally reopened. The President appeared by his counsel, Hon. Henry Stanbery, of Ohio; Hon. Wm. M. Evarts, of New York; Hon. Wm. S. Groesbeck, of Ohio; Hon. Benjamin R. Curtis, of Massachusetts; Hon. Thomas A. R. Nelson, of Tennessee, who asked for forty days to prepare an answer to the indictment. This was refused, and ten days granted; it being ordered that the proceedings should reopen on the 23d. Upon that day the President appeared by his counsel, and presented his answer to the articles of impeachment. This reply was in substance as follows:

The first eight articles in the Bill of Impeachment, as briefly summed up in our last record, are based upon the action of the President in ordering the removal of Mr. Stanton, and the temporary appointment of General Thomas as Secretary of War. The gist of them is contained in the first article,

charging the unlawful removal of Mr. Stanton; for, this failing, the others would fail also. To this article a considerable part of the President's answer is devoted. It is mainly an amplification of the points put forth in the Message of February 24th, in which he gave his reasons for his orders. The President cites the laws by which this department of the administration was created, and the rules laid down for the duties pertaining to it; prominent among which are: that the Secretary shall "conduct the business of the department in such manner as the President of the United States shall from time to time order and instruct;" and that he should "hold the office during the pleasure of the President;" and that Congress had no legal right to deprive the President of the power to remove the Secretary. He was, however, aware that the design of the Tenure-of-Office Bill was to vest this power of removal, in certain cases, jointly in the Executive and the Senate; and that, while believing this act to be unconstitutional, yet it having been passed over his veto by the requisite majority of two-thirds, he considered it to be his duty to ascertain in how far the case of Mr. Stanton came within the provisions of this law; after consideration, he came to the conclusion that the case did not come within the prohibitions of the law, and that, by that law he still had the right of removing Mr. Stanton; but that, wishing to have the case decided by the Supreme Court, he, on the 12th of August, issued the order merely suspending, not removing, Mr. Stanton, a power expressly granted by the Tenure-of-Office Act, and appointed General Grant Secretary of War *ad interim*. The President then recites the subsequent action in the case of Mr. Stanton; and, as he avers, still believing that he had the constitutional power to

remove him from office, issued the order of February 21st, for such removal, designing to thus bring the matter before the Supreme Court. He then proceeds formally to deny that at this time Mr. Stanton was in lawful possession of the office of Secretary of War; and that, consequently, the order for his removal was in violation of the Tenure-of-Office Act; and that it was in violation of the Constitution or of any law; or that it constituted any official crime or misdemeanor.

In regard to the seven succeeding articles of impeachment the President, while admitting the facts of the order appointing General Thomas as Secretary of War *ad interim*, denies all and every of the criminal charges therein set forth. So of the ninth article, charging an effort to induce General Emory to violate the law, the President denies all such intent, and calls attention to the fact that while, for urgent reasons, he signed the bill prescribing that orders to the army should be issued only through the General, he at the same time declared it to be, in his judgment, unconstitutional; and affirms that in his interview with General Emory he said no more than he had before officially said to Congress—that is, that the law was unconstitutional.

As to the tenth article, the first of the supplementary ones, the President, while admitting that he made certain public speeches at the times and places specified, does not admit that the passages cited are fair reports of his remark; denies that he has ever been unmindful of the courtesies which ought to be maintained between the executive and legislative departments; but he claims the perfect right at all times to express his views as to all public matters.

The reply to the eleventh article, the second supplementary one, is to the same general purport,

denying that he ever affirmed that the Thirty-ninth Congress was not a valid Congress of the United States, and its acts obligatory only as they were approved by him; and denying that he had, as charged in the article, contrived unlawful means for preventing Mr. Stanton from resuming the functions of Secretary of War, or for preventing the execution of the act making appropriations for the support of the army, or that to provide for the more efficient government of the rebel States. In his answer to this article the President refers to his reply to the first article, in which he sets forth at length all the steps, and the reasons therefor, relating to the removal of Mr. Stanton. In brief, the answer of the President to the articles of impeachment is a general denial of each and every criminal act charged in the articles of impeachment.

The counsel for the President then asked for a delay of thirty days after the replication of the managers of the impeachment should have been rendered, before the trial should formally proceed. This was refused, and the managers of the impeachment stated that their replication would be presented the next day: it was that,

“The Senate will commence the trial of the President upon the articles of impeachment exhibited against him on Monday, the 30th day of March, and proceed therein with all dispatch under the rules of the Senate, sitting upon the trial of an impeachment.”

The replication of the House of Representatives was a simple denial of each and every averment in the answer of the President, closing thus:

“The House of Representatives ... do say that the said Andrew Johnson, President of the United States,

is guilty of the high crimes and misdemeanors mentioned in the said articles, and that the said House of Representatives are ready to prove the same."

The trial began, as appointed, on March 30. There being twenty-seven States represented, there were fifty-four Senators, who constituted the Court, presided over by Chief Justice Salmon P. Chase, of Ohio. SENATORS: *California*, Cole, Conness; *Connecticut*, Dixon, Ferry; *Delaware*, Bayard, Saulsbury; *Indiana*, Hendricks, Morton; *Illinois*, Trumbull, Yates; *Iowa*, Grimes, Harlan; *Kansas*, Pomeroy, Ross; *Kentucky*, Davis, McCreery; *Maine*, Fessenden, Morrill (Lot M.); *Maryland*, Johnson, Vickers; *Massachusetts*, Sumner, Wilson; *Michigan*, Chandler, Howard; *Minnesota*, Norton, Ramsay; *Missouri*, Drake, Henderson; *Nebraska*, Thayer, Tipton; *Nevada*, Nye, Stewart; *New Hampshire*, Cragin, Patterson (J. W.); *New Jersey*, Cattell, Frelinghuysen; *New York*, Conklin, Morgan; *Ohio*, Sherman, Wade; *Oregon*, Corbett, Williams; *Pennsylvania*, Buckalew, Cameron; *Rhode Island*, Anthony, Sprague; *Tennessee*, Fowler, Patterson (David); *Vermont*, Edmunds, Merrill, (J. S.); *West Virginia*, Van Winkle, Willey; *Wisconsin*, Doolittle, Howe.

Managers for the Prosecution: Messrs. Bingham, Boutwell, Butler, Logan, Stevens, Williams, Wilson.

Counsel for the President. Messrs. Curtis, Evarts, Groesbeck, Nelson, Stanbery.

The following was the order of procedure: The Senate convened at 11 or 12 o'clock, and was called to order by the president of that body, who, after prayer, would leave the chair, which was immediately assumed by the Chief Justice, who wore

his official robes. The prosecution was mainly conducted by Mr. Butler, who examined the witnesses, and, in conjunction with the others, argued the points of law which came up. The defense, during the early part of the trial, was mainly conducted by Mr. Stanbery, who had resigned the office of Attorney-General for this purpose, but, being taken suddenly ill, Mr. Evarts took his place. According to the rule at first adopted, the trial was to be opened by one counsel on each side, and summed up by two on each side; but this rule was subsequently modified so as to allow as many of the managers and counsel as chose to sum up, either orally or by filing written arguments.

THE PROSECUTION.

The whole of the first day (March 30) was occupied by the opening speech of Mr. Butler. After touching upon the importance of the case, and the wisdom of the framers of the Constitution in providing for its possible occurrence, he laid down the following proposition, supporting it by a copious array of authorities and precedents:

"We define, therefore, an impeachable high crime or misdemeanor to be one, in its nature or consequences, subversive of some fundamental or essential principle of government, or highly prejudicial to the public interest, and this may consist of a violation of the Constitution, of law, of an official oath, or of duty, by an act committed or omitted, or, without violating a positive law, by the abuse of discretionary powers from improper motives, or for any improper purpose."

He then proceeded to discuss the nature and

functions of the tribunal before which the trial is held. He asked: “Is this proceeding a trial, as that term is understood, so far as relates to the rights and duties of a court and jury upon an indictment for crime? Is it not rather more in the nature of an inquest?” The Constitution, he urged, “seems to have determined it to be the latter, because, under its provisions, the right to retain and hold office is the only subject to be finally adjudicated; all preliminary inquiry being carried on solely to determine that question, and that alone.” He then proceeded to argue that this body now sitting to determine the accusation, is the Senate of the United States, and not a court. This question is of consequence, he argued, because, in the latter case, it would be bound by the rules and precedents of common law-statutes; the members of the court would be liable to challenge on many grounds; and the accused might claim that he could only be convicted when the evidence makes the fact clear beyond reasonable doubt, instead of by a preponderance of the evidence. The fact that in this case the Chief Justice presides, it was argued, does not constitute the Senate thus acting a court, for in all cases of impeachment, save that of the President, its regular presiding officer presides. Moreover, the procedures have no analogy to those of an ordinary court of justice. The accused merely receives a notice of the case pending against him. He is not required to appear personally, and the case will go on without his presence. Mr. Butler thus summed up his position in this regard:

“A constitutional tribunal solely, you are bound by no law, either statute or common, which may limit your constitutional prerogative. You consult no precedents save those of the law and custom of

parliamentary bodies. You are a law unto yourselves, bound only by the natural principles of equity and justice, and that *salus populi suprema est lex*."

Mr. Butler then proceeded to consider the articles of impeachment. The first eight, he says, "set out, in several distinct forms, the acts of the President in removing Mr. Stanton and appointing General Thomas, differing, in legal effect, in the purposes for which, and the intent with which, either or both of the acts were done, and the legal duties and rights infringed, and the Acts of Congress violated in so doing." In respect to all of these articles, Mr. Butler says, referring to his former definition of what constituted an impeachable high crime:

"All the articles allege these acts to be in contravention of his oath of office, and in disregard of the duties thereof. If they are so, however, the President might have the power to do them under the law. Still, being so done, they are acts of official misconduct, and, as we have seen, impeachable. The President has the legal power to do many acts which, if done in disregard of his duty, or for improper purposes, then the exercise of that power is an official misdemeanor. For example, he has the power of pardon; if exercised, in a given case, for a corrupt motive, as for the payment of money, or wantonly pardoning all criminals, it would be a misdemeanor."

Mr. Butler affirmed that every fact charged in the first article, and substantially in the seven following, is admitted in the reply of the President; and also that the general intent to set aside the Tenure-of-Office Act is therein admitted and justified. He then proceeded to discuss the whole question of the power of the President for removals from office, and especially his claim that this power was imposed upon the President by the Constitution, and that it

could not be taken from him, or be vested jointly in him and the Senate, partly or in whole. This, Mr. Butler affirmed, was the real question at issue before the Senate and the American people. He said:

"Has the President, under the Constitution, the more than royal prerogative at will to remove from office, or to suspend from office, all executive officers of the United States, either civil, military or naval, and to fill the vacancies, without any restraint whatever, or possibility of restraint, by the Senate or by Congress, through laws duly enacted? The House of Representatives, in behalf of the people, join issue by affirming that the exercise of such powers is a high misdemeanor in office. If the affirmative is maintained by the respondent, then, so far as the first eight articles are concerned—unless such corrupt purposes are shown as will of themselves make the exercise of a legal power a crime—the respondent must go, and ought to go, quit and free.

This point as to the legal right of the President to make removals from office, which constitutes the real burden of the articles of impeachment, was argued at length. Mr. Butler assumed that the Senate, by whom, in conjunction with the House, the Tenure-of-Office Act had been passed over the veto of the President, would maintain the law to be constitutional. The turning point was whether the special case of the removal of Mr. Stanton came within the provisions of this law. This rested upon the proviso of that law, that—

"The Secretaries shall hold their office during the term of the President by whom they may have been appointed, and for one month thereafter, subject to removal by and with the advice and consent of the Senate."

The extended argument upon this point, made by Mr. Butler, was to the effect that Mr. Stanton having been appointed by Mr. Lincoln, whose term of office reached to the 4th of March, 1869, that of Mr. Stanton existed until a month later, unless he was previously removed by the concurrent action of the President and Senate. The point of the argument is, that Mr. Johnson is merely serving out the balance of the term of Mr. Lincoln, cut short by his assassination, so that the Cabinet officers appointed by Mr. Lincoln held their places, by this very proviso, during that term and for a month thereafter; for, he argued, if Mr. Johnson was not merely serving out the balance of Mr. Lincoln's term, then he is entitled to the office of President for four full years, that being the period for which a President is elected. If, continues the argument, Mr. Stanton's commission was vacated by the Tenure-of-Office Act, it ceased on the 4th of April, 1865; or, if the act had no retroactive effect, still, if Mr. Stanton held his office merely under his commission from Mr. Lincoln, then his functions would have ceased upon the passage of the bill, March 2, 1867; and, consequently, Mr. Johnson, in "employing" him after that date as Secretary of War, was guilty of a high misdemeanor, which would give ground for a new article of impeachment.

After justifying the course of Mr. Stanton in holding on to the secretaryship in opposition to the wish of the President, on the ground that "to desert it now would be to imitate the treachery of his accidental chief," Mr. Butler proceeded to discuss the reasons assigned by the President in his answer to the articles of impeachment for the attempt to remove Mr. Stanton. These, in substance, were, that the President believed the Tenure-of-Office Act was

unconstitutional, and, therefore, void and of no effect, and that he had the right to remove him and appoint another person in his place. Mr. Butler urged that, in all of these proceedings, the President professed to act upon the assumption that the act was valid, and that his action was in accordance with its provisions. He then went on to charge that the appointment of General Thomas as Secretary of War *ad interim*, was a separate violation of law. By the act of February 20, 1863, which repealed all previous laws inconsistent with it, the President was authorized, in case of the "death, resignation, absence from the seat of Government, or sickness of the head of an executive department," or in any other case where these officers could not perform their respective duties, to appoint the head of any other executive department to fulfil the duties of the office "until a successor be appointed, or until such absence or disability shall cease." Now, urged Mr. Butler, at the time of the appointment of General Thomas as Sectary of War *ad interim*, Mr. Stanton "had neither died nor resigned, was not sick nor absent," and, consequently, General Thomas, not being the head of a department, but only of a bureau of one of them, was not eligible to this appointment, and that, therefore, his appointment was illegal and void.

The ninth article of impeachment, wherein the President is charged with endeavoring to induce General Emory to take orders directly from himself, is dealt with in a rather slight manner. Mr. Butler says, "If the transaction set forth in this article stood alone, we might well admit that doubts might arise as to the sufficiency of the proof;" but, he adds, "the surroundings are so pointed and significant as to leave no doubt in the mind of an impartial man as to

the intents and purposes of the President"—these intents being, according to Mr. Butler, "to induce General Emory to take orders directly from himself, and thus to hinder the execution of the Civil Tenure Act, and to prevent Mr. Stanton from holding his office of Secretary of War."

As to the tenth article of impeachment, based upon various speeches of the President, Mr. Butler undertook to show that the reports of these speeches, as given in the article, were substantially correct; and accepted the issue made thereupon as to whether they are "decent and becoming the President of the United States, and do not tend to bring the office into ridicule and disgrace."

After having commented upon the eleventh and closing article, which charges the President with having denied the authority of the Thirty-ninth Congress, except so far as its acts were approved by him, Mr. Butler summed up the purport of the articles of impeachment in these words:

"The acts set out in the first eight articles are but the culmination of a series of wrongs, malfeasances, and usurpations committed by the respondent, and, therefore, need to be examined in the light of his precedent and concomitant acts to grasp their scope and design. The last three articles presented show the perversity and malignity with which he acted, so that the man as he is known may be clearly spread upon record, to be seen and known of all men hereafter.... We have presented the facts in the constitutional manner; we have brought the criminal to your bar, and demand judgment for his so great crimes."

The remainder of Monday, and a portion of the following day, were devoted to the presentation of

documentary evidence as to the proceedings involved in the order for the removal of Mr. Stanton and the appointment of General Thomas. The prosecution then introduced witnesses to testify to the interviews between Mr. Stanton and General Thomas. They then brought forward a witness to show that General Thomas had avowed his determination to take forcible possession of the War Office. To this Mr. Stanbery, for the defense, objected. The Chief Justice decided the testimony to be admissible. Thereupon Senator Drake took exception to the ruling, on the ground that this question should be decided by the Senate—not by the presiding officer. The Chief Justice averred that, in his judgment, it was his duty to decide, in the first instance, upon any question of evidence, and then, if any Senator desired, to submit the decision to the Senate. Upon this objection and appeal arose the first conflict in the Senate as to the powers of its presiding officer. Mr. Butler argued at length in favor of the exception. Although, in this case, the decision was in favor of the prosecution, he objected to the power of the presiding officer to make it. This point was argued at length by the managers for the impeachment, who denied the right of the Chief Justice to make such decision. It was then moved that the Senate retire for private consultation on this point. There was a tie vote—25 ayes and 25 nays.—The Chief Justice gave his casting vote in favor of the motion for consultation. The Senate, by a vote of 31 to 19, sustained the Chief Justice, deciding that “the presiding officer may rule on all questions of evidence and on incidental questions, which decision will stand as the judgment of the Senate for decision, or he may, at his option in the first instance, submit any such question to a vote of the members of the

Senate." In the further progress of the trial the Chief Justice, in most important cases, submitted the question directly to the Senate, without himself giving any decision. Next morning (April 1) Mr. Sumner offered a resolution to the effect that the Chief Justice, in giving a casting vote, "acted without authority of the Constitution of the United States." This was negatived by a vote of 27 to 21, thus deciding that the presiding officer had the right to give a casting vote. The witness (Mr. Burleigh, delegate from Dakotah,) who had been called to prove declarations of General Thomas, was then asked whether, at an interview between them, General Thomas had said anything as "to the means by which he intended to obtain, or was directed by the President to obtain, possession of the War Department." To this question Mr. Stanbery objected, on the ground that any statements made by General Thomas could not be used as evidence against the President. Messrs. Butler and Bingham argued that the testimony was admissible, on the ground that there was, as charged, a conspiracy between the President and General Thomas, and that the acts of one conspirator were binding upon the other; and, also, that in these acts General Thomas was the agent of the President. The Senate, by 39 to 11, decided that the question was admissible. Mr. Burleigh thereupon testified substantially that General Thomas informed him that he had been directed by the President to take possession of the War Department; that he was bound to obey his superior officer; that, if Mr. Stanton objected, he should use force, and if he bolted the doors they would be broken down. The witness was then asked whether he had heard General Thomas make any statement to the clerks of the War Office, to the effect that, when

he came into control, he would relax or rescind the rules of Mr. Stanton. To this question objection was made by the counsel of the President on the ground of irrelevancy. The Chief Justice was of opinion that the question was not admissible, but, if any Senator demanded, he would submit to the Senate whether it should be asked. The demand having been made, the Senate, by a vote of 28 to 22, allowed the question to be put, whereupon Mr. Burleigh testified that General Thomas, in his presence, called before him the heads of the divisions, and told them that the rules laid down by Mr. Stanton were arbitrary, and that he should relax them—that he should not hold them strictly to their letters of instruction, but should consider them as gentlemen who would do their duty —that they could come in or go out when they chose. Mr. Burleigh further testified that, subsequently, General Thomas had said to him that the only thing which prevented him from taking possession of the War Department was his arrest by the United States marshal. Other witnesses were called to prove the declarations of General Thomas. Mr. Wilkeson testified that General Thomas said to him that he should demand possession of the War Department, and, in case Mr. Stanton should refuse to give it up, he should call upon General Grant for a sufficient force to enable him to do so, and he did not see how this could be refused. Mr. Karsener, of Delaware, testified that he saw General Thomas at the President's house, told him that Delaware, of which State General Thomas is a citizen, expected him to stand firm; to which General Thomas replied that he was standing firm, that he would not disappoint his friends, but, that, in a few days, he would "kick that fellow out," meaning, as the witness supposed, Mr. Stanton.

Thursday, April 2d.—Various witnesses were introduced to testify to the occurrences when General Thomas demanded possession of the War Department. After this General Emory was called to testify to the transactions which form the ground of the ninth article of impeachment. His testimony was to the effect that the President, on the 22d of February, requested him to call; that, upon so doing, the President asked respecting any changes that had been made in the disposition of the troops around Washington; that he informed the President that no important changes had been made, and that none could be made without an order from General Grant, as provided for in an order founded upon a law sanctioned by the President. The President said that this law was unconstitutional. Emory replied that the President had approved of it, and that it was not the prerogative of the officers of the army to decide upon the constitutionality of a law, and in that opinion he was justified by the opinion of eminent counsel, and thereupon the conversation ended.

The prosecution then endeavored to introduce testimony as to the appointment of Mr. Edmund Cooper, the Private Secretary of the President, as Assistant Secretary of the Treasury, in support of the eighth and eleventh articles of impeachment, which charge the President with an unlawful attempt to control the disposition of certain public funds. This testimony, by a vote of 27 to 22, was ruled out.

The prosecution now, in support of the tenth and eleventh articles of impeachment, charging the President with endeavoring to "set aside the rightful authority of Congress," offered a telegraphic dispatch from the President to Mr. Parsons, at that time (January 17, 1867) Provisional Governor of Alabama, of which the following is the essential part:

"I do not believe the people of the whole country will sustain any set of individuals in the attempt to change the whole character of our Government by enabling acts in this way. I believe, on the contrary, that they will eventually uphold all who have patriotism and courage to stand by the Constitution, and who place their confidence in the people. There should be no faltering on the part of those who are honest in their determination to sustain the several coördinate departments of the Government in accordance with its original design." The introduction of this was objected to by the counsel for the President, but admitted by the Senate, the vote being 27 to 17.

The whole Friday, and a great part of Saturday, (April 3d and 4th,) were occupied in the examination of the persons who reported the various speeches of the President which form the basis of the tenth article, the result being that the reports were shown to be either substantially or verbally accurate. Then, after some testimony relating to the forms in which commissions to office were made out, the managers announced that the case for the prosecution was substantially closed. The counsel for the President thereupon asked that three working days should be granted them to prepare for the defense. This, after some discussion, was granted by the Senate by a vote of 36 to 9, and the trial was adjourned to Thursday, April 9th.

THE DEFENSE.

The opening speech for the defense, occupying the whole of Thursday, and a part of Friday, was made by Mr. Curtis. Reserving, for a time, a rejoinder to

Mr. Butler's argument as to the functions of the Senate when sitting as a Court of Impeachment, Mr. Curtis proceeded to a consideration of the articles of impeachment, in their order, his purpose being "to ascertain, in the first place, what the substantial allegations in each of them are, what is the legal proof and effect of these allegations, and what proof is necessary to be adduced in order to sustain them." The speech is substantially an elaboration of and argument for the points embraced in the answer of the President. The main stress of the argument related to the first article, which, as stated by Mr. Curtis, when stripped of all technical language, amounts exactly to these things:

"*First.* That the order set out in the article for the removal of Mr. Stanton, if executed, would have been a violation of the Tenure-of-Office Act.

"*Second.* That it was a violation of the Tenure-of-Office Act.

"*Third.* That it was an intentional violation of the Tenure-of-Office Act.

"*Fourth.* That it was in violation of the Constitution of the United States.

"*Fifth.* That it was intended by the President to be so.

"Or, to draw all these into one sentence, which I hope may be intelligible and clear enough, I suppose the substance of this first article is that the order for the removal of Mr. Stanton was, and was intended to be, a violation of the Constitution of the United States. These are the allegations which it is necessary for the honorable managers to make out in order to support that article."

Mr. Curtis proceeded to argue that the case of Mr. Stanton did not come within the provisions of the

Tenure-of-Office Act, being expressly excepted by the proviso that Cabinet officers should hold their places during the term of the President by whom they were appointed, and for one month thereafter, unless removed by the consent of the Senate. Mr. Stanton was appointed by Mr. Lincoln, whose term of office came to an end by his death. He argued at length against the proposition that Mr. Johnson was merely serving out the remainder of Mr. Lincoln's term. The object of this exception, he said, was evident. The Cabinet officers were to be "the immediate confidential assistants of the President, for whose acts he was to be responsible, and in whom he was expected to repose the gravest honor, trust, and confidence; therefore it was that this act has connected the tenure of office of these officers with that of the President by whom they were appointed." Mr. Curtis gave a new interpretation to that clause in the Constitution which prescribes that the President "may require the opinion, in writing, of the principal officer in each of the executive departments upon any subject relating to the duties of their several offices." He understood that the word "their" included the President, so that he might call upon Cabinet officers for advice "relating to the duties of the office of these principal officers, or relating to the duties of the President himself." This, at least, he affirmed, had been the practical interpretation put upon this clause from the beginning. To confirm his position as to the intent of the Tenure-of-Office Act in this respect, Mr. Curtis quoted from speeches made in both houses at the time when the act was passed. Thus, Senator Sherman said that the act, as passed—

"Would not prevent the present President from removing the Secretary of War, the Secretary of the

Navy, or the Secretary of State; and, if I supposed that either of these gentlemen was so wanting in manhood, in honor, as to hold his place after the politest intimation from the President of the United States that his services were no longer needed, I certainly, as a Senator, would consent to his removal at any time, and so would we all."

Mr. Curtis proceeded to argue that there was really no removal of Mr. Stanton; he still held his place, and so there was "no case of removal within the statute, and, therefore, no case of violation by removal." But, if the Senate should hold that the order for removal was, in effect, a removal, then, unless the Tenure-of-Office Act gave Mr. Stanton a tenure of office, this removal would not have been contrary to the provisions of this act. He proceeded to argue that there was room for grave doubt whether Mr. Stanton's case came within the provisions of the Tenure-of-Office Act, and that the President, upon due consideration, and having taken the best advice within his power, considering that it did not, and acting accordingly, did not, even if he was mistaken, commit an act "so wilful and wrong that it can be justly and properly, and for the purposes of this prosecution, termed a high misdemeanor." He argued at length that the view of the President was the correct one, and that "the Senate had nothing whatever to do with the removal of Mr. Stanton, whether the Senate was in session or not."

Mr. Curtis then went on to urge that the President, being sworn to take care that the laws be faithfully executed, must carry out any law, even though passed over his veto, except in cases where a law which he believed to be unconstitutional has cut off a power confided to him, and in regard to which he

alone could make an issue which would bring the matter before a court, so as to cause "a judicial decision to come between the two branches of the Government, to see which of them is right." This, said he, is what the President has done. This argument, in effect, was an answer to the first eight articles of impeachment.

The ninth article, charging the President with endeavoring to induce General Emory to violate the law by receiving orders directly from him, was very briefly touched upon, it being maintained that, as shown by the evidence, "the reason why the President sent for General Emory was not that he might endeavor to seduce that distinguished officer from his allegiance to the laws and Constitution of his country, but because he wished to obtain information about military movements which might require his personal attention."

As to the tenth article, based upon the President's speeches, it was averred that they were in no way in violation of the Constitution, or of any law existing at the time when they were made, and were not therefore, impeachable offenses.

The reply to the eleventh article was very brief. The managers had "compounded it of the materials which they had previously worked up into others," and it "contained nothing new that needed notice." Mr. Curtis concluded his speech by saying that —"This trial is and will be the most conspicuous instance that has ever been, or even can be expected to be found, of American justice or of American injustice; of that justice which is the great policy of all civilized States; of that injustice which is certain to be condemned, which makes even the wisest man mad, and which, in the fixed and unalterable order of God's providence, is sure to return and plague the

inventor."

At the close of this opening speech for the defense, General Lorenzo Thomas was brought forward as a witness. His testimony, elicited upon examination and cross-examination, was to the effect that, having received the order appointing him Secretary of War *ad interim*, he presented it to Mr. Stanton, who asked, "Do you wish me to vacate the office at once, or will you give me time to get my private property together?" to which Thomas replied, "Act your pleasure." Afterward Stanton said, "I don't know whether I will obey your instructions." Subsequently Thomas said that he should issue orders as Secretary of War. Stanton said he should not do so, and afterward gave him a written direction, not to issue any order except as Adjutant-General. During the examination of General Thomas a question came up which, in many ways, recurred upon the trial. He was asked to tell what occurred at an interview between himself and the President. Objection was made by Mr. Butler, and the point was argued. The question was submitted to the Senate, which decided, by a vote of 42 to 10, that it was admissible. The testimony of General Thomas, from this point, took a wide range, and, being mainly given in response to questions of counsel, was, apparently, somewhat contradictory. The substance was that he was recognized by the President as Secretary of War; that, since the impeachment, he had acted as such only in attending Cabinet meetings, but had given no orders; that, when he reported to the President that Mr. Stanton would not vacate the War Department, the President directed him to "take possession of the office;" that, without orders from the President, he had intended to do this by force, if necessary; that, finding that this course might involve bloodshed, he

had abandoned this purpose, but that, after this, he had, in several cases, affirmed his purpose to do so, but that these declarations were “merely boast and brag.” On the following day General Thomas was recalled as a witness, to enable him to correct certain points in his testimony. The first was the date of an unimportant transaction; he had given it as taking place on the 21st of February, whereas it should have been the 22d. The second was that the words of the President were that he should “take charge,” not “take possession” of the War Department. In explanation of the fact that he had repeatedly sworn to the words “take possession,” he said that these were “put into his mouth.” Finally, General Thomas, in reply to a direct question from Mr. Butler, said that his testimony on these points was “all wrong.”

Lieutenant-General Sherman was then called as a witness. After some unimportant questions, he was asked in reference to an interview between himself and the President which took place on the 14th of January: “At that interview what conversation took place between the President and you in reference to Mr. Stanton?” To this question objection was made by Mr. Butler, and the point was elaborately argued. The Chief Justice decided that the question was admissible within the vote of the Senate of the previous day; the question then was as to the admissibility of evidence as to a conversation between the President and General Thomas; the present question was as to a conversation between the President and General Sherman. “Both questions,” said the Chief Justice, “are asked for the purpose of procuring the intent of the President to remove Mr. Stanton.” The question being submitted to the Senate, it was decided, by a vote of 28 to 23, that it should not be admitted. The examination of

General Sherman was continued, the question of the conversation aforesaid being frequently brought forward, and as often ruled out by the Senate. The only important fact elicited was that the President had twice, on the 25th and 30th of January, tendered to General Sherman the office of Secretary of War *ad interim*.

On Monday, April 13th, after transactions of minor importance, the general matter of the conversations between the President and General Sherman again came up, upon a question propounded by Senator Johnson—"When the President tendered to you the office of Secretary of War *ad interim*, did he, at the very time of making such tender, state to you what his purpose in so doing was?" This was admitted by the Senate, by a vote of 26 to 22. Senator Johnson then added to his question, "If he did, what did he state his purpose was?" This was admitted by a vote of 25 to 26. The testimony of General Sherman, relating to several interviews, was to the effect that the President said that the relations between himself and Mr. Stanton were such that he could not execute the office of President without making provision to appoint a Secretary of War *ad interim*, and he offered that office to him (General Sherman), but did not state that his purpose was to bring the matter directly into the courts. Sherman said that, if Mr. Stanton would retire, he might, although against his own wishes, undertake to administer the office *ad interim*, but asked what would be done in case Mr. Stanton would not yield. To this the President replied, "He will make no opposition; you present the order, and he will retire. I know him better than you do; he is cowardly." General Sherman asked time for reflection, and then gave a written answer, declining to accept the appointment, but stated that

his reasons were mostly of a personal nature.

On the 14th the Senate adjourned, on account of the sudden illness of Mr. Stanbery. It reassembled on the 15th, but the proceedings touched wholly upon formal points of procedure and the introduction of unimportant documentary evidence. On the 16th Mr. Sumner moved that all evidence not trivial or obviously irrelevant shall be admitted, the Senate to judge of its value. This was negatived by a vote of 23 to 11.

The 17th was mainly taken up by testimony as to the reliability of the reports of the President's speeches. Mr. Welles, Secretary of the Navy, was then called to testify to certain proceedings in Cabinet Council at the time of the appointment of General Thomas. This was objected to. The Chief Justice decided that it was admissible, and his decision was sustained by a vote of 26 to 23. The defense then endeavored to introduce several members of the Cabinet, to show that, at meetings previous to the removal of Mr. Stanton, it was considered whether it was not desirable to obtain a judicial determination of the unconstitutionality of the Tenure-of-Office Act. This question was raised in several shapes, and its admission, after thorough argument on both sides, as often refused, in the last instance by a decisive vote of 30 to 19. The defense considered this testimony of the utmost importance, as going to show that the President had acted upon the counsel of his constitutional advisers, while the prosecution claimed that he could not plead in justification of a violation of the law that he had been advised by his Cabinet, or any one else, that the law was unconstitutional. His duty was to execute the laws, and, if he failed to do this, or violated them, he did so at his own risk of the consequences.

With the refusal of this testimony, the case, except the final summings up and the verdict of the Senate, was virtually closed.

The case had been so fully set forth in the opening speeches of Messrs. Butler and Curtis, and in the arguments which came up upon points of testimony, that there remained little for the other counsel except to restate what had before been said.

After the evidence had been closed the case was summed up, on the part of the managers by Messrs. Boutwell, Williams, Stevens, and Bingham in oral arguments, and Mr. Logan, who filed a written argument, and on the part of the President by Messrs. Nelson, Groesbeck, Stanbery, and Evarts. Many of these speeches were distinguished by great brilliancy and power, but, as no new points were presented, we omit any summary.

The Court decided to take a vote upon the articles on Tuesday, the 12th of May, at 12 o'clock, M. A secret session was held on Monday, during which several Senators made short speeches, giving the grounds upon which they expected to cast their votes. On Tuesday the Court agreed to postpone the vote until Saturday, the 16th. Upon that day, at 12 o'clock, a vote was taken upon the eleventh article, it having been determined to vote on that article first. The vote resulted in 35 votes for conviction, and 19 for acquittal.

The question being put to each Senator, "How say you, is the respondent, Andrew Johnson, President of the United States, guilty or not guilty of a high misdemeanor as charged in the article?"—those who responded guilty were Senators Anthony, Cameron, Cattell, Chandler, Cole, Conkling, Conness, Corbett, Cragin, Drake, Edmunds, Ferry, Frelinghuysen,

Harlan, Howard, Howe, Morgan, Morrill, of Vermont, Morrill, of Maine, O. P. Morton, Nye, Patterson, N. H. Pomeroy, Sherman, Sprague, Stewart, Sumner, Thayer, Tipton, Wade, Willey, Williams, Wilson and Yates.

Those who responded not guilty were Senators Bayard, Buckalew, Davis, Dixon, Doolittle, Fessenden, Fowler, Grimes, Henderson, Hendricks, Johnson, M'Creery, Norton, Patterson of Tennessee, Ross, Saulsbury, Trumbull, Van Winkle and Vickers.

The Constitution requiring a vote of two-thirds to convict, the President was acquitted on this article. After taking this vote the Court adjourned until Tuesday, May 26th, when votes were taken upon the second and third articles, with precisely the same result as on the eleventh, the vote in each case standing 35 for conviction and 19 for acquittal. A verdict of acquittal on the second, third, and eleventh articles was then ordered to be entered on the record, and, without voting on the other articles, the Court adjourned *sine die*. So the trial was ended, and the President acquitted.

The political differences between President Johnson and the Republicans were not softened by the attempted impeachment, and singularly enough the failure of their effort did not weaken the Republicans as a party. They were so well united that those who disagreed with them passed at least temporarily from public life, some of the ablest, like Senators Trumbull and Fessenden retiring permanently. President Johnson pursued his policy, save where he was hedged by Congress, until the end, and retired to his native State, apparently having regained the love of his early political associates there.

Grant.

The Republican National Convention met at Chicago, Ill., May 20th, 1868, and nominated with unanimity, Ulysses S. Grant, of Illinois, for President, and Schuyler Colfax, of Indiana, for Vice-President. The Democratic Convention met in New York City, July 4th, and after repeated ballots finally compromised on its presiding officers,[34] notwithstanding repeated and apparently decided declarations on his part, Horatio Seymour, of New York, was therefore nominated for President, and Francis P. Blair, Jr., of Missouri, for Vice-President. [35]

An active canvass followed, in which the brief expression—"let us have peace"—in Grant's letter of acceptance, was liberally employed by Republican journals and orators to tone down what were regarded as rapidly growing race and sectional differences, and with such effect that Grant carried all of the States save eight, receiving an electoral vote of 214 against 80.

Grant inaugurated, and the Congressional plan of reconstruction was rapidly pushed, with at first very little opposition save that manifested by the Democrats in Congress. The conditions of readmission were the ratification of the thirteenth and fourteenth constitutional amendments.

On the 25th of February, 1869, the fifteenth amendment was added to the list by its adoption in Congress and submission to the States. It conferred the right of suffrage on all citizens, without distinction of "race, color or previous condition of servitude." By the 30th of March, 1870, it was ratified by twenty-nine States, the required three-

fourths of all in the Union. There was much local agitation in some of the Northern States on this new advance, and many who had never manifested their hostility to the negroes before did it now, and a portion of these passed over to the Democratic party. The issue, however, was shrewdly handled, and in most instances met Legislatures ready to receive it. Many of the Southern States were specially interested in its passage, since a denial of suffrage would abridge their representation in Congress. This was of course true of all the States, but its force was indisputable in sections containing large colored populations.

The 41st Congress met in extra session March 4th, 1869, with a large Republican majority in both branches. In the Senate there were 58 Republicans, 10 Democrats and 8 vacancies; in the House 149 Republicans, 64 Democrats and 25 vacancies, Mississippi, Texas, Virginia and Georgia not being represented. James G. Blaine, for several years previous its leading parliamentarian and orator, was Speaker of the House. All of Grant's nominations for Cabinet places were confirmed, except A. T. Stewart, of New York, nominated for Secretary of the Treasury, and being engaged in foreign commerce he was ineligible under the law, and his name was withdrawn. The names of the Cabinet will be found in the list of all Cabinet officers elsewhere given. Their announcement at first created the impression that the Grant administration was not intended to be partisan, rather personal, but if there ever was such a purpose, a little political experience on the part of the President quickly changed it. A political struggle soon followed in Congress as to the admission of Virginia, Mississippi and Texas, which had not ratified the Fourteenth Amendment or been

reconstructed. A bill was passed April 10th, authorizing their people to vote on the constitutions already prepared by the State conventions, to elect members of Congress and State officers, and requiring before readmission to the Union, their Legislatures to ratify both the Fourteenth and Fifteenth Amendments. This work done, and the extra session adjourned.

In all of the Southern States, those who then prided themselves in being “unreconstructed” and “irreconcilable,” bitterly opposed both the Fourteenth and Fifteenth Amendments, and on these issues excited new feelings of hostility to the “carpet baggers” and negroes of the South. With the close of the war thousands of Northern men had settled in the South. All of them were now denounced as political adventurers by the rebels who opposed the amendments, reconstruction and freedman’s bureau acts. Many of these organized themselves first into Ku Klux Klans, secret societies, organized with a view to affright negroes from participancy in the elections, and to warn white men of opposing political views to leave the country. The object of the organization broadened with the troubles which it produced. Efforts to affright were followed by midnight assaults, by horrible whippings, outrages and murders, hardly a fraction of which could be traced to the perpetrators. Doubtless many of the stories current at the time were exaggerated by partisan newspapers, but all of the official reports made then and since go to show the dangerous excesses which political and race hostilities may reach. In Georgia the whites, by these agencies, soon gained absolute political control, and this they used with more wisdom than in most Southern States, for under the advice of men like Stevens and Hill, they

passed laws providing for free public schools, etc., but carefully guarded their newly acquired power by also passing tax laws which virtually disfranchised more than half the blacks. Later on, several Southern States imitated this form of political sagacity, and soon those in favor of “a white man’s government,” (the popular battle cry of the period) had undisputed control in Virginia, Alabama, Mississippi, Arkansas and Texas—States which the Republicans at one time had reason to believe they could control.

The Enforcement Acts.

To repress the Ku Klux outrages, Congress in May 31, 1870, passed an act giving to the President all needed powers to protect the freedmen in their newly acquired rights, and to punish the perpetrators of all outrages, whether upon whites or blacks. This was called in Congress the Enforcement Act, and an Amendatory Enforcement Act was inserted in the Sundry Civil Bill, June 10, 1872. The Ku Klux Act was passed April 20, 1871. All of these measures were strongly advocated by Senator Oliver P. Morton, who through this advocacy won new political distinction as the special champion of the rights of the blacks. Later on James G. Blaine, then the admitted leader of the House, opposed some of the supplements for its better enforcement, and to this fact is traceable the refusal on the part of the negroes of the South to give him that warm support as a Presidential candidate which his high abilities commanded in other sections.

The several Enforcement Acts and their supplements are too voluminous for insertion here, and they are of little use save as relics of the bitter days of reconstruction. They have little force now, although some of them still stand. They became a dead letter after the defeat of the "carpet-bag governments," but the President enforced them as a rule with moderation and wisdom.

The enforcement of the Ku Klux Act led to the disbanding of that organization after the trial, arrest and conviction of many of the leaders. These trials brought out the facts, and awakened many Southern minds, theretofore incredulous, to the enormity of the secret political crimes which had been committed in all the Southern States, and for a time popular sentiment even in the South, and amongst former rebel soldiers, ran strongly against the Klan. With fresh political excitements, however, fresh means of intimidation were employed at elections. Rifle clubs were formed, notably in South Carolina and Mississippi, while in Louisiana the "White League" sprang into existence, and was organized in all of the neighboring States. These were more difficult to deal with. They were open organizations, created under the semblance of State militia acts. They became very popular, especially among the younger men, and from this time until the close of the Presidential election in 1876, were potent factors in several Southern States, and we shall have occasion further on to describe their more important movements.

Readmission of Rebellious States.

Before the close of 1869 the Supreme Court, in the case of *Texas vs. White*, sustained the constitutionality of the Reconstruction acts of Congress. It held that the ordinances of secession had been "absolutely null;" that the seceding States had no right to secede and had never been out of the Union, but that, during and after their rebellion, they had no governments "competent to represent these States in their relations with the National government," and therefore Congress had the power to re-establish the relations of any rebellious State to the Union. This decision fortified the position of the Republicans, and did much to aid President Grant in the difficult work of reconstruction. It modified the assaults of the Democrats, and in some measure changed their purpose to make Reconstruction the pivot around which smaller political issues should revolve.

The regular session of the 41st Congress met Dec. 4th, 1869, and before its close Virginia, Georgia, Texas, and Mississippi had all complied with the conditions of reconstruction, and were re-admitted to the Union. This practically completed the work of reconstruction. To summarize:—*

Tennessee was re-admitted July 24th, 1866; Arkansas, June 22d, 1868; North Carolina, South Carolina, Louisiana, Georgia and Florida under the act of June 25th, 1868, which provided that as soon as they fulfilled the conditions imposed by the acts of March, 1867, they should be re-admitted. All did this promptly except Georgia. Virginia was re-admitted January 25th, 1870; Mississippi, Feb. 23d, 1870; Texas, March 30th, 1870. Georgia, the most powerful and stubborn of all, had passed State laws declaring negroes incapable of holding office, in addition to what was known as the "black code," and Congress

refused full admission until she had revoked the laws and ratified the 15th Amendment. The State finally came back into the Union July 15th, 1870.

The above named States completed the ratification of the 15th amendment, and the powers of reconstruction were plainly used to that end. Some of the Northern States had held back, and for a time its ratification by the necessary three-fourths was a matter of grave doubt. Congress next passed a bill to enforce it, May 30th, 1870. This made penal any interference, by force or fraud, with the right of free and full manhood suffrage, and authorized the President to use the army to prevent violations. The measure was generally supported by the Republicans, and opposed by all of the Democrats.

The Republicans through other guards about the ballot by passing an act to amend the naturalization laws, which made it penal to use false naturalization papers, authorized the appointment of Federal supervisors of elections in cities of over 20,000 inhabitants; gave to these power of arrest for any offense committed in their view, and gave alien Africans the right to naturalize. The Democrats in their opposition laid particular stress upon the extraordinary powers given to Federal supervisors, while the Republicans charged that Seymour had carried New York by gigantic naturalization frauds in New York city, and sought to sustain these charges by the unprecedented vote polled. A popular quotation of the time was from Horace Greeley, in the New York *Tribune*, who showed that under the manipulations of the Tweed ring, more votes had been cast for Seymour in one of the warehouse wards of the city, “than there were men, women, children, and cats and dogs in it.”

The Legal Tender Decision.

The Act of Congress of 1862 had made "greenback" notes a legal tender, and they passed as such until 1869 against the protests of the Democrats in Congress, who had questioned the right of Congress to issue paper money. It was on this issue that Thaddeus Stevens admitted the Republicans were travelling "outside of the constitution" with a view to preserve the government, and this soon became one of his favorite ways of meeting partisan objections to war measures. At the December term of the Supreme Court, in 1869, a decision was rendered that the action of Congress was unconstitutional, the Court then being accidentally Democratic in its composition. The Republicans, believing they could not afford to have their favorite, and it must be admitted most useful financial measure questioned, secured an increase of two in the number of Supreme Justices—one under a law creating an additional Justiceship, the other in place of a Justice who had resigned—and in March, 1870, after the complexion of the Court had been changed through Republican appointments made by President Grant, the constitutionality of the legal tender act was again raised, and, with Chief Justice Chase (who had been Secretary of the Treasury in 1862 presiding) the previous decision was reversed. This was clearly a partisan struggle before the Court, and on the part of the Republicans an abandonment of old landmarks impressed on the country by the Jackson Democrats, but it is plain that without the greenbacks the war could not have been pressed with half the vigor, if at all. Neither party was consistent in this struggle, for Southern Democrats who sided with their Northern

colleagues in the plea of unconstitutionality, had when "out of the Union," witnessed and advocated the issue of the same class of money by the Confederate Congress. The difference was only in the ability to redeem, and this ability depended upon success in arms—the very thing the issue was designed to promote. The last decision, despite its partisan surroundings and opposition, soon won popularity, and this popularity was subsequently taken as the groundwork for the establishment of

The Greenback Party.

This party, with a view to ease the rigors of the monetary panic of 1873, advocated an unlimited issue of greenbacks, or an "issue based upon the resources of the country." So vigorously did discontented leaders of both parties press this idea, that they soon succeeded in demoralizing the Democratic minority—which was by this time such a plain minority, and so greatly in need of new issues to make the people forget the war, that it is not surprising they yielded, at least partially, to new theories and alliances. The present one took them away from the principles of Jackson, from the hard-money theories of the early days, and would land them they knew not where, nor did many of them care, if they could once more get upon their feet. Some resisted, and comparatively few of the Democrats in the Middle States yielded, but in part of New England, the great West, and nearly all of the South, it was for several years quite difficult to draw

a line between Greenbackers and Democrats. Some Republicans, too, who had tired of the "old war issues," or discontented with the management and leadership of their party, aided in the construction of the Greenback bridge, and kept upon it as long as it was safe to do so. In State elections up to as late as 1880 this Greenback element was a most important factor. Ohio was carried by an alliance of Greenbackers and Democrats, Allen being elected Governor, only to be supplanted by Hayes (afterwards President) after a most remarkable contest, the alliance favoring the Greenback, the Republicans not quite the hard-money, but a redeemable-in-gold theory. Indiana, always doubtful, passed over to the Democratic column, while in the Southern States the Democratic leaders made open alliances until the Greenbackers became over-confident and sought to win Congressional and State elections on their own merits. They fancied that the desire to repudiate ante-war debts would greatly aid them, and they openly advocated the idea of repudiation there, but they had experienced and wise leaders to cope with. They were not allowed to monopolize this issue by the Democrats, and their arrogance, if such it may be called, was punished by a more complete assertion of Democratic power in the South than was ever known before. The theory in the South was welcomed where it would suit the Democracy, crushed where it would not, as shown in the Presidential election of 1880, when Garfield, Hancock and Weaver (Greenbacker) were the candidates. The latter, in his stumping tour of the South, proclaimed that he and his friends were as much maltreated in Alabama and other States, as the Republicans, and for some cause thereafter (the Democrats alleged "a bargain and sale") he

practically threw his aid to the Republicans—this when it became apparent that the Greenbackers, in the event of the election going to the House, could have no chance even there.

Gen'l Weaver went from the South to Maine, the scene of what was regarded at that moment as a pivotal struggle for the Presidency. Blaine had twice been the most prominent candidate for the Presidency—1876 and 1880—and had both times been defeated by compromise candidates. He was still, as he had been for many years, Chairman of the Republican State Committee of Maine, and now as ever before swallowed the mortification of defeat with true political grace. The Greenbackers had the year before formed a close alliance with the Democrats, and in the State election made the result so close that for many weeks it remained a matter of doubt who was elected Governor, the Democratic Greenbacker or the Republican. A struggle followed in the Legislature and before the Returning Board composed of State officers, who were Democrats, (headed by Gov. Garcelon) and sought to throw out returns on slight technicalities. Finally the Republicans won, but not without a struggle which excited attention all over the Union and commanded the presence of the State militia. Following Garfield's nomination another struggle, as we have stated, was inaugurated, with Davis as the Republican nominee for Governor, Plaisted the Democratic-Greenback, (the latter a former Republican). All eyes now turned to Maine, which voted in September. Gen'l Weaver was on the stump then, as the Greenback candidate for President, and all of his efforts were bent to breaking the alliance between the Greenbackers and Democrats.

He advocated a straight-out policy for his

Greenback friends, described his treatment in the South, and denounced the Democracy with such plainness that it displayed his purpose and defeated his object. Plaisted was elected by a close vote, and the Republicans yielded after some threats to invoke the "Garcelon precedents." This was the second Democratic-Greenback victory in Maine, the first occurring two years before, when through an alliance in the Legislature (no candidate having received a majority of all the popular vote) Garland was returned.

The victory of Plaisted alarmed the Republicans and enthused the Democrats, who now denounced Weaver, but still sought alliance with his followers. General B. F. Butler, long a brilliant Republican member of Congress from Massachusetts, for several years advocated Greenback ideas without breaking from his Republican Congressional colleagues. Because of this fact he lost whatever of chance he had for a Republican nomination for Governor, "his only remaining political ambition," and thereupon headed the Greenbackers in Massachusetts, and in spite of the protests of the hard-money Democrats in that State, captured the Democratic organization, and after these tactics twice ran for Governor, and was defeated both times by the Republicans, though he succeeded, upon State and "anti-blue blood" theories, in greatly reducing their majority. In the winter of 1882 he still held control of the Democratic State Committee, after the Greenback organization had passed from view, and "what will he do next?" is one of the political questions of the hour.

The Greenback labor party ceased all Congressional alliance with the Democrats after their quarrel with General Weaver, and as late as the 47th session—1881–82—refused all alliance, and

abstained from exercising what some still believe a "balance of power" in the House, though nearly half of their number were elected more as Republicans than Greenbackers.

As a party, the Greenbackers, standing alone, never carried either a State or a Congressional district. Their local successes were due to alliances with one or other of the great parties, and with the passage of the panic they dissolved in many sections, and where they still obtain it is in alliance with labor unions, or in strong mining or workingmen's districts. In the Middle States they won few local successes, but were strong in the coal regions of Pennsylvania. Advocates of similar theories have not been wanting in all the countries of Western Europe following great wars or panics, but it was reserved to the genius of Americans to establish an aggressive political party on the basis of theories which all great political economists have from the beginning antagonized as unsafe and unsound.

The Prohibitory Party.

The attempt to establish a third party in the Greenback, begot that to establish a National Prohibitory Party, which in 1880 ran James Black of Pennsylvania, as a candidate for the Presidency, and four years previous ran Neal Dow of Maine. He, however, commanded little attention, and received but sparsely scattered votes in all the States. The sentiment at the base of this party never thrived save as in States, particularly in New England, where it

sought to impress itself on the prevailing political party, and through it to influence legislation. Neal Dow of Maine, first advocated a prohibitory law, and by his eloquent advocacy, secured that of Maine, which has stood for nearly thirty years. That of Massachusetts has recently been repealed. The prohibitory amendment to the Constitution of Kansas was adopted in 1881, etc. The Prohibitory Party, however, never accomplished anything by separate political action, and though fond of nominating candidates for State and local officers, has not as yet succeeded in holding even a balance of power between the political parties, though it has often confused political calculations as to results in New York, Ohio, Pennsylvania, Connecticut, Massachusetts, etc. It seems never to have taken hold in any of the Southern States, and comparatively little in the Western, until the whole country was surprised in 1880 by the passage of the Kansas amendment by over 20,000 majority in a vote of the people invoked by the Legislature. An effort followed to submit a similar amendment through the Pennsylvania Legislature in 1881. It passed the House by a large majority, but after discussion in the Senate, and amendments to indemnify manufacturers and dealers in liquor (an amendment which would cripple if it would not bankrupt the State) was adopted. Governor St. John of Kansas, a gentleman fond of stumping for this amendment, insists that the results are good in his State, while its enemies claim that it has made many criminals, that liquor is everywhere smuggled and sold, and that the law has turned the tide of immigration away from that great State. The example of Kansas, however, will probably be followed in other States, and the Prohibitory Party will hardly pass from view until this latest

experiment has been fairly tested. It was also the author of “Local Option,” which for a time swept Pennsylvania, but was repealed by a large majority after two years’ trial.

Annexation of San Domingo.

The second session of the 41st Congress began December 5th, 1870. With all of the States represented, reconstruction being complete, the body was now divided politically as follows: Senate, 61 Republicans, 13 Democrats; House 172 Republicans, 71 Democrats. President Grant's annual message discussed a new question, and advocated the annexation of San Domingo to the United States. A treaty had been negotiated between President Grant and the President of the Republic of San Domingo as early as September 4th, 1869, looking to annexation, but it had been rejected by the Senate, Charles Sumner being prominent in his opposition to the measure. He and Grant experienced a growing personal unpleasantness, because of the President's attempt to negotiate a treaty without consulting Mr. Sumner, who was Chairman of the Committee on Foreign Affairs, and it was charged that through the influence of the President he was removed by the Republican caucus from this Chairmanship, and Senator Simon Cameron put in his place. Whether this was true or not, the differences between Grant and Sumner were universally remarked, and Sumner's imperious pride led him into a very vindictive assault upon the proposition. Grant gave few other reasons for annexation than military ones, suggested that as a naval station it would facilitate all home operations in the Gulf, while in the hands of a foreign power, in the event of war, it would prove

the depot for many and dangerous warlike preparations. The question had little political significance, if it was ever designed to have any, and this second attempt to bring the scheme to the attention of Congress, was that a joint resolution (as in the annexation of Texas) might be passed. This would require but a majority, but the objection was met that no Territory could be annexed without a treaty, and this must be ratified by two-thirds of the Senate. A middle course was taken, and the President was authorized to appoint three Commissioners to visit San Domingo and ascertain the desires of its people. These reported favorably, but the subject was finally dropped, probably because the proposition could not command a two-thirds vote, and has not since attracted attention.

Amendatory Enforcement Acts.

The operation of the 15th Amendment, being still resisted or evaded in portions of the South, an Act was passed to enforce it. This extended the powers of the Federal supervisors and marshals, authorized in the first, and gave the Federal Circuit Courts exclusive jurisdiction of all cases tried under the provisions of the Act and its supplements. It also empowered these Courts to punish any State officer who should attempt to interfere with or try such cases as in contempt of the Court's jurisdiction. The Republicans sustained, the Democrats opposed the measure, but it was passed and approved February 28, 1871, and another supplement was inserted in

the Sundry Civil Bill, and approved June 10th, 1872, with continued resistance on the part of the Democrats. After the appointment of a committee to investigate the condition of affairs in the Southern States, Congress adjourned March 4th, 1871.

The Alabama Claims.

During this year the long disputed Alabama Claims of the United States against Great Britain, arising from the depredations of the Anglo-rebel privateers, built and fitted out in British waters, were referred by the Treaty of Washington, dated May 8th, 1871, to arbitrators, and this was the first and most signal triumph of the plan of arbitration, so far as the Government of the United States was concerned. The arbitrators were appointed, at the invitation of the governments of Great Britain and the United States, from these powers, and from Brazil, Italy, and Switzerland. On September 14th, 1872, they gave to the United States gross damages to the amount of $15,500,000, an amount which has subsequently proved to be really in excess of the demands of merchants and others claiming the loss of property through the depredations of the rebel ram *Alabama* and other rebel privateers. We append a list of the representatives of the several governments:

Arbitrator on the part of the United States—CHARLES FRANCIS ADAMS.

Arbitrator on the part of Great Britain—The Right Honorable Sir ALEXANDER COCKBURN, Baronet, Lord Chief Justice of England.

Arbitrator on the part of Italy—His Excellency Senator Count SCLOPIS.

Arbitrator on the part of Switzerland—Mr. JACOB STAMPFLI.

Arbitrator on the part of Brazil—Baron D'ITAJUBA.

Agent on the part of the United States—J. C. BANCROFT DAVIS.

Agent on the part of Great Britain—Right Honorable LORD TENTERDEN.

Counsel for the United States—CALEB CUSHING, WILLIAM M. EVARTS, MORRISON R. WAITE.

Counsel for Great Britain—Sir ROUNDELL PALMER.

Solicitor for the United States—CHARLES C. BEAMAN, Jr.

The Force Bill.

The 42d Congress met March 4, 1871, the Republicans having suffered somewhat in their representation. In the Senate there were 57 Republicans, 17 Democrats; in the House 138 Republicans, 103 Democrats. James G. Blaine was again chosen Speaker. The most exciting political question of the session was the passage of the "Force Bill," as the Democrats called it. The object was more rigidly to enforce observance of the provisions of the 14th Amendment, as the Republicans claim; to revive a waning political power in the South, and save the "carpet-bag" governments there, as the Democrats claimed. The Act allowed suit in the Federal courts against any person who should deprive another of

the rights of a citizen, and it made it a penal offense to conspire to take away any one's rights as a citizen. It also provided that inability, neglect, or refusal by any State governments to suppress such conspiracies, or their refusal to call upon the President for aid, should be deemed a denial by such State of the equal protection of the laws under the 14th Amendment. It further declared such conspiracies "a rebellion against the government of the United States," and authorized the President, when in his judgment the public safety required it, to suspend the privilege of *habeas corpus* in any district, and suppress any such insurrection by the army and navy.

President Hayes's Civil Service Order.

EXECUTIVE MANSION, Washington, *June 22, 1877*.

SIR:—I desire to call your attention to the following paragraph in a letter addressed by me to the Secretary of the Treasury, on the conduct to be observed by the officers of the General Government in relation to the elections:

"No officer should be required or permitted to take part in the management of political organizations, caucuses, conventions or election campaigns. Their right to vote and to express their views on public questions, either orally or through the press, is not denied, provided it does not interfere with the discharge of their official duties. No assessment for political purposes on officers or subordinates should be allowed."

This rule is applicable to every department of the Civil Service. It should be understood by every officer of the General Government that he is expected to conform his conduct to its requirements.

Very respectfully, R. B. HAYES.

Some of the protests were strong, and it is difficult to say whether Curtis, Julian, or Eaton—its three leading advocates—or the politicians, had the best of the argument. It was not denied, however, that a strong and very respectable sentiment had been created in favor of the reform, and to this sentiment all parties, and the President as well, made a show of bowing. It was fashionable to insert civil service planks in National and State platforms, but it was not such an issue as could live in the presence of more exciting ones; and while to this day it has earnest and able advocates, it has from year to year fallen into greater disuse. Actual trial showed the impracticability of some of the rules, and President Grant lost interest in the subject, as did Congress, for in several instances it *neglected* to appropriate the funds necessary to carry out the provisions of the law. President Arthur, in his message, to Congress in December, 1881, argued against its full application, and showed that it blocked the way to preferment, certainly of the middle-aged and older persons, who could not recall their early lessons acquired by rote; that its effect was to elevate the inexperienced to positions which required executive ability, sound judgment, business aptitude, and experience. The feature of the message met the endorsement of nearly the entire Republican press, and at this writing the sentiment, at least of the Republican party, appears to favor a partial modification of the rules.

The system was begun January 1st, 1872, but in December, 1874, Congress refused to make any appropriations, and it was for a time abandoned, with slight and spasmodic revivals under the administration of President Hayes, who issued the foregoing order.

By letter from the Attorney-General, Charles Devens, August 1, 1877, this order was held to apply to the Pennsylvania Republican Association at Washington. Still later there was a further exposition, in which Attorney-General Devens, writing from Washington in October 1, 1877, excuses himself from active participation in the Massachusetts State campaign, and says: “I learn with surprise and regret that any of the Republican officials hesitate either to speak or vote, alleging as a reason the President’s recent Civil Service order. In distinct terms that order states that the right of officials to vote and express their views on public questions, either orally or through the press, is not denied, provided it does not interfere with the discharge of their official duties. If such gentlemen choose not to vote, or not to express or enforce their views in support of the principles of the Republican party, either orally or otherwise, they, at least, should give a reason for such a course which is not justified by the order referred to, and which is simply a perversion of it.”

Yet later, when the interest in the Pennsylvania election became general, because of the sharp struggle between Governor Hoyt and Senator Dill for Governor, a committee of gentlemen (Republicans) visited President Hayes and induced him to “suspend the operation of the order” as to Pennsylvania, where political contributions were collected.

And opposition was manifested after even the earlier trials. Benjamin F. Butler denounced the plan

as English and anti-Republican, and before long some of the more radical Republican papers, which had indeed given little attention to the subject, began to denounce it as a plan to exclude faithful Republicans from and permit Democrats to enter the offices. These now argued that none of the vagaries of political dreamers could ever convince them that a free Government can be run without political parties; that while rotation in office may not be a fundamental element of republican government, yet the right of the people to recommend is its corner-stone; that civil service would lead to the creation of rings, and eventually to the purchase of places; that it would establish an aristocracy of office-holders, who could not be removed at times when it might be important, as in the rebellion for the Administration to have only friends in public office; that it would establish grades and life-tenures in civic positions, etc.

For later particulars touching civil service, see the Act of Congress of 1883, and the regulations made pursuant to the same in Book V.

Amnesty.

The first regular session of the 42d Congress met Dec. 4th, 1871. The Democrats consumed much of the time in efforts to pass bills to remove the political disabilities of former Southern rebels, and they were materially aided by the editorials of Horace Greeley, in the New York *Tribune*, which had long contended for universal amnesty. At this session

all such efforts were defeated by the Republicans, who invariably amended such propositions by adding Sumner's Supplementary Civil Rights Bill, which was intended to prevent any discrimination against colored persons by common carriers, hotels, or other chartered or licensed servants. The Amnesty Bill, however was passed May 22d, 1872, after an agreement to exclude from its provisions all who held the higher military and civic positions under the Confederacy—in all about 350 persons. The following is a copy:

Be it enacted, etc., (two-thirds of each House concurring therein,) That all legal and political disabilities imposed by the third section of the fourteenth article of the amendments of the Constitution of the United States are hereby removed from all persons whomsoever, except Senators and Representatives of the Thirty-sixth and Thirty-seventh Congress, officers in the judicial, military, and naval service of the United States, heads of Departments, and foreign ministers of the United States.

Subsequently many acts removing the disabilities of all excepted (save Jefferson Davis) from the provisions of the above, were passed.

The Liberal Republicans.

An issue raised in Missouri gave immediate rise to the Liberal Republican party, though the course of Horace Greeley had long pointed toward the organization of something of the kind, and with

equal plainness it pointed to his desire to be its champion and candidate for the Presidency. In 1870 the Republican party, then in control of the Legislature of Missouri, split into two parts on the question of the removal of the disqualifications imposed upon rebels by the State Constitution during the war. Those favoring the removal of disabilities were headed by B. Gratz Brown and Carl Schurz, and they called themselves Liberal Republicans; those opposed were called and accepted the name of Radical Republicans. The former quickly allied themselves with the Democrats, and thus carried the State, though Grant's administration "stood in" with the Radicals. As a result the disabilities were quickly removed, and those who believed with Greeley now sought to promote a reaction in Republican sentiment all over the country. Greeley was the recognized head of this movement, and he was ably aided by ex-Governor Curtin and Col. A. K. McClure in Pennsylvania; Charles Francis Adams, Massachusetts; Judge Trumbull, in Illinois; Reuben E. Fenton, in New York; Brown and Schurz in Missouri, and in fact by leading Republicans in nearly all of the States, who at once began to lay plans to carry the next Presidential election.

They charged that the Enforcement Acts of Congress were designed more for the political advancement of Grant's adherents than for the benefit of the country; that instead of suppressing they were calculated to promote a war of races in the South; that Grant was seeking the establishment of a military despotism, etc. These leaders were, as a rule, brilliant men. They had tired of unappreciated and unrewarded service in the Republican party, or had a natural fondness for "pastures new," and, in the language of the day, they quickly succeeded in

making political movements “lively.”

In the spring of 1871 the Liberal Republicans and Democrats of Ohio—and Ohio seems to be the most fertile soil for new ideas—prepared for a fusion, and after frequent consultations of the various leaders with Mr. Greeley in New York, a call was issued from Missouri on the 24th of January, 1872, for a National Convention of the Liberal Republican party to be held at Cincinnati, May 1st. The well-matured plans of the leaders were carried out in the nomination of Hon. Horace Greeley for President and B. Gratz Brown for Vice-President, though not without a serious struggle over the chief nomination, which was warmly contested by the friends of Charles Francis Adams. Indeed he led in most of the six ballots, but finally all the friends of other candidates voted for Greeley, and he received 482 to 187 for Adams. Dissatisfaction followed, and a later effort was made to substitute Adams for Greeley, but it failed. The original leaders now prepared to capture the Democratic Convention, which met at Baltimore, June 9th. By nearly an unanimous vote it was induced to endorse the Cincinnati platform, and it likewise finally endorsed Greeley and Brown—though not without many bitter protests. A few straight-out Democrats met later at Louisville, Ky., Sept. 3d, and nominated Charles O’Conor, of New York, for President, and John Quincy Adams, of Massachusetts, for Vice-President, and these were kept in the race to the end, receiving a popular vote of about 30,000.

The regular Republican National Convention was held at Philadelphia, June 5th. It renominated President Grant unanimously, and Henry Wilson, of Massachusetts, for Vice-President by 364½ votes to 321½ for Schuyler Colfax, who thus shared the fate

of Hannibal Hamlin in his second candidacy for Vice-President on the ticket with Abraham Lincoln. This change to Wilson was to favor the solid Republican States of New England, and to prevent both candidates coming from the West.

Civil Service Reform.

After considerable and very able agitation by Geo. W. Curtis, the editor of *Harper's Weekly*, an Act was passed March 3d, 1871, authorizing the President to begin a reform in the civil service. He appointed a Commission headed by Mr. Curtis, and after more than a year's preparation this body defeated a measure which secured Congressional approval and that of President Grant.

The civil service law (and it is still a law though more honored now in the breach than the observance) embraced in a single section of the act making appropriations for sundry civil expenses for the year ending June 30, 1872, and authorize the President to prescribe such rules and regulations for admission into the civil service as will best promote the efficiency thereof, and ascertain the fitness of each candidate for the branch of service into which he seeks to enter. Under this law a commission was appointed to draft rules and regulations which were approved and are now being enforced by the President. All applicants for position in any of the government departments come under these rules:—all classes of clerks, copyists, counters; in the customs service all from deputy collector down to

inspectors and clerks with the salaries of $1200 or more; in appraisers' offices all assistants and clerks; in the naval service all clerks; all lighthouse keepers; in the revenue, supervisors, collectors, assessors, assistants; in the postal really all postmasters whose pay is over $200, and all mail messengers. The rules apply to all new appointments in the departments or grades named, except that "nothing shall prevent the reappointment at discretion of the incumbents of any office the term of which is fixed by law." So that a postmaster or other officer escapes their application. Those specially exempt are the Heads of Departments; their immediate assistants and deputies, the diplomatic service, the judiciary, and the district attorneys. Each branch of the service is to be grouped, and admission shall always be to the lowest grade of any group. Such appointments are made for a probationary term of six months, when if the Board of Examiners approve the incumbent is continued. This Board of Examiners, three in number in each case, shall be chosen by the President from the several Departments, and they shall examine at Washington for any position there, or, when directed by an Advisory Board, shall assign places for examination in the several States. Examinations are in all cases first made of applicants within the office or department, and from the list three reported in the order of excellence; if those within fail, then outside applicants may be examined. In the Federal Blue Book, which is a part of this volume, we give the Civil Service Rules.

When first proposed, partisan politics had no part or place in civil service reform, and the author of the plan was himself a distinguished Republican. In fact both parties thought something good had been reached, and there was practically no resistance at

first to a trial.

The Democrats resisted the passage of this bill with even more earnestness than any which preceded it, but the Republican discipline was almost perfect, and when passed it received the prompt approval of President Grant, who by this time was classed as “the most radical of the radicals.” Opponents denounced it as little if any less obnoxious than the old Sedition law of 1798, while the Republicans claimed that it was to meet a state of growing war in the South—a war of races—and that the form of domestic violence manifested was in the highest degree dangerous to the peace of the Union and the safety of the newly enfranchised citizens.

The Credit Mobilier.

At the second session of the 42d Congress, beginning Dec. 2, 1872, the speaker (Blaine) on the first day called attention to the charges made by Democratic orators and newspapers during the Presidential campaign just closed, that the Vice-President (Colfax), the Vice-President elect (Wilson), the Secretary of the Treasury, several Senators, the Speaker of the House, and a large number of Representatives had been bribed, during the years 1867 and 1868, by Oakes Ames, a member of the House from Massachusetts; that he and his agents had given them presents of stock in a corporation known as the Credit Mobilier, to influence their legislative action for the benefit of the Union Pacific Railroad Company.

Upon Speaker Blaine's motion, a committee of investigation was appointed by Hon. S. S. Cox, of New York, a noted Democrat temporarily called to the Chair.

After the close of the campaign, (as was remarked by the *Republic Magazine* at the time) the dominant party might well have claimed, and would have insisted had they been opposed to a thorough investigation and a full exposure of corruption, that the verdict of the people in the late canvass was sufficient answer to these charges; but the Republican party not merely granted all the investigations sought, but summoned on the leading committee a majority of its political foes to conduct the inquest.

The committee consisted of Messrs. Poland, of Vermont; McCreary, of Iowa; Banks, of Massachusetts; Niblack, of Indiana, and Merrick, of Maryland.

Messrs. Poland and McCreary—the two Republicans—were gentlemen of ability and standing, well known for their integrity, moderation, and impartiality. General Banks was an earnest supporter of Horace Greeley, upon the alleged ground that the Republican organization had become effete and corrupt: while Messrs. Niblack and Merrick are among the ablest representatives of the Democratic party; in fact, Mr. Merrick belonged to the extreme Southern school of political thought.

Having patiently and carefully examined and sifted the entire testimony—often "painfully conflicting," as the committee remarked—their report ought to be considered a judicial document commanding universal approval, yet scraps of the testimony and not the report itself were used with painful frequency

against James A. Garfield in his Presidential canvass of 1880. There has not been a state paper submitted for many years upon a similar subject that carried with it greater weight, or which bore upon its face a fuller realization of the grave responsibilities assumed, and it is the first time in the political history of the United States that an all important investigation has been entrusted by the dominant party to a majority of its political foes.

The report of the committee gives the best and by far the most reliable history of the whole affair, and its presentation here may aid in preventing partisan misrepresentations in the future—misrepresentations made in the heat of contest, and doubtless regretted afterwards by all who had the facilities for getting at the facts. We therefore give the

OFFICIAL REPORT OF THE CREDIT MOBILIER INVESTIGATING COMMITTEE.

Mr. Poland, from the select committee to investigate the alleged Credit Mobilier bribery, made the following report February 18, 1873:

The special committee appointed under the following resolutions of the House to wit:

WHEREAS, Accusations have been made in the public press, founded on alleged letters of Oakes Ames, a Representative of Massachusetts, and upon the alleged affidavits of Henry S. McComb, a citizen of Wilmington, in the State of Delaware, to the effect that members of this House were bribed by Oakes Ames to perform certain legislative acts for the benefit of the Union Pacific Railroad Company, by presents of stock in the Credit Mobilier of America, or by presents of a valuable character derived

therefrom: therefore,

Resolved, That a special committee of five members be appointed by the Speaker pro tempore, whose duty it shall be to investigate whether any member of this House was bribed by Oakes Ames, or any other person or corporation, in any matter touching his legislative duty.

Resolved, further, That the committee have the right to employ a stenographer, and that they be empowered to send for persons and papers;
beg leave to make the following report:

In order to a clear understanding of the facts hereinafter stated as to contracts and dealings in reference to stock of the Credit Mobilier of America, between Mr. Oakes Ames and others, and members of Congress, it is necessary to make a preliminary statement of the connection of that company with the Union Pacific Railroad Company, and their relations to each other.

The company called the "Credit Mobilier of America" was incorporated by the Legislature of Pennsylvania, and in 1864 control of its charter and franchises had been obtained by certain persons interested in the Union Pacific Railroad Company, for the purpose of using it as a construction company to build the Union Pacific road. In September, 1864, a contract was entered into between the Union Pacific Company and H. M. Hoxie, for the building by said Hoxie of one hundred miles of said road from Omaha west.

This contract was at once assigned by Hoxie to the Credit Mobilier Company, as it was expected to be when made. Under this contract and extensions of it some two or three hundred miles of road were built

by the Credit Mobilier Company, but no considerable profits appear to have been realized therefrom. The enterprise of building a railroad to the Pacific was of such vast magnitude, and was beset by so many hazards and risks that the capitalists of the country were generally averse to investing in it, and, notwithstanding the liberal aid granted by the Government it seemed likely to fail of completion.

In 1865 or 1866, Mr. Oakes Ames, then and now a member of the House from the State of Massachusetts, and his brother Oliver Ames became interested in the Union Pacific Company and also in the Credit Mobilier Company as the agents for the construction of the road. The Messrs. Ames were men of very large capital, and of known character and integrity in business. By their example and credit, and the personal efforts of Mr. Oakes Ames, many men of capital were induced to embark in the enterprise, and to take stock in the Union Pacific Company and also in the Credit Mobilier Company. Among them were the firm of S. Hooper & Co., of Boston, the leading member of which, Mr. Samuel Hooper, was then and is now a member of the House; Mr. John B. Alley, then a member of the House from Massachusetts, and Mr. Grimes, then a Senator from the State of Iowa. Notwithstanding the vigorous efforts of Mr. Ames and others interested with him, great difficulty was experienced in securing the required capital.

In the spring of 1867 the Credit Mobilier Company voted to add 50 per cent. to their capital stock, which was then two and a half millions of dollars; and to cause it to be readily taken each subscriber to it was entitled to receive as a bonus an equal amount of first mortgage bonds of the Union Pacific Company. The old stockholders were entitled to take

this increase, but even the favorable terms offered did not induce all the old stockholders to take it, and the stock of the Credit Mobilier Company was never considered worth its par value until after the execution of the Oakes Ames contract hereinafter mentioned.

On the 16th day of August, 1867, a contract was executed between the Union Pacific Railroad Company and Oakes Ames, by which Mr. Ames contracted to build six hundred and sixty-seven miles of the Union Pacific road at prices ranging from $42,000 to $96,000 per mile, amounting in the aggregate to $47,000,000. Before the contract was entered into it was understood that Mr. Ames was to transfer it to seven trustees, who were to execute it, and the profits of the contract were to be divided among the stockholders in the Credit Mobilier Company, who should comply with certain conditions set out in the instrument transferring the contract to the trustees. The Ames contract and the transfer to trustees are incorporated in the evidence submitted, and therefore further recital of their terms is not deemed necessary.

Substantially, all the stockholders of the Credit Mobilier complied with the conditions named in the transfer, and thus became entitled to share in any profits said trustees might make in executing the contract.

All the large stockholders in the Union Pacific were also stockholders in the Credit Mobilier, and the Ames contract and its transfer to trustees were ratified by the Union Pacific, and received the assent of the great body of stockholders, but not of all.

After the Ames contract had been executed, it was expected by those interested that by reason of the

enormous prices agreed to be paid for the work very large profits would be derived from building the road, and very soon the stock of the Credit Mobilier was understood by those holding it to be worth much more than its par value. The stock was not in the market and had no fixed market value, but the holders of it, in December, 1867, considered it worth at least double the par value, and in January and February, 1868, three or four times the par value, but it does not appear that these facts were generally or publicly known, or that the holders of the stock desired they should be.

The foregoing statement the committee think gives enough of the historic details, and condition and value of the stock, to make the following detailed facts intelligible.

Mr. Oakes Ames was then a member of the House of Representatives, and came to Washington at the commencement of the session, about the beginning of December, 1867. During that month Mr. Ames entered into contracts with a considerable number of members of Congress, both Senators and Representatives, to let them have shares of stock in the Credit Mobilier Company at par, with interest thereon from the first day of the previous July. It does not appear that in any instance he asked any of these persons to pay a higher price than the par value and interest, nor that Mr. Ames used any special effort or urgency to get these persons to take it. In all these negotiations Mr. Ames did not enter into any details as to the value of the stock or the amount of dividend that might be expected upon it, but stated generally that it would be good stock, and in several instances said he would guarantee that they should get at least 10 per cent. on their money.

Some of these gentlemen, in their conversations

with Mr. Ames, raised the question whether becoming holders of this stock would bring them into any embarrassment as members of Congress in their legislative action. Mr. Ames quieted such suggestions by saying it could not, for the Union Pacific had received from Congress all the grants and legislation it wanted, and they should ask for nothing more. In some instances those members who contracted for stock paid to Mr. Ames the money for the price of the stock, par and interest; in others, where they had not the money, Mr. Ames agreed to carry the stock for them until they could get the money or it should be met by the dividends.

Mr. Ames was at this time a large stockholder in the Credit Mobilier, but he did not intend any of these transactions to be sales of his own stock, but intended to fulfill all these contracts from stock belonging to the company.

At this time there were about six hundred and fifty shares of the stock of the company, which had for some reason been placed in the name of Mr. T. C. Durant, one of the leading and active men of the concern.

Mr. Ames claimed that a portion of this stock should be assigned to him to enable him to fulfill engagements he had made for stock. Mr. Durant claimed that he had made similar engagements that he should be allowed stock to fulfill. Mr. McComb, who was present at the time, claimed that he had also made engagements for stock which he should have stock given him to carry out. This claim of McComb was refused, but after the stock was assigned to Mr. Ames, McComb insisted that Ames should distribute some of the stock to his (McComb's) friends, and named Senators Bayard and Fowler, and Representatives Allison and Wilson, of

Iowa.

It was finally arranged that three hundred and forty-three shares of the stock of the company should be transferred to Mr. Ames to enable him to perform his engagements, and that number of shares were set over on the books of the company to Oakes Ames, trustee, to distinguish it from the stock held by him before. Mr. Ames at the time paid to the company the par of the stock and interest from the July previous, and this stock still stands on the books in the name of Oakes Ames, trustee, except thirteen shares which have been transferred to parties in no way connected with Congress. The committee do not find that Mr. Ames had any negotiation whatever with any of these members of Congress on the subject of this stock prior to the commencement of the session of December, 1867, except Mr. Scofield, of Pennsylvania, and it was not claimed that any obligation existed from Mr. Ames to him as the result of it.

In relation to the purpose and motives of Mr. Ames in contracting to let members of Congress have Credit Mobilier stock at par, which he and all other owners of it considered worth at least double that sum, the committee, upon the evidence taken by them and submitted to the House, cannot entertain doubt. When he said he did not suppose the Union Pacific Company would ask or need further legislation, he stated what he believed to be true. But he feared the interests of the road might suffer by adverse legislation, and what he desired to accomplish was to enlist strength and friends in Congress who would resist any encroachment upon or interference with the rights and privileges already secured, and to that end wished to create in them an interest identical with his own. This purpose is

clearly avowed in his letters to McComb, copied in the evidence. He says he intends to place the stock "where it will do most good to us." And again, "we want more friends in this Congress." In his letter to McComb, and also in his statement prepared by counsel, he gives the philosophy of his action, to wit, "That he has found there is no difficulty in getting men to look after their own property." The committee are also satisfied that Mr. Ames entertained a fear that, when the true relations between the Credit Mobilier Company and the Union Pacific became generally known, and the means by which the great profits expected to be made were fully understood, there was danger that congressional investigation and action would be invoked.

The members of Congress with whom he dealt were generally those who had been friendly and favorable to a Pacific Railroad, and Mr. Ames did not fear or expect to find them favorable to movements hostile to it; but he desired to stimulate their activity and watchfulness in opposition to any unfavorable action by giving them a personal interest in the success of the enterprise, especially so far as it affected the interest of the Credit Mobilier Company. On the 9th day of December, 1867, Mr. C. C. Washburn, of Wisconsin, introduced in the House a bill to regulate by law the rates of transportation over the Pacific Railroad.

Mr. Ames, as well as others interested in the Union Pacific road, was opposed to this, and desired to defeat it. Other measures apparently hostile to that company were subsequently introduced into the House by Mr. Washburn of Wisconsin, and Mr. Washburne of Illinois. The committee believe that Mr. Ames, in his distributions of stock, had specially

in mind the hostile efforts of the Messrs. Washburn, and desired to gain strength to secure their defeat. The reference in one of his letters to “Washburn’s move” makes this quite apparent.

The foregoing is deemed by the committee a sufficient statement of facts as to Mr. Ames, taken in connection with what will be subsequently stated of his transactions with particular persons. Mr. Ames made some contracts for stock in the Credit Mobilier with members of the Senate. In public discussions of this subject the names of members of both Houses have been so connected, and all these transactions were so nearly simultaneous, that the committee deemed it their duty to obtain all evidence in their power, as to all persons then members of either House, and to report the same to the House. Having done this, and the House having directed that evidence transmitted to the Senate, the committee consider their own power and duty, as well as that of the House, fully performed, so far as members of the Senate are concerned. Some of Mr. Ames’s contracts to sell stock were with gentlemen who were then members of the House, but are not members of the present Congress.

The committee have sought for and taken all the evidence within their reach as to those gentlemen, and reported the same to the House. As the House has ceased to have jurisdiction over them as members, the committee have not deemed it their duty to make any special finding of facts as to each, leaving the House and the country to their own conclusions upon the testimony.

In regard to each of the members of the present House, the committee deem it their duty to state specially the facts they find proved by the evidence, which, in some instances, is painfully conflicting.

MR. JAMES G. BLAINE, OF MAINE.

Among those who have in the public press been charged with improper participation in Credit Mobilier stock is the present Speaker, Mr. Blaine, who moved the resolution for this investigation. The committee have, therefore, taken evidence in regard to him. They find from it that Mr. Ames had conversation with Mr. Blaine in regard to taking ten shares of the stock, and recommended it as a good investment. Upon consideration Mr. Blaine concluded not to take the stock, and never did take it, and never paid or received anything on account of it; and Mr. Blaine never had any interest, direct or indirect, in Credit Mobilier stock or stock of the Union Pacific Railroad Company.

MR. HENRY L. DAWES, OF MASSACHUSETTS.

Mr. Dawes had, prior to December, 1867, made some small investments in railroad bonds through Mr. Ames. In December, 1867, Mr. Dawes applied to Mr. Ames to purchase a thousand-dollar bond of the Cedar Rapids road, in Iowa. Mr. Ames informed him that he had sold them all, but that he would let him have for his thousand dollars ten shares of Credit Mobilier stock, which he thought was better than the railroad bond. In answer to inquiries by Mr. Dawes Mr. Ames said the Credit Mobilier Company had the contract to build the Union Pacific road, and thought they would make money out of it, and that it would be a good thing; that he would guarantee that he should get 10 per cent. on his money, and that if at any time Mr. Dawes did not want the stock he would pay back his money with 10 per cent. interest. Mr.

Dawes made some further inquiry in relation to the stock of Mr. John B. Alley, who said he thought it was good stock, but not as good as Mr. Ames thought, but that Mr. Ames's guarantee would make it a perfectly safe investment.

Mr. Dawes thereupon concluded to purchase the ten shares, and on the 11th of January he paid Mr. Ames $800, and in a few days thereafter the balance of the price of this stock, at par and interest from July previous. In June, 1868, Mr. Ames received a dividend of 60 per cent. in money on this stock, and of it paid to Mr. Dawes $400, and applied the balance of $200 upon accounts between them. This $400 was all that was paid over to Mr. Dawes as a dividend upon this stock. At some time prior to December, 1868, Mr. Dawes was informed that a suit had been commenced in the courts of Pennsylvania by former owners of the charter of the Credit Mobilier, claiming that those then claiming and using it had no right to do so. Mr. Dawes thereupon informed Mr. Ames that as there was a litigation about the matter he did not desire to keep the stock. On the 9th of December, 1868, Mr. Ames and Mr. Dawes had a settlement of their matters in which Mr. Dawes was allowed for the money he paid for the stock with 10 per cent. interest upon it, and accounted to Mr. Ames for the $400 he had received as a dividend. Mr. Dawes received no other benefit under the contract than to get 10 per cent. upon his money, and after the settlement had no further interest in the stock.

MR. GLENNI W. SCOFIELD, OF PENNSYLVANIA.

In 1866 Mr. Scofield purchased some Cedar Rapids

bonds of Mr. Ames, and in that year they had conversations about Mr. Scofield taking stock in the Credit Mobilier Company, but no contract was consummated. In December, 1867, Mr. Scofield applied to Mr. Ames to purchase more Cedar Rapids bonds, when Mr. Ames suggested he should purchase some Credit Mobilier stock, and explained generally that it was a contracting company to build the Union Pacific road; that it was a Pennsylvania corporation, and he would like to have some Pennsylvanians in it; that he would sell it to him at par and interest, and that he would guarantee he should get 8 per cent. if Mr. Scofield would give him half the dividends above that. Mr. Scofield said he thought he would take $1,000 of the stock; but before anything further was done Mr. Scofield was called home by sickness in his family. On his return, the latter part of January, 1868, he spoke to Mr. Ames about the stock, when Mr. Ames said he thought it was all sold, but he would take his money and give him a receipt, and get the stock for him if he could. Mr. Scofield thereupon paid Mr. Ames $1,041, and took his receipt therefor.

Not long after Mr. Ames informed Mr. Scofield he could have the stock, but could not give him a certificate for it until he could get a larger certificate dividend. Mr. Scofield received the bond dividend of 80 per cent., which was payable January 3, 1868, taking a bond for $1,000 and paying Mr. Ames the difference. Mr. Ames received the 60 per cent. cash dividend on the stock in June, 1868, and paid over to Mr. Scofield $600, the amount of it.

Before the close of that session of Congress, which was toward the end of July, Mr. Scofield became, for some reason, disinclined to take the stock, and a settlement was made between them, by which Mr.

Ames was to retain the Credit Mobilier stock and Mr. Scofield took a thousand dollars Union Pacific bond and ten shares of Union Pacific stock.

The precise basis of the settlement does not appear, neither Mr. Ames nor Mr. Scofield having any full date in reference to it; Mr. Scofield thinks that he only received back his money and interest upon it, while Mr. Ames states that he thinks Mr. Scofield had ten shares of Union Pacific stock in addition. The committee do not deem it specially important to settle this difference of recollection. Since that settlement Mr. Scofield has had no interest in the Credit Mobilier stock and derived no benefit therefrom.

MR. JOHN A. BINGHAM, OF OHIO.

In December, 1867, Mr. Ames advised Mr. Bingham to invest in the stock of the Credit Mobilier, assuring him that it would return him his money with profitable dividends. Mr. Bingham agreed to take twenty shares, and about the 1st of February, 1868, paid to Mr. Ames the par value of the stock, for which Mr. Ames executed to him some receipt or agreement. Mr. Ames received all the dividends on the stock, whether in Union Pacific bonds, or stock, or money; some were delivered to Mr. Bingham and some retained by Mr. Ames. The matter was not finally adjusted between them until February, 1872, when it was settled, Mr. Ames retaining the twenty shares of Credit Mobilier stock, and accounting to Mr. Bingham for such dividends upon it as Mr. Bingham had not already received. Mr. Bingham was treated as the real owner of the stock from the time of the agreement to take it, in December, 1867, to

the settlement in February, 1872, and had the benefit of all the dividends upon it. Neither Mr. Ames nor Mr. Bingham had such records of their dealing as to be able to give the precise amount of those dividends.

MR. WILLIAM D. KELLEY, OF PENNSYLVANIA.

The committee find from the evidence that in the early part of the second session of the Fortieth Congress, and probably in December, 1867, Mr. Ames agreed with Mr. Kelley to sell him ten shares of Credit Mobilier stock at par and interest from July 1, 1867. Mr. Kelley was not then prepared to pay for the stock, and Mr. Ames agreed to carry the stock for him until he could pay for it. On the third day of January, 1868, there was a dividend of 80 per cent. on Credit Mobilier stock in Union Pacific bonds. Mr. Ames received the bonds, as the stock stood in his name, and sold them for 97 per cent. of their face. In June, 1868, there was a cash dividend of 60 per cent., which Mr. Ames also received. The proceeds of the bonds sold, and the cash dividends received by Mr. Ames, amounted to $1,376. The par value of the stock and interest thereon from the previous July amounted to $1,047; so that, after paying for the stock, there was a balance of dividends due Mr. Kelley of $329. On the 23d day of June, 1868, Mr. Ames gave Mr. Kelley a check for that sum on the Sergeant-at-Arms of the House of Representatives, and Mr. Kelley received the money thereon.

The committee find that Mr. Kelley then understood that the money he thus received was a balance of dividends due him after paying for the stock.

All the subsequent dividends upon the stock were either in Union Pacific stock or bonds, and they were all received by Mr. Ames. In September, 1868, Mr. Kelley received from Mr. Ames $750 in money, which was understood between them to be an advance to be paid out of dividends. There has never been any adjustment of the matter between them, and there is now an entire variance in the testimony of the two men as to what the transaction between them was, but the committee are unanimous in finding the facts above stated. The evidence reported to the House gives some subsequent conversations and negotiations between Mr. Kelley and Mr. Ames on this subject. The committee do not deem it material to refer to it in their report.

MR. JAMES A. GARFIELD, OF OHIO.

The facts in regard to Mr. Garfield, as found by the committee, are identical with the case of Mr. Kelley to the point of reception of the check for $329. He agreed with Mr. Ames to take ten shares of Credit Mobilier stock, but did not pay for the same. Mr. Ames received the 80 per cent. dividend in bonds and sold them for 97 per cent., and also received the 60 per cent. cash dividend, which together paid the price of the stock and interest, and left a balance of $329. This sum was paid over to Mr. Garfield by a check on the Sergeant-at-Arms, and Mr. Garfield then understood this sum was the balance of dividends after paying for the stock. Mr. Ames received all the subsequent dividends, and the committee do not find that, since the payment of the $329, there has been any communication between Mr. Ames and Mr. Garfield on the subject until this investigation began.

Some correspondence between Mr. Garfield and Mr. Ames, and some conversations between them during this investigation, will be found in the reported testimony.

The committee do not find that Mr. Ames, in his negotiations with the persons above named, entered into any detail of the relations between the Credit Mobilier Company and the Union Pacific Company, or gave them any specific information as to the amount of dividends they would be likely to receive further than has been already stated. They all knew from him, or otherwise, that the Credit Mobilier was a contracting company to build the Union Pacific road, but it does not appear that any of them knew that the profits and dividends were to be in stock and bonds of that company.

The Credit Mobilier Company was a State corporation, not subject to congressional legislation, and the fact that its profits were expected to be derived from building the Union Pacific road did not, apparently, create such an interest in that company as to disqualify the holder of Credit Mobilier stock from participating in any legislation affecting the railroad company. In his negotiations with these members of Congress, Mr. Ames made no suggestion that he desired to secure their favorable influence in Congress in favor of the railroad company, and whenever the question was raised as to whether the ownership of this stock would in any way interfere with or embarrass them in their action as members of Congress, he assured them it would not.

The committee, therefore, do not find, as to the members of the present House above named, that they were aware of the object of Mr. Ames, or that they had any other purpose in taking this stock than to make a profitable investment. It is apparent that

those who advanced their money to pay for their stock present more the appearance of ordinary investors than those who did not, but the committee do not feel at liberty to find any corrupt purpose or knowledge founded upon the fact of non-payment alone.

It ought also to be observed that those gentlemen who surrendered their stock to Mr. Ames before there was any public excitement upon the subject, do not profess to have done so upon any idea of impropriety in holding it, but for reasons affecting the value and security of the investment. But the committee believe that they must have felt that there was something so out of the ordinary course of business in the extraordinary dividends they were receiving as to render the investment itself suspicious, and that this was one of the motives of their action.

The committee have not been able to find that any of these members of Congress have been affected in their official action in consequence of their interest in Credit Mobilier stock.

It has been suggested that the fact that none of this stock was transferred to those with whom Mr. Ames contracted was a circumstance from which a sense of impropriety, if not corruption, was to be inferred. The committee believe this is capable of explanation without such inference. The profits of building the road, under the Ames contract, were only to be divided among such holders of Credit Mobilier stock as should come in and become parties to certain conditions set out in the contract of transfer to the trustees, so that a transfer from Mr. Ames to new holders would cut off the right to dividends from the trustees, unless they also became parties to the agreement; and this the committee believe to be the

true reason why no transfers were made.

The committee are also of opinion that there was a satisfactory reason for delay on Mr. Ames's part to close settlements with some of these gentlemen for stock and bonds he had received as dividends upon the stock contracted to them. In the fall of 1868 Mr. McComb commenced a suit against the Credit Mobilier Company, and Mr. Ames and others, claiming to be entitled to two hundred and fifty shares of the Credit Mobilier stock upon a subscription for stock to that amount. That suit is still pending. If McComb prevailed in that suit, Mr. Ames might be compelled to surrender so much of the stock assigned to him as trustee, and he was not therefore anxious to have the stock go out of his hands until that suit was terminated. It ought also to be stated that no one of the present members of the House above named appears to have had any knowledge of the dealings of Mr. Ames with other members.

The committee do not find that either of the above named gentlemen, in contracting with Mr. Ames, had any corrupt motive or purpose himself, or was aware that Mr. Ames had any, nor did either of them suppose he was guilty of any impropriety or even indelicacy in becoming a purchaser of this stock. Had it appeared that these gentlemen were aware of the enormous dividends upon this stock, and how they were to be earned, we could not thus acquit them. And here as well as anywhere, the committee may allude to that subject. Congress had chartered the Union Pacific road, given to it a liberal grant of lands, and promised a liberal loan of Government bonds, to be delivered as fast as sections of the road were completed. As these alone might not be sufficient to complete the road, Congress authorized

the company to issue their own bonds for the deficit, and secured them by a mortgage upon the road, which should be a lien prior to that of the Government. Congress never intended that the owners of the road should execute a mortgage on the road prior to that of the Government, to raise money to put into their own pockets, but only to build the road.

The men who controlled the Union Pacific seem to have adopted as the basis of their action the right to encumber the road by a mortgage prior to that of the Government to the full extent, whether the money was needed for the construction of the road or not.

It was clear enough they could not do this directly and in terms, and therefore they resorted to the device of contracting with themselves to build the road, and fix a price high enough to require the issue of bonds to the full extent, and then divide the bonds or the proceeds of them under the name of profits on the contract. All those acting in the matter seem to have been fully aware of this, and that this was to be the effect of the transaction. The sudden rise of value of Credit Mobilier stock was the result of the adoption of this scheme. Any undue and unreasonable profits thus made by themselves were as much a fraud upon the Government as if they had sold their bonds and divided the money without going through the form of denominating them profits on building the road.

Now had these facts been known to these gentlemen, and had they understood they were to share in the proceeds of the scheme, they would have deserved the severest censure.

Had they known only that the profits were to be paid in stock and bonds of the Union Pacific

Company, and so make them interested in it, we cannot agree to the doctrine, which has been urged before us and elsewhere, that it was perfectly legitimate for members of Congress to invest in a corporation deriving all its rights from and subject at all times to the action of Congress.

In such case the rules of the House, as well as the rules of decency, would require such member to abstain from voting on any question affecting his interest. But, after accepting the position of a member of Congress, we do not think he has the right to disqualify himself from acting upon subjects likely to come before Congress without some higher and more urgent motive than merely to make a profitable investment. But it is not so much to be feared that in such case an interested member would vote as that he would exercise his influence by personal appeal to his fellow-members, and by other modes, which often is far more potent than a single silent vote.

We do not think any member ought to feel so confident of his own strength as to allow himself to be brought into this temptation. We think Mr. Ames judged shrewdly in saying that a man is much more likely to be watchful of his own interests than those of other people. But there is a broader view still which we think ought to be taken. This country is fast becoming filled with gigantic corporations, wielding and controlling immense aggregations of money, and thereby commanding great influence and power. It is notorious in many State legislatures that these influences are often controlling, so that in effect they become the ruling power of the State. Within a few years Congress has, to some extent, been brought within similar influences, and the knowledge of the public on that subject has brought

great discredit upon the body, far more, we believe, than there were facts to justify.

But such is the tendency of the time, and the belief is far too general that all men can be ruled with money, and that the use of such means to carry public measures is legitimate and proper. No member of Congress ought to place himself in circumstances of suspicion, so that any discredit of the body shall arise on his account. It is of the highest importance that the national legislature should be free of all taint of corruption, and it is of almost equal necessity that the people should feel confident that it is so.

In a free government like ours, we cannot expect the people will long respect the laws, if they lose respect for the law-makers.

For these reasons we think it behooves every man in Congress or in any public position to hold himself aloof, as far as possible, from all such influences, that he may not only be enabled to look at every public question with an eye only to the public good, but that his conduct and motives be not suspected or questioned. The only criticism the committee feel compelled to make on the action of these members in taking this stock is that they were not sufficiently careful in ascertaining what they were getting, and that in their judgment the assurance of a good investment was all the assurance they needed. We commend to them, and to all men, the letter of the venerable Senator Bayard, in response to an offer of some of this stock, found on page 74 of the testimony.

The committee find nothing in the conduct or motives of either of these members in taking this stock, that calls for any recommendation by the

committee of the House.

MR. JAMES BROOKS, OF NEW YORK.

The case of Mr. Brooks stands upon a different state of facts from any of those already given. The committee find from the evidence as follows: Mr. Brooks had been a warm advocate of a Pacific Railroad, both in Congress and in the public press. After persons interested in the Union Pacific road had obtained control of the Credit Mobilier charter and organized under it for the purpose of making it a construction company to build the road, Dr. Durant, who was then the leading man in the enterprise, made great efforts to get the stock of the Credit Mobilier taken. Mr. Brooks was a friend of Dr. Durant, and he made some efforts to aid Dr. Durant in getting subscriptions for the stock, introduced the matter to some capitalists of New York, but his efforts were not crowned with success.

During this period Mr. Brooks had talked with Dr. Durant about taking some of the stock for himself, and had spoken of taking fifteen or twenty thousand dollars of it, but no definite contract was made between them, and Mr. Brooks was under no legal obligation to take the stock, or Durant to give it to him. In October, 1867, Mr. Brooks was appointed by the President one of the Government directors of the Union Pacific road. In December, 1867, after the stock of the Credit Mobilier was understood, by those familiar with the affairs between the Union Pacific and the Credit Mobilier, to be worth very much more than par, Mr. Brooks applied to Dr. Durant, and claimed that he should have two hundred shares of Credit Mobilier stock. It does not appear that Mr.

Brooks claimed he had any legal contract for stock that he could enforce, or that Durant considered himself in any way legally bound to let him have any, but still, on account of what had been said, and the efforts of Mr. Brooks to aid him, he considered himself under obligations to satisfy Mr. Brooks in the matter.

The stock had been so far taken up, and was then in such demand, that Durant could not well comply with Brooks's demand for two hundred shares. After considerable negotiation, it was finally adjusted between them by Durant's agreeing to let Brooks have one hundred shares of Credit Mobilier stock, and giving him with it $5,000 of Union Pacific bonds, and $20,000 of Union Pacific stock. Dr. Durant testifies that he then considered Credit Mobilier stock worth double the par value, and that the bonds and stock he was to give Mr. Brooks worth about $9,000, so that he saved about $1,000 by not giving Brooks the additional hundred shares he claimed. After the negotiation had been concluded between Mr. Brooks and Dr. Durant, Mr. Brooks said that as he was a Government director of the Union Pacific road, and as the law provided such directors should not be stockholders in that company, he would not hold this stock, and directed Dr. Durant to transfer it to Charles H. Neilson, his son-in-law. The whole negotiation with Durant was conducted by Mr. Brooks himself, and Neilson had nothing to do with the transaction, except to receive the transfer. The $10,000 to pay for the one hundred shares was paid by Mr. Brooks, and he received the $5,000 of Pacific bonds which came with the stock.

The certificate of transfer of the hundred shares from Durant to Neilson is dated December 26, 1867. On the 3d of January, 1868, there was a dividend of

80 per cent. in Union Pacific bonds paid on the Credit Mobilier stock. The bonds were received by Neilson, but passed over at once to Mr. Brooks. It is claimed, both by Mr. Brooks and Neilson, that the $10,000 paid by Mr. Brooks for the stock was a loan of that sum by him to Neilson, and, that the bonds he received from Durant, and those received for the dividend, were delivered and held by him as collateral security for the loan.

No note or obligation was given for the money by Neilson, nor, so far as we can learn from either Brooks or Neilson, was any account or memorandum of the transaction kept by either of them. At the time of the arrangement or settlement above spoken of between Brooks and Durant, there was nothing said about Mr. Brooks being entitled to have 50 per cent. more stock by virtue of his ownership of the hundred shares. Neither Brooks nor Durant thought of any such thing.

Some time after the transfer of the shares to Neilson, Mr. Brooks called on Sidney Dillon, then the president of the Credit Mobilier, and claimed he or Neilson was entitled to fifty additional shares of the stock, by virtue of the purchase of the one hundred shares of Durant.

This was claimed by Mr. Brooks as his right by virtue of the 50 per cent. increase of the stock hereinbefore described. Mr. Dillon said he did not know how that was, but he would consult the leading stockholders, and be governed by them. Mr. Dillon, in order to justify himself in the transaction, got up a paper authorizing the issue of fifty shares of the stock to Mr. Brooks, and procured it to be signed by most of the principal shareholders. After this had been done, an entry of fifty shares was made on the stock-ledger to some person other than Neilson. The

name in two places on the book has been erased, and the name of Neilson inserted. The committee are satisfied that the stock was first entered on the books in Mr. Brooks's name.

Mr. Neilson soon after called for the certificate for the fifty shares, and on the 29th of February, 1868, the certificate was issued to him, and the entry on the stock-book was changed to Neilson.

Neilson procured Mr. Dillon to advance the money to pay for the stock, and at the same time delivered to Dillon $4,000 Union Pacific bonds, and fifty shares of Union Pacific stock as collateral security. These bonds and stock were a portion of dividends received at the time, as he was allowed to receive the same per centage of dividends on these fifty shares that had previously been paid on the hundred. This matter has never been adjusted between Neilson and Dillon. Brooks and Neilson both testify they never paid Dillon. Dillon thinks he has received his pay, as he has not now the collaterals in his possession. If he has been paid it is probable that it was from the collaterals in some form. The subject has never been named between Dillon and Neilson since Dillon advanced the money, and no one connected with the transaction seems able to give any further light upon it. The whole business by which these fifty shares were procured was done by Mr. Brooks. Neilson knew nothing of any right to have them, and only went for the certificate when told to do so by Mr. Brooks.

The committee find that no such right to fifty shares additional stock passed by the transfer of the hundred. And from Mr. Brooks's familiarity with the affairs of the company, the committee believe he must have known his claim to them was unfounded. The question naturally arises, How was he able to

procure them? The stock at this time by the stockholders was considered worth three or four times its par value. Neilson sustained no relations to any of these people that commanded any favor, and if he could have used any influence he did not attempt it; if he had this right he was unaware of it till told by Mr. Brooks, and left the whole matter in his hands. It is clear that the shares were procured by the sole efforts of Mr. Brooks, and, as the stockholders who consented to it supposed, for the benefit of Mr. Brooks. What power had Mr. Brooks to enforce an unfounded claim, to have for $5,000, stock worth $15,000 or $20,000? Mr. McComb swears that he heard conversation between Mr. Brooks and Mr. John B. Alley, a large stockholder, and one of the executive committee, in which Mr. Brooks urged that he should have the additional fifty shares, because he was or would procure himself to be made a Government director, and also that, being a member of Congress, he "would take care of the democratic side of the House."

Mr. Brooks and Mr. Alley both deny having had any such conversation, or that Mr. Brooks ever made such a statement to Mr. Alley. If, therefore, this matter rested wholly upon the testimony of Mr. McComb, the committee would not feel justified in finding that Mr. Brooks procured the stock by such use of his official position; but all the circumstances seem to point exactly in that direction, and we can find no other satisfactory solution of the question above propounded. Whatever claim Mr. Brooks had to stock, either legal or moral, had been adjusted and satisfied by Dr. Durant. Whether he was getting this stock for himself or to give to his son-in-law, we believe, from the circumstances attending the whole transaction, that he obtained it knowing that it was

yielded to its official position and influence, and with the intent to secure his favor and influence in such positions. Mr. Brooks claims that he has had no interest in this stock whatever; that the benefit and advantage of his right to have it he gave to Mr. Neilson, his son-in-law, and that he has had all the dividends upon it. The committee are unable to find this to be the case, for in their judgment all the facts and circumstances show Mr. Brooks to be the real and substantial owner, and that Neilson's ownership is merely nominal and colorable.

In June, 1868, there was a cash dividend of $9,000 upon this one hundred and fifty shares of stock. Neilson received it, of course, as the stock was in his name; but on the same day it was paid over to Mr. Brooks, as Neilson says, to pay so much of the $10,000 advanced by Mr. Brooks to pay for the stock. This, then, repaid all but $1,000 of the loan; but Mr. Brooks continued to hold $16,000 of Union Pacific bonds, which Neilson says he gave him as collateral security, and to draw the interest upon all but $5,000. The interest upon the others, Neilson says, he was permitted to draw and retain, but at one time in his testimony he spoke of the amount he was allowed as being Christmas and New Year's presents. Neilson says that during the last summer he borrowed $14,000 of Mr. Brooks, and he now owes Mr. Brooks nearly as much as the collaterals; but, according to his testimony, Mr. Brooks for four years held $16,000 in bonds as security for $1,000, and received the interest on $11,000 of the collaterals. No accounts appear to have been kept between Mr. Brooks and Neilson, and doubtless what sums he has received from Mr. Brooks, out of the dividends, were intended as presents rather than as deliveries of money belonging to him.

Mr. Brooks's efforts procured the stock; his money paid for it; all the cash dividends he has received; and he holds all the bonds, except those Dillon received, which seem to have been applied toward paying for the fifty shares. Without further comment on the evidence, the committee find that the one hundred and fifty shares of stock appearing on the books of the Credit Mobilier in the name of Neilson were really the stock of Mr. Brooks, and subject to his control, and that it was so understood by both the parties. Mr. Brooks had taken such an interest in the Credit Mobilier Company, and was so connected with Dr. Durant, that he must be regarded as having full knowledge of the relations between that company and the railroad company, and of the contracts between them. He must have known the cause of the sudden increase in value of the Credit Mobilier stock, and how the large expected profits were to be made. We have already expressed our views of the propriety of a member of Congress becoming the owner of stock, possessing this knowledge.

But Mr. Brooks was not only a member of Congress, but he was a Government director of the Union Pacific Company. As such it was his duty to guard and watch over the interests of the Government in the road and to see that they were protected and preserved. To insure such faithfulness on the part of Government directors, Congress wisely provided that they should not be stockholders in the road. Mr. Brooks readily saw that, though becoming a stockholder in the Credit Mobilier was not forbidden by the letter of the law, yet it was a violation of its spirit and essence, and therefore had the stock placed in the name of his son-in-law. The transfer of the Oakes Ames contract to the trustees

and the building of the road under that contract, from which the enormous dividends were derived, were all during Mr. Brooks's official life as a Government director, must have been within his knowledge, and yet passed without the slightest opposition from him. The committee believed this could not have been done without an entire disregard of his official obligation and duty, and that while appointed to guard the public interests in the road he joined himself with the promoters of a scheme whereby the Government was to be defrauded, and shared in the spoil.

In the conclusions of fact upon the evidence, the committee are entirely agreed.

In considering what action we ought to recommend to the House upon these facts, the committee encounter a question which has been much debated: Has this House power and jurisdiction to inquire concerning offenses committed by its members prior to their election, and to punish them by censure or expulsion? The committee are unanimous upon the right of jurisdiction of this House over the cases of Mr. Ames and Mr. Brooks, upon the facts found in regard to them. Upon the question of jurisdiction the committee present the following views:

The Constitution, in the fifth section of the first article, defines the power of either House as follows:

"Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and with the concurrence of two-thirds expel a member."

It will be observed that there is no qualification of the power, but there is an important qualification of the manner of its exercise—it must be done "with the

concurrence of two-thirds."

The close analogy between this power and the power of impeachment is deserving of consideration.

The great purpose of the power of impeachment is to remove an unfit and unworthy incumbent from office, and though a judgment of impeachment may to some extent operate as punishment, that is not its principal object. Members of Congress are not subject to be impeached, but may be expelled, and the principal purpose of expulsion is not as punishment, but to remove a member whose character and conduct show that he is an unfit man to participate in the deliberations and decisions of the body, and whose presence in it tends to bring the body into contempt and disgrace.

In both cases it is a power of purgation and purification to be exercised for the public safety, and, in the case of expulsion, for the protection and character of the House. The Constitution defines the causes of impeachment, to wit, "treason, bribery, or other high crimes and misdemeanors." The office of the power of expulsion is so much the same as that of the power to impeach that we think it may be safely assumed that whatever would be a good cause of impeachment would also be a good cause of expulsion.

It has never been contended that the power to impeach for any of the causes enumerated was intended to be restricted to those which might occur after appointment to a civil office, so that a civil officer who had secretly committed such offense before his appointment should not be subject upon detection and exposure to be convicted and removed from office. Every consideration of justice and sound policy would seem to require that the public interests

be secured, and those chosen to be their guardians be free from the pollution of high crimes, no matter at what time that pollution had attached.

If this be so in regard to other civil officers, under institutions which rest upon the intelligence and virtue of the people, can it well be claimed that the law-making Representative may be vile and criminal with impunity, provided the evidences of his corruption are found to antedate his election?

In the report made to the Senate by John Quincy Adams in December, 1807, upon the case of John Smith, of Ohio, the following language is used: “The power of expelling a member for misconduct results, on the principles of common sense, from the interests of the nation that the high trust of legislation shall be invested in pure hands. When the trust is elective, it is not to be presumed that the constituent body will commit the deposit to the keeping of worthless characters. But when a man whom his fellow-citizens have honored with their confidence on a pledge of a spotless reputation, has degraded himself by the commission of infamous crimes, which become suddenly and unexpectedly revealed to the world, defective indeed would be that institution which should be impotent to discard from its bosom the contagion of such a member; which should have no remedy of amputation to apply until the poison had reached the heart.”

The case of Smith was that of a Senator, who, after his election, but not during a session of the Senate, had been involved in the treasonable conspiracy of Aaron Burr. Yet the reasoning is general, and was to antagonize some positions which had been taken in the case of Marshall, a Senator from Kentucky; the Senate in that case having, among other reasons, declined to take jurisdiction of the charge for the

reason that the alleged offence had been committed prior to the Senator's election, and was matter cognizable by the criminal courts of Kentucky. None of the commentators upon the Constitution or upon parliamentary law assign any such limitation as to the time of the commission of the offense, or the nature of it, which shall control and limit the power of expulsion. On the contrary they all assert that the power in its very nature is a discretionary one, to be exercised of course with grave circumspection at all times, and only for good cause. Story, Kent, and Sergeant, all seem to accept and rely upon the exposition of Mr. Adams in the Smith case as sound. May, in his Parliamentary Practice, page 59, enumerates the causes for expulsion from Parliament, but he nowhere intimates that the offense must have been committed subsequent to the election.

When it is remembered that the framers of our Constitution were familiar with the parliamentary law of England, and must have had in mind the then recent contest over Wilkes's case, it is impossible to conclude that they meant to limit the discretion of the Houses as to the causes of expulsion. It is a received principle of construction that the Constitution is to be interpreted according to the known rules of law at the time of its adoption, and therefore, when we find them dealing with a recognized subject of legislative authority, and while studiously qualifying and restricting the manner of its exercise, assigning no limitations to the subject-matter itself, they must be assumed to have intended to leave that to be determined according to established principles, as a high prerogative power to be exercised according to the sound discretion of the body. It was not to be apprehended that two-thirds

of the Representatives of the people would ever exercise this power in any capricious or arbitrary manner, or trifle with or trample upon constitutional rights. At the same time it could not be foreseen what necessities for self-preservation or self-purification might arise in the legislative body. Therefore it was that they did not, and would not, undertake to limit or define the boundaries of those necessities.

The doctrine that the jurisdiction of this House over its members is exclusively confined to matters arising subsequent to their election, and that the body is bound to retain the vilest criminal as a member if his criminal secret was kept until his election was secured, has been supposed by many to have been established and declared in the famous case of John Wilkes before alluded to. A short statement of that case will show how fallacious is that supposition. Wilkes had been elected a member of Parliament for Middlesex, and in 1764 was expelled for having published a libel on the ministry. He was again elected and again expelled for a similar offense on the 3d of February, 1769. Being again elected on the 17th of February, 1769, the commons passed the following resolution: “That John Wilkes, Esq., having been in this session of Parliament expelled this house was and is incapable of being elected a member to serve in this present Parliament.” Wilkes was again elected, but the House of Commons declared the seat vacant and ordered a new election. At this election Wilkes was again elected by 1,143 votes, against 296 for his competitor, Luttrell.

On the 15th of April, 1769, the house decided that by the previous action Wilkes had become ineligible, and that the votes given for him were void and could

not be counted, and gave the seat to Luttrell. Subsequently, in 1783, the House of Commons declared the resolution of February 17, 1769, which had asserted the incapacity of an expelled member to be re-elected to the same Parliament, to be subversive of the rights of the electors, and expunged it from the journal. It will be seen from this concise statement of Wilkes's case that the question was not raised as to the power of the house to expel a member for offenses committed prior to his election; the point decided, and afterward most properly expunged, was that expulsion *per se* rendered the expelled member legally ineligible, and that votes cast for him could not be counted. Wilkes's offense was of purely a political character, not involving moral turpitude; he had attacked the ministry in the press, and the proceedings against him in Parliament were then claimed to be a partisan political persecution, subversive of the rights of the people and of the liberty of the press. These proceedings in Wilkes's case took place during the appearance of the famous Junius letters, and several of them are devoted to the discussion of them. The doctrine that expulsion creates ineligibility was attacked and exposed by him with great force. But he concedes that if the cause of expulsion be one that renders a man unfit and unworthy to be a member, he may be expelled for that cause as often as he shall be elected.

The case of Matteson, in the House of Representatives, has also often been quoted as a precedent for this limitation of jurisdiction. In the proceedings and debates of the House upon that case it will be seen that this was one among many grounds taken in the debate; but as the whole subject was ended by being laid on the table, it is quite impossible to say what was decided by the House. It

appeared, however, in that case that the charge against Matteson had become public, and his letter upon which the whole charge rested had been published and circulated through his district during the canvass preceding his election. This fact, we judge, had a most important influence in determining the action of the House in his case.

The committee have no occasion in this report to discuss the question as to the power or duty of the House in a case where a constituency, with a full knowledge of the objectionable character of a man, have selected him to be their Representative. It is hardly a case to be supposed that any constituency, with a full knowledge that a man had been guilty of an offense involving moral turpitude, would elect him. The majority of the committee are not prepared to concede such a man could be forced upon the House, and would not consider the expulsion of such a man any violation of the rights of the electors, for while the electors have rights that should be respected, the House as a body has rights also that should be protected and preserved. But that in such case the judgment of the constituency would be entitled to the greatest consideration, and that this should form an important element in its determination, is readily admitted.

It is universally conceded, as we believe, that the House has ample jurisdiction to punish or expel a member for an offense committed during his term as a member, though committed during a vacation of Congress and in no way connected with his duties as a member. Upon what principle is it that such a jurisdiction can be maintained? It must be upon one or both of the following: that the offense shows him to be an unworthy and improper man to be a member, or that his conduct brings odium and

reproach upon the body. But suppose the offense has been committed prior to his election, but comes to light afterward, is the effect upon his own character, or the reproach and disgrace upon the body, if they allow him to remain a member, any the less? We can see no difference in principle in the two cases, and to attempt any would be to create a purely technical and arbitrary distinction, having no just foundation. In our judgment, the time is not at all material, except it be coupled with the further fact that he was re-elected with a knowledge on the part of his constituents of what he had been guilty, and in such event we have given our views of the effect.

It seems to us absurd to say that an election has given a man political absolution for an offense which was unknown to his constituents. If it be urged again, as it has sometimes been, that this view of the power of the House, and the true ground of its proper exercise, may be laid hold of and used improperly, it may be answered that no rule, however narrow and limited, that may be adopted can prevent it. If two-thirds of the House shall see fit to expel a man because they do not like his political or religious principles, or without any reason at all, they have the power, and there is no remedy except by appeal to the people. Such exercise of the power would be wrongful, and violative of the principles of the Constitution, but we see no encouragement of such wrong in the views we hold.

It is the duty of each House to exercise its rightful functions upon appropriate occasions, and to trust that those who come after them will be no less faithful to duty, and no less jealous for the rights of free popular representation than themselves. It will be quite time enough to square other cases with right reason and principle when they arise. Perhaps the

best way to prevent them will be to maintain strictly public integrity and public honor in all cases as they present themselves. Nor do we imagine that the people of the United States will charge their servants with invading their privileges when they confine themselves to the preservation of a standard of official integrity which the common instincts of humanity recognize as essential to all social order and good government.

The foregoing are the views which we deem proper to submit upon the general question of the jurisdiction of the House over its members. But apart from these general views, the committee are of opinion that the facts found in the present case amply justify the taking jurisdiction over them, for the following reasons:

The subject-matter upon which the action of members was intended to be influenced was of a continuous character, and was as likely to be a subject of congressional action in future Congresses as in the Fortieth. The influences, brought to bear on members were as likely to be operative upon them in the future as in the present, and were so intended. Mr. Ames and Mr. Brooks have both continued members of the House to the present time, and so have most of the members upon whom these influences were sought to be exerted. The committee are, therefore, of opinion that the acts of these men may properly be treated as offenses against the present House, and so within its jurisdiction upon the most limited rule.

Two members of the committee, Messrs. Niblack and McCrary, prefer to express no opinion on the general jurisdictional questions discussed in the report, and rest their judgment wholly on the ground last stated.

In relation to Mr. Ames, he sold to several members of Congress stock of the Credit Mobilier Company, at par, when it was worth double that amount or more, with, the purpose and intent thereby to influence their votes and decisions upon matters to come before Congress.

The facts found in the report as to Mr. Brooks, show that he used the influence of his official positions as member of Congress and Government director in the Union Pacific Railroad Company, to get fifty shires of the stock of the Credit Mobilier Company, at par, when it was worth three or four times that sum, knowing that it was given to him with intent to influence his votes and decisions in Congress, and his action as a Government director.

The sixth section of the act of February 26, 1853, 10 Stat. United States, 171, is in the following words:

"If any person or persons shall, directly or indirectly, promise, offer, or give, or cause or procure to be promised, offered, or given, any money, goods, right in action, bribe, present, or reward, or any promise, contract, undertaking, obligation, or security for the payment or delivery of any money, goods, right in action, bribe, present, or reward, or any other valuable thing whatever, to any member of the Senate or House of Representatives of the United States, after his election as such member, and either before or after he shall have qualified and taken his seat, or to any officer of the United States, or person holding any place of trust or profit, or discharging any official function under or in connection with any Department of the Government of the United States, or under the Senate or House of Representatives of the United States, after the passage of this act, with intent to influence his vote or decision on any question, matter, cause, or

proceeding which may then be pending, or may by law, or under the Constitution of the United States, be brought before him in his official capacity, or in his place of trust or profit, and shall thereof be convicted, such person or persons so offering, promising, or giving, or causing or procuring to be promised, offered, or given, any such money, goods, right in action, bribe, present, or reward, or any promise, contract, undertaking, obligation, or security for the payment or delivery of any money, goods, right in action, bribe, present, or reward, or other valuable thing whatever, and the member, officer, or person who shall in anywise accept or receive the same, or any part thereof, shall be liable to indictment as for a high crime and misdemeanor in any of the courts of the United States having jurisdiction for the trial of crimes and misdemeanors; and shall, upon conviction thereof, be fined not exceeding three times the amount so offered, promised, or given, and imprisoned in the penitentiary not exceeding three years; and the person so convicted of so accepting or receiving the same, or any part thereof, if an officer or person holding any such place of trust or profit as aforesaid, shall forfeit his office or place; and any person so convicted under this section shall forever be disqualified to hold any office of honor, trust, or profit under the United States."

In the judgment of the committee, the facts reported in regard to Mr. Ames and Mr. Brooks would have justified their conviction under the above-recited statute and subjected them to the penalties therein provided.

The committee need not enlarge upon the dangerous character of these offenses. The sense of Congress is shown by the severe penalty denounced

by the statute itself. The offenses were not violations of private rights, but were against the very life of a constitutional Government by poisoning the fountain of legislation.

The duty devolved upon the committee has been of a most painful and delicate character. They have performed it to the best of their ability. They have proceeded with the greatest care and deliberation, for while they desired to do their full duty to the House and the country, they were most anxious not to do injustice to any man. In forming their conclusions they have intended to be entirely cool and dispassionate, not to allow themselves to be swerved by any popular fervor on the one hand, or any feeling of personal favor and sympathy on the other.

The committee submit to the House and recommend the adoption of the following resolutions.

"1. Whereas Mr. Oakes Ames, a Representative in this House from the State of Massachusetts, has been guilty of selling to members of Congress shares of stock in the Credit Mobilier of America, for prices much below the true value of such stock, with intent thereby to influence the votes and decisions of such members in matters to be brought before Congress for action: Therefore,

Resolved, That Mr. Oakes Ames be, and he is hereby, expelled from his seat as a member of this House.

2. Whereas Mr. James Brooks, a Representative in this House from the State of New York, did procure the Credit Mobilier Company to issue and deliver to Charles H. Neilson, for the use and benefit of said Brooks, fifty shares of the stock of said company, at a

price much below its real value, well knowing that the same was so issued and delivered with intent to influence the votes and decisions of said Brooks, as a member of the House, in matters to be brought before Congress for action, and also to influence the action of said Brooks as a Government director in the Union Pacific Railroad Company: Therefore,

Resolved, That Mr. James Brooks be, and he is hereby, expelled from his seat as a member of this House.

The House, after much discussion, modified the propositions of the committee of investigation, and subjected Oakes Ames and James Brooks to the "absolute condemnation of the House." Both members died within three months thereafter.

The session was full of investigations, but all the others failed to develop any tangible scandals. The Democrats demanded and secured the investigation of the New York custom-house; the United States Treasury; the use of Seneca sandstone; the Chorpenning claim, and the Navy Department, etc. They were, as stated, fruitless.

The "Salary Grab."

At the same session—1871–'73, acts were passed to abolish the franking privilege, to increase the President's salary from $25,000 to $50,000, and that of Senators and Representatives from $5,000 to $7,500. The last proved quite unpopular, and was generally denounced as "The Salary Grab," because of the feature which made it apply to the

Congressmen who passed the bill, and of course to go backward to the beginning of the term. This was not new, as earlier precedents were found to excuse it, but the people were nevertheless dissatisfied, and it was made an issue by both parties in the nomination and election of Representatives. Many were defeated, but probably more survived the issue, and are still enjoying public life. Yet the agitation was kept up until the obnoxious feature of the bill and the Congressional increase of salary were repealed, leaving it as now at the rate of $5,000 a year and mileage.

A House committee, headed by B. F. Butler, on Feb. 7th, 1873, made a report which gave a fair idea of the expenses under given circumstances—the increase to be preserved, but the franking privilege and mileage to be repealed. We quote the figures:

Increase of President's salary	$25,000 00
Increase of Cabinet ministers' salary	14,000 00
Increase of salary of judges United States Supreme Court	18,500 00
Increase of salary of Senators, Members, and Delegates	972,000 00
Total increase	$1,029,500 00
Saving to the Government, according to the official statement of the Postmaster-General, per annum, by the abolition of the franking privilege	$2,543,327 72
Saving to the Government by abolition of mileage, stationery, postage, and newspaper accounts (estimated)	200,000 00

	$2,753,327 72
	1,029,500 00
Total net saving	$1,713,827 72

The House passed a bill for the abolition of mileage, but in the Senate it was referred to the Committee on Civil Service and Retrenchment, and not again heard from. So that the increased pay no longer obtains, the franking privilege only to the extent of mailing actual Congressional documents, and mileage remains.

The following curious facts relating to these questions we take from Hon. Edward McPherson's admirable compilation in his "Hand-Book of Politics" for 1874.

Statement of Compensation and Mileage.

Drawn by U. S. Senators under the various Compensation Acts.

Mr. Gorham, Secretary of the Senate, prepared, under date of January 3, 1874, a statement, in answer to a resolution of the Senate, covering these points:

I.—*The several rates of compensation fixed by various laws, and the cases in which the same were*

retroactive, and for what length of time.

1. By the act of September 22, 1789, the compensation of Senators and Representatives in Congress was fixed at six dollars a day, and thirty cents a mile for traveling to and from the seat of Government. This rate was to continue until March 4, 1795. The same act fixed the compensation from March 4, 1795, to March 4, 1796, (at which last named date, by its terms, it expired,) at seven dollars a day, and thirty-five cents a mile for travel. This act was retroactive, extending back six months and eighteen days, namely, to March 4, 1789.

2. The act of March 10, 1796, fixed the compensation at six dollars a day, and thirty cents a mile for travel. (This act extended back over six days only.)

3. The act of March 19, 1816, fixed the compensation at $1,500 a year, “instead of the daily compensation,” and left the mileage unchanged. This act was retroactive, extending back one year and fifteen days, namely to March 4, 1815. (This act was repealed by the act of February 6, 1817, but it was expressly declared that no former act was thereby revived.)

4. The act of January 22, 1818, fixed the compensation at eight dollars a day, and forty cents a mile for travel. This act was retroactive, extending back fifty-three days, namely, to the assembling of Congress, December 1, 1817.

5. The act of August 16, 1856, fixed the compensation at $3,000 a year, and left the mileage unchanged. This act was retroactive, extending back one year, five months, and twelve days, namely, to March 4, 1855.

6. The act of July 28, 1866, fixed the

compensation at $5,000 a year, and twenty cents a mile for travel, (not to affect mileage accounts already accrued.) This act was retroactive, extending back one year, four months, and twenty-four days, namely, to March 4, 1865.

7. The act of March 3, 1873, fixed the compensation at $7,500 a year, and actual traveling expenses; the mileage already paid for the Forty-Second Congress to be deducted from the pay of those who had received it. This act was retroactive, extending back two years, namely, to March 4, 1871.

NOTE.—Stationery was allowed to Senators and Representatives without any special limit until March 3, 1868, when the amount for stationery and newspapers for each Senator and Member was limited to $125 a session. This was changed by a subsequent act, taking effect July 1, 1869, to $125 a year. The act of 1873 abolished all allowance for stationery and newspapers.

II.—*Names of Senators who drew pay under the retroactive provisions of the several laws, amounts drawn, and dates of same.*

ACT OF 1789.—The records of my office do not furnish the exact information desired under this head concerning the First Congress, the compensation of which was fixed by act of September 22, 1789. It appears, however, that the account of each Senator was made up, and that each received the amount allowed by law. The following is a copy from the record:

January 19, 1790.—That there is due to the Senators of the United States for attendance in Congress the present session, to the 31st of March inclusive, and expenses of travel to Congress, as allowed by law, as follows, to wit:

Messrs. Richard Bassett, $496.50; Pierce Butler, $796; Charles Carroll, $186; Tristram Dalton, $612; Oliver Ellsworth, $546.50; Jonathan Elmer, $414; William Few, $833.50; John Henry, $596.50; Benjamin Hawkins, $615; William S. Johnson, $544; Samuel Johnson, $534; Rufus King, $522; John Langdon, $618; William Maclay, $585; Robert Morris, $430.50; William Paterson, $514.50; George Read, $195; Caleb Strong, $575.50; Philip Schuyler, $571.50; Paine Wingate, $616.50.

ACT OF 1816.—The record contains no showing as to the amount paid to Senators under the retroactive provision of the act of March 19, 1816. The following, taken from the books, shows the amount of compensation paid to each Senator for the entire Congress, exclusive of mileage:

Messrs. Eli P. Ashmun, $920; James Barbour, $2,850; William T. Barry, $2,080; William W. Bibb, $2,070; James Brown, $2,980; George W. Campbell, $2,950; Dudley Chace, $3,000; John Condit, $2,980; David Daggett, $3,000; Samuel W. Dana, $2,640; Elegius Fromentin, $3,000; John Gaillard, President, $6,000; Robert H. Goldsborough, $2,840; Christopher Gore, $1,940; Alexander Contee Hanson, $530; Martin D. Hardin, $900; Robert G. Harper, $1,450; Outerbridge Horsey, $3,000; Jeremiah B. Howell, $3,000; William Hunter, $2,930; Rufus King, $2,660; Abner Lacock, $3,000; Nathaniel Macon, $2,946; Jeremiah Mason of New Hampshire, $2,680; Armistead T. Mason of Virginia, $2,360; Jeremiah Morrow, $3,000; James Noble, $920; Jonathan Roberts, $3,000; Benjamin Ruggles, $3,000; Nathan Sanford, $2,720; William Smith, $540; Montfort Stokes, $810; Charles Tait, $3,000; Isham Talbot, $2,730; John Taylor of South Carolina, $1,990; Waller Taylor of Indiana, $920; Thomas W.

Thompson, $2,850; Isaac Tichenor, $3,000; George M. Troup, $830; James Turner, $2,060; Joseph B. Varnum, $3,000; William H. Wells, $2,610; John Williams, $3,000; James J. Wilson, $3,000.

ACT OF 1818.—Under the retroactive provision of the act of January 22, 1818, the following named Senators drew the amounts for compensation and mileage opposite their respective names:

Messrs. Eli P. Ashmun, $668; James Barbour, $520; James Burril, $762; George W. Campbell, $1,008; John J. Crittenden, $1,007.20; David Daggett, $690.40; Samuel W. Dana, $283.20; Mahlon Dickerson, $628.80; John W. Eppes, $584; James Fisk, $848; Elegius Fromentin, $1,393.60; John Gaillard, $880; Robert H. Goldsborough, $483.20; Outerbridge Horsey, $485.60; William Hunter, $543.20; Henry Johnson, $1,273.60; Rufus King, $627.20; Abner Lacock, $649.60; Walter Leake, $1,384; Nathaniel Macon, $600; David L. Morril, $876; Jeremiah Morrow, $776; James Noble, $918.40; Harrison Gray Otis, $792.80; Jonathan Roberts, $564.80; Benjamin Ruggles, $688; Nathan Sanford, $616; William Smith, $774.40; Montfort Stokes, $745.60; Clement Storer, $875.20; Charles Tait, $952; Isham Talbot, $872; Waller Taylor, $1,080; Isaac Tichenor, $784; George M. Troup, $952; —— Van Dyke, $380.80; Thomas H. Williams of Mississippi, $1,433.60; John Williams of Tennessee, $861.60; James J. Wilson, $568.

ACT OF 1856.—Under the retroactive provision of the act of August 16, 1856, the following named Senators drew the amounts opposite their respective names:

Messrs. Stephen Adams, $2,243.77; Philip Allen, $2,202.79; James A. Bayard, $2,088.03; James Bell,

$1,083.93; John Bell, $2,268.36; J. P. Benjamin, $2,210.99; Asa Biggs, $2,161.81; William Bigler, $1,594.24; Jesse D. Bright, president *pro tempore*, $6,772.40; R. Brodhead, $2,251.97; A. G. Brown, $2,251.97; A. P. Butler, $2,202.70; Lewis Cass, $2,251.97; C. C. Clay, jr., $2,251.97; J. M. Clayton, $2,292.95; J. Collamer, $2,219.18; J. J. Crittenden, $2,243.79; H. Dodge, $2,292.95; S. A. Douglas, $2,268.36; C. Durkee, $2,235.56; J. J. Evans, $2,121.70; W. S. Fessenden, $2,276.56; H. Fish, $2,237.28; B. Fitzpatrick, $2,194.59; S. Foot, $2,292.94; L. F. S. Foster, $2,112.62; H. S. Geyer, $2,276.56; J. P. Hale, $887.10; H. Hamlin, $1,989.68; J. Harlan, $2,268.36; S. Houston, $2,292.95; R. M. T. Hunter, $2,210.99; A. Iverson, $2,210.99; C. T. James, $2,210.99; R. W. Johnson, $632.21; G. W. Jones, $2,235.58; J. C. Jones, $2,047.05; S. R. Mallory, $2,276.56; J. M. Mason, $2,170; J. A. Pearce, $2,194.59; T. G. Pratt, $2,129.02; G. E. Pugh, $2,096.21; D. S. Reid, $2,235.58; T. J. Rusk, $2,292.95; W. K. Sebastian, $2,137.22; W. H. Seward, $2,292.95; John Slidell, $2,276.56; C. E. Stuart, $2,292.95; C. Sumner, $2,292.95; J. B. Thompson, $2,235.57; John R. Thomson, $2,022.46; Robert Toombs, $2,006.07; Isaac Toucey, $2,292.65; L. Trumbull, $2,251.97; B. F. Wade, $2,202.79; J. B. Weller, $2,251.97; H. Wilson, $2,178.20; W. Wright, $2,120.82; D. L. Yulee, $2,194.59.

ACT OF 1866.—Under the retroactive provision of the act of July 28, 1866, the following named Senators received the amounts opposite their respective names:

Messrs. H. B. Anthony, $2,805.56; B. Gratz Brown, $2,805.56; C. R. Buckalew, $2,805.56; Z. Chandler, $2,805.56; D. Clark, $2,805.56; J. Collamer,

$1,366.15; J. Conness, $2,805.56; E. Cowan, $2,805.56; A. H. Cragin, $2,805.56; J. A. J. Creswell, $2,805.56; G. Davis, $2,805.56; J. Dixon, $2,805.56; J. R. Doolittle, $2,805.56; W. P. Fessenden, $2,805.56; S. Foot, $2,136.76; L. F. S. Foster, President *pro tempore*, $261.93; J. W. Grimes, $2,805.56; J. Guthrie, $2,805.56; I. Harris, $2,805.56; J. B. Henderson, $2,805.56; T. A. Hendricks, $2,805.56; J. M. Howard, $2,805.56; T. O. Howe, $2,805.56; R. Johnson, $2,805.56; H. S. Lane, $2,805.56; J. H. Lane, $2,710.49; James A. McDougall, $2,805.56; E. D. Morgan, $2,805.56; L. M. Morrill, $2,805.56; J. W. Nesmith, $2,805.56; D. S. Norton, $2,805.56; J. W. Nye, $2,805.56; S. C. Pomeroy, $2,805.56; A. Ramsey, $2,805.56; G. R. Riddle, $2,805.56; W. Saulsbury, $2,805.56; J. Sherman, $2,805.56; W. M. Stewart, $2,805.56; C. Sumner, $2,805.56; L. Trumbull, $2,805.56; P. G. Van Winkle, $2,805.56; B. Wade, $2,805.56; W. T. Willey, $2,805.56; G. H. Williams, $2,805.56; H. Wilson, $2,805.56; W. Wright, $2,805.56; R. Yates, $2,805.56; J. Harlan, $350; L. P. Poland, $1,361; John P. Stockton, $2,131.20; S. J. Kirkwood, $2,361.10; G. F. Edmunds, $666.66; E. G. Ross, $180 40.

ACT OF 1873.—Under the retroactive provision of the act of March 3, 1873, the following named Senators received the sums set opposite their respective names:

Messrs. A. Ames, $2,840; J. L. Alcorn, $2,312.39; J. T. Bayard, $4,865.60; F. P. Blair, $3,761.60; A. I. Boreman, $4,514; W. G. Brownlow, $4,588; A. Caldwell, $2,647.60; S. Cameron, $4,856; M. H. Carpenter, $3,887.60; E. Casserly, $970.40; Z. Chandler, $3,906.80; P. Clayton, $2,600; C. Cole, $970.40; H. Cooper, $3,760; H. G. Davis, $4,635.20;

O. S. Ferry, $4,652; T. W. Ferry, $3,920; J. W. Flanagan, $2,000; A. Gilbert, $3,680; George Goldthwaite, $3,924.80; M. C. Hamilton, $2,480; Joshua Hill, $4,083.20; P. W. Hitchcock, $2,852.80; T. O. Howe, $3,689 60, J. W. Johnston, $4,705.60; John T. Lewis, $4,804.40; John A. Logan, $3,800; W. B. Machen, $552.98; L. M. Morrill, $4,190; J. S. Morrill, (draft in favor of the treasurer of the State of Vermont,) $4,386.80; T. M. Norwood, $4,169.60; J. W. Nye, $2,076.80; T. W. Osborn, $3,440; J. W. Patterson, $4,280; S. C. Pomeroy, $3,320; John Pool, $4,620.80; M. W. Ransom, $4,817.60; B. F. Rice, $3,200; T. J. Robertson, $4,374.80; F. A. Sawyer, $4,294.40; George E. Spencer, $4,106; W. Sprague, $4,508; W. M. Stewart, $1,486.40; J. P. Stockton, $4,790; T. W. Tipton, $3,358; Lyman Trumbull, $3,980; G. Vickers, $4,880; J. R. West, $2,468 80.

III.—*Names of Senators who covered into the Treasury amounts due them under retroactive provisions of law, with date of such action.*

There is no record in my office showing that any Senator covered into the Treasury any money to which he was entitled by the retroactive provisions of either of the acts of September 22, 1789, March 19, 1816, January 22, 1818, August 16, 1856, or July 28, 1866.

The following Senators covered into the Treasury the amounts due them under the retroactive provision of the act of March 3, 1873, namely:

1873.—May 26, H. B. Anthony, $4,497.20; June 23, W. A. Buckingham, $4,553.60; May 21, R. E. Fenton, $4,184; June 2, F. T. Frelinghuysen, $4,644.80; May 19, H. Hamlin, $4,136; August 14, O. P. Morton, $3,922.40; April 9, D. D. Pratt, $4,121.60; August 25, A. Ramsey, $3,041.40; March

28, C. Schurz, $3,761.60; May 9, John Scott, $4,733.06; July 11, John Sherman, $4,336.40; May 2, C. Sumner, $4,445.60; May 22, A. G. Thurman, $4,359.20; March 28, Henry Wilson, $4,448; September 6, George G. Wright, $3,140 80.

NOTE.—Several of these Senators, as well as others who have not either drawn or covered into the Treasury the amounts due them under the retroactive provision of the act of 1873, expressed to me their intention to allow the money to lapse into the Treasury by the ordinary operation of law, which they supposed would occur July 3, 1873. After learning that it could not be covered in, except by their order, before July 3, 1875, some gave me written instructions to anticipate the latter date. I am unable to furnish from any information in my office the names of Senators who themselves paid into the Treasury salary drawn under the act of 1873 or previous acts. I have not furnished the names of Senators who have left increased salary undrawn, as this information was not called for in the resolution.

IV.—*A Comparative Statement.*

Total compensation and allowance of Senators, under act of July 28, 1866, from March 4, 1871, to March 3, 1872: Compensation, $370,000; mileage, $37,041.20; stationery and newspapers, $9,250; total, $416,291.20; average per Senator, $5,625.55–$^{23}/_{37}$.

Under same act, from March 4, 1872, to March 3, 1873, during which year members of the Senate received mileage for attending the special session of the Senate, held in May, 1872, the following amounts were paid: Compensation, $370,000;

mileage, $59,002.80; newspapers and stationery, $9,250; total, $438,252.80; average per Senator, $5,922 23–$^{19}/_{37}$.

Total compensation and allowance of Senators under act of March 3, 1873: Compensation, $555,000; traveling expenses, based upon the certificates of forty-six Senators, (twenty-eight having presented none,) amounting to $4,607 95, giving an average of $100 17 × 74 = $7,412.58; total, $562,412.58; average per Senator, $7,600 17.

In connection with this were statements, prepared by the Secretary of the Senate, and laid before that body by Senator CAMERON, January 9, 1874, of the amounts of mileage paid in dollars (cents omitted) at particular dates under the acts of 1856 and 1866, are given. The act of 1856 fixed mileage at forty cents per mile each way, and the act of 1866 fixed it at twenty cents per mile each way.

Returning Boards.

At the second session of the 42d Congress that body, and the President as well, were compelled to consider a new question in connection with politics —an actual conflict of State Governments. There had always been, in well regulated State governments, returning boards, but with a view the better to guard the newly enfranchised citizens of the South from intimidation, the Louisiana Republicans, under very bold and radical leaders, had greatly strengthened the powers of her returning boards. It could canvass the votes, reject the returns in part or as a whole of

parishes where force or fraud had been used, and could declare results after such revision. The Governor of Louisiana had made several removals and appointments of State officers for the purpose mainly of making a friendly majority in the returning board, and this led to the appointment of two bodies, both claiming to be the legitimate returning board. There soon followed two State governments and legislatures, the Democratic headed by Governor John McEnery, the Republican by Governor Wm. Pitt Kellogg, later in the U. S. Senate. Kellogg brought suit against the Democratic officers before Judge Durell, of the Federal District Court, and obtained an order that the U. S. Marshal (S. B. Packard, afterwards Governor), should seize the State House and prevent the meetings of the McEnery legislature. Then both governments were hastily inaugurated, and claimed the recognition of Congress. The Senate Committee reported that Judge Durell's decision was not warranted, but the report refused a decisive recognition of either government. A bill was introduced declaring the election of Nov. 4, 1872, on which this condition of affairs was based, null and void, and providing for a new election, but this bill was defeated by a close vote. Later on, Louisiana claimed a large share in National politics. Somewhat similar troubles occurred in Alabama, Arkansas, and Texas, but they were settled with far greater ease than those of Louisiana. The correspondence in all of these cases was too voluminous to reproduce here, and we shall dismiss the subject until the period of actual hostilities were reached in Louisiana.

The Grangers.

So early as 1867 a secret society had been formed first in Washington, known as the Patrons of Husbandry, and it soon succeeded in forming subordinate lodges or granges in Illinois, Wisconsin, and other States. It was declared not to be political; that its object was co-operation among farmers in purchasing supplies from first hands, so as to do away with middle-men, but, like many other secret organizations, it was soon perverted to political purposes, and for a time greatly disturbed the political parties of the Western States. This was especially true of the years 1873–74, when the Grangers announced a contemplated war on railroad corporations, and succeeded in carrying the legislatures of Illinois and Wisconsin, and inducing them subsequently to pass acts, the validity of which the Supreme Courts of the State, under a temporary popular pressure which was apparently irresistible, could not sustain. The effect of these laws was to almost bankrupt the Illinois Central, theretofore wealthy, to cripple all railroads, to interfere largely with foreign exports, and to react against the interests of the people of the States passing them, that the demand for repeal was soon very much greater than the original demand for passage. As these laws, though repealed, are still often referred to in the discussion of political and corporate questions, we give the text of one of them:

Illinois Railroad Act of 1873.

An Act to prevent extortion and unjust discrimination in the rates charged for the transportation of passengers and freights on railroads in this State, and to punish the same, and prescribe a mode of procedure and rules of evidence in relation thereto, and to repeal an act entitled "An act to prevent unjust discrimination and extortions in the rates to be charged by the different railroads in this State for the transportation of freights on said roads," approved April 7, A. D. 1871.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the General Assembly*, If any railroad corporation, organized or doing business in this State under any act of incorporation, or general law of this State now in force, or which may hereafter be enacted, or any railroad corporation organized or which may hereafter be organized under the laws of any other State, and doing business in this State, shall charge, collect, demand, or receive more than a fair and reasonable rate of toll or compensation for the transportation of passengers or freight of any description, or for the use and transportation of any railroad car upon its track, or any of the branches thereof, or upon any railroad within this State which it has the right, license, or permission to use, operate, or control, the same shall be deemed guilty of extortion, and upon conviction thereof shall be dealt with as hereinafter provided.

SEC. 2. If any such railroad corporation aforesaid shall make any unjust discrimination in its rates or charges of toll, or compensation, for the transportation of passengers or freight of any description, or for the use and transportation of any railroad car upon its said road, or upon any of the branches thereof, or upon railroads connected

therewith, which it has the right, license, or permission to operate, control, or use, within this State, the same shall be deemed guilty of having violated the provisions of this act, and upon conviction thereof shall be dealt with as hereinafter provided.

SEC. 3. If any such railroad corporation shall charge, collect, or receive for the transportation of any passenger, or freight of any description, upon its railroad, for any distance within this State, the same or a greater amount of toll or compensation than is at the same time charged, collected, or received for the transportation, in the same direction, of any passenger, or like quantity of freight of the same class, over a greater distance of the same railroad; or if it shall charge, collect, or receive at any point upon this railroad a higher rate of toll or compensation for receiving, handling, or delivering freight of the same class and quantity than it shall at the same time charge, collect, or receive at any other point upon the same railroad; or if it shall charge, collect or receive for the transportation of any passenger, or freight of any description, over its railroad a greater amount as toll or compensation than shall at the same time be charged, collected, or received by it for the transportation of any passenger or like quantity of freight of the same class, being transported in the same direction over any portion of the same railroad of equal distance; or if it shall charge, collect, or receive from any person or persons a higher or greater amount of toll or compensation than it shall at the same time charge, collect, or receive from any other person or persons for receiving, handling, or delivering freight of the same class and like quantity at the same point upon its railroad; or if it shall charge, collect, or receive

from any person or persons for the transportation of any freight upon its railroad a higher or greater rate of toll or compensation than it shall at the same time charge, collect, or receive from any other person or persons for the transportation of the like quantity of freight of the same class being transported from the same direction over equal distances of the same railroad; or if it shall charge, collect, or receive from any person or persons for the use and transportation of any railroad car or cars upon its railroad for any distance the same or a greater amount of toll or compensation than is at the same time charged, collected, or received from any person or persons for the use and transportation of any railroad car of the same class or number, for a like purpose, being transported in the same direction over a greater distance of the same railroad; or if it shall charge, collect, or receive from any person or persons for the use and transportation of any railroad car or cars upon its railroad a higher or greater rate of toll or compensation than it shall at the same time charge, collect, or receive from any other person or persons for the use and transportation of any railroad car or cars of the same class or number, for a like purpose, being transported from the same point in the same direction over an equal distance of the same railroad; all such discriminating rates, charges, collections, or receipts, whether made directly or by means of any rebate, drawback, or other shift or evasion, shall be deemed and taken against such railroad corporation as *prima facie* evidence of the unjust discriminations prohibited by the provisions of this act, and it shall not be deemed a sufficient excuse or justification of such discriminations on the part of such railroad corporation, that the railway station or point at which it shall charge, collect, or receive the same or

less rates of toll or compensation for the transportation of such passenger or freight, or for the use and transportation of such railroad car the greater distance than for the shorter distance, is a railway station or point at which there exists competition with any other railroad or means of transportation. This section shall not be construed so as to exclude other evidence tending to show any unjust discrimination in freight and passenger rates. The provisions of this section shall extend and apply to any railroad, the branches thereof, and any road or roads which any railroad corporation has the right, license, or permission to use, operate, or control, wholly or in part, within the State: *Provided, however*, That nothing herein contained shall be so construed as to prevent railroad corporations from issuing commutation, excursion, or thousand mile tickets, as the same are now issued by such corporations.

SEC. 4. Any such railroad corporation guilty of extortion, or of making any unjust discrimination as to passenger or freight rates, or the rates for the use and transportation of railroad cars, or in receiving, handling, or delivering freights shall, upon conviction thereof, be fined in any sum not less than one thousand dollars ($1,000) nor more than five thousand dollars ($5,000) for the first offense; and for the second offense not less than five thousand dollars ($5,000) nor more than ten thousand dollars ($10,000;) and for the third offense not less than ten thousand dollars ($10,000) nor more than twenty thousand dollars ($20,000;) and for every subsequent offense and conviction thereof shall be liable to a fine of twenty-five thousand dollars ($25,000:) *Provided*, That in all cases under this act either party shall have the right of trial by jury.

SEC. 5. The fines hereinbefore provided for may be recovered in an action of debt in the name of the people of the State of Illinois, and there may be several counts joined in the same declaration as to extortion and unjust discrimination, and as to passenger and freight rates, and rates for the use and transportation of railroad cars, and for receiving, handling, or delivering freights. If, upon the trial of any case instituted under this act, the jury shall find for the people, they shall assess and return with their verdict the amount of the fine to be imposed upon the defendant, at any sum not less than one thousand dollars ($1,000) nor more than five thousand dollars ($5,000,) and the court shall render judgment accordingly; and if the jury shall find for the people, and that the defendant has been once before convicted of a violation of the provisions of this act, they shall return such finding with their verdict, and shall assess and return with their verdict the amount of the fine to be imposed upon the defendant, at any sum not less than five thousand dollars ($5,000) nor more than ten thousand dollars ($10,000,) and the court shall render judgment accordingly; and if the jury shall find for the people, and that the defendant has been twice before convicted of a violation of the provisions of this act, with respect to extortion or unjust discrimination, they shall return such finding with their verdict, and shall assess and return with their verdict the amount of the fine to be imposed upon the defendant, at any sum not less than ten thousand dollars ($10,000) nor more than twenty thousand dollars ($20,000;) and in like manner for every subsequent offense and conviction such defendant shall be liable to a fine of twenty-five thousand dollars ($25,000.) *Provided*, That in all cases under the provisions of this act a

preponderance of evidence in favor of the people shall be sufficient to authorize a verdict and judgment for the people.

SEC. 6. If any such railroad corporation shall, in violation of any of the provisions of this act, ask, demand, charge, or receive of any person or corporation, any extortionate charge or charges for the transportation of any passengers, goods, merchandise, or property, or for receiving, handling, or delivering freights, or shall make any unjust discrimination against any person or corporation in its charges therefor, the person or corporation so offended against may for each offense recover of such railroad corporation, in any form of action, three times the amount of the damages sustained by the party aggrieved, together with cost of suit and a reasonable attorney's fee, to be fixed by the court where the same is heard, on appeal or otherwise, and taxed as a part of the costs of the case.

SEC. 7. It shall be the duty of the railroad and warehouse commissioners to personally investigate and ascertain whether the provisions of this act are violated by any railroad corporation in this State, and to visit the various stations upon the line of each railroad for that purpose, as often as practicable; and whenever the facts in any manner ascertained by said commissioners shall in their judgment warrant such prosecution, it shall be the duty of said commissioners to immediately cause suits to be commenced and prosecuted against any railroad corporation which may violate the provisions of this act. Such suits and prosecutions may be instituted in any county in the State, through or into which the line of the railroad corporation sued for violating this act may extend. And such railroad and warehouse commissioners are hereby authorized, when the facts

of the case presented to them shall, in their judgment, warrant the commencement of such action, to employ counsel to assist the Attorney-General in conducting such suit on behalf of the State. No such suits commenced by said commissioners shall be dismissed, except said railroad and warehouse commissioners and the Attorney-General shall consent thereto.

SEC. 8. The railroad and warehouse commissioners are hereby directed to make for each of the railroad corporations doing business in this State, as soon as practicable, a schedule of reasonable maximum rates of charges for the transportation of passengers and freight and cars on each of said railroads; and said schedule shall, in all suits brought against any such railroad corporations, wherein is in any way involved the charges of any such railroad corporation for the transportation of any passenger or freight or cars, or unjust discrimination in relation thereto, be deemed and taken, in all courts of this State, as *prima facie* evidence that the rates therein fixed are reasonable maximum rates of charges for the transportation of passengers and freights and cars upon the railroads for which said schedules may have been respectively prepared. Said commissioners shall, from time to time, and as often as circumstances may require, change and revise said schedules. When such schedules shall have been made or revised as aforesaid, it shall be the duty of said commissioners to cause publication thereof to be made for three successive weeks, in some public newspaper published in the city of Springfield in this state: "*Provided*, That the schedules thus prepared shall not be taken as *prima facie* evidence as herein provided until schedules shall have been prepared and published as aforesaid for all the railroad

companies now organized under the laws of this State, and until the fifteenth day of January, A. D. 1874, or until ten days after the meeting of the next session of this General Assembly, provided a session of the General Assembly shall be held previous to the fifteenth day of January aforesaid." All such schedules, purporting to be printed and published as aforesaid, shall be received and held, in all such suits, as *prima facie* the schedules of said commissioners, without further proof than the production of the paper in which they were published, together with the certificate of the publisher of said paper that the schedule therein contained is a true copy of the schedule furnished for publication by said commissioners, and that it has been published the above specified time; and any such paper purporting to have been published at said city, and to be a public newspaper, shall be presumed to have been so published at the date thereof, and to be a public newspaper.

SEC. 10. In all cases under the provisions of this act, the rules of evidence shall be the same as in other civil actions, except as hereinbefore otherwise provided. All fines recovered under the provisions of this act shall be paid into the county treasury of the county in which the suit is tried, by the person collecting the same, in the manner now provided by law, to be used for county purposes. The remedies hereby given shall be regarded as cumulative to the remedies now given by law against railroad corporations, and this act shall not be construed as repealing any statute giving such remedies. Suits commenced under the provisions of this act shall have precedence over all other business, except criminal business.

SEC. 11. The term "railroad corporation,"

contained in this act, shall be deemed and taken to mean all corporations, companies, or individuals now owning or operating, or which may hereafter own or operate any railroad, in whole or in part, in this State; and the provisions of this act shall apply to all persons, firms, and companies, and to all associations of persons, whether incorporated or otherwise, that shall do business as common carriers upon any of the lines of railways in this State (street railways excepted) the same as to railroad corporations thereinbefore mentioned.

SEC. 12. An act entitled "An act to prevent unjust discriminations and extortions in the rates to be charged by the different railroads in this State for the transportation of freight on said roads," approved April 7, A. D. 1871, is hereby repealed, but such repeal shall not affect nor repeal any penalty incurred or right accrued under said act prior to the time this act takes effect, nor any proceedings or prosecutions to enforce such rights or penalties.

Approved May 2, 1873.

S. M. CULLOM,
Speaker House of Representatives.

JOHN EARLY,
President of the Senate.

JOHN L. BEVERIDGE,
Governor.

The same spirit, if not the same organization, led to many petitions to Congress for the regulation of inter-state commerce and freight rates, and to some able reports on the subject. Those which have commanded most attention were by Senator Windom of Minnesota and Representative Reagan of Texas, the latter being the author of a bill which commanded much consideration from Congress in the sessions of 1878–'80, but which has not yet secured favorable action. In lieu of such bill Senator Cameron, of Pennsylvania, introduced a joint resolution for the appointment of a Commission to investigate and report upon the entire question. Final action has not yet been taken, and at this writing interest in the subject seems to have flagged.

The disastrous political action attempted by the Grangers in Illinois and Wisconsin, led to such general condemnation that subsequent attempts were abandoned save in isolated cases, and as a rule the society has passed away. The principle upon which it was based was wholly unsound, and if strictly carried out, would destroy all home improvements and enterprise. Parties and societies based upon a class, and directed or perverted toward political objects, are very happily short-lived in this Republic of ours. If they could thrive, the Republic could not long endure.

Supplementary Civil Rights Bill.

Senator Sumner's Supplementary Civil Rights Bill was passed by the second session of the 43d Congress, though its great author had died the year before—March 11th, 1874. The text of the Act is given in Book V. of this volume, on Existing Political Laws. Its validity was sustained by the U. S. District Courts in their instructions to grand juries. The first conviction under the Act was in Philadelphia, in February, 1876. Rev. Fields Cook, pastor of the Third Baptist colored church of Alexandria, Virginia, was refused sleeping and eating accommodations at the Bingham House, by Upton S. Newcomer, one of its clerks; and upon the trial of the case, in the U. S. District Court, JOHN CADWALADER, Judge, instructed the jury as follows:

The fourteenth amendment of the Constitution of the United States makes all persons born or naturalized in the United States, and subject to the jurisdiction thereof, citizens of the United States, and provides that no State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State * * * deny to any person within its jurisdiction the equal protection of the laws. This amendment expressly gives to Congress the power to enforce it by appropriate legislation. An act of Congress of March 1, 1875, enacts that all persons within the jurisdiction of the United States shall be entitled to the full and equal enjoyment of the accommodations, advantages, facilities and privileges of inns, public conveyances on land or water, theatres and other places of public amusement, subject only to the conditions and limitations established by law, and

applicable alike to citizens of every race and color, and makes it a criminal offense to violate these enactments by denying to any citizen, except for reasons by law applicable to citizens of every race and color, * * * the full enjoyment of any of the accommodations, advantages, facilities or privileges enumerated. As the law of Pennsylvania had stood until the 22d of March, 1867, it was not wrongful for innkeepers or carriers by land or water to discriminate against travelers of the colored race to such an extent as to exclude them from any part of the inns or public conveyances which was set apart for the exclusive accommodation of white travelers. The Legislature of Pennsylvania, by an act of 22d of March, 1867, altered the law in this respect as to passengers on railroads. But the law of the State was not changed as to inns by any act of the State Legislature. Therefore, independently of the amendment of the Constitution of the United States and of the act of Congress now in question, the conduct of the defendant on the occasion in question might, perhaps, have been lawful. It is not necessary to express an opinion upon this point, because the decision of the case depends upon the effect of this act of Congress. I am under opinion that under the Fourteenth Amendment of the Constitution the enactment of this law was within the legislative power of Congress, and that we are bound to give effect to the act of Congress according to its fair meaning. According to this meaning of the act I am of opinion that if this defendant, being in charge of the business of receiving travelers in this inn, and of providing necessary and proper accommodations for them in it, refused such accommodations to the witness Cook, then a traveler, by reason of his color, the defendant is guilty in manner and form as he

stands indicted. If the case depended upon the unsupported testimony of this witness alone, there might be some reason to doubt whether this defendant was the person in charge of this part of the business. But under this head the additional testimony of Mr. Annan seems to be sufficient to remove all reasonable doubt. If the jury are convinced of the defendant's identity, they will consider whether any reasonable doubt of his conduct or motives in refusing the accommodations to Fields Cook can exist. The case appears to the court to be proved; but this question is for the jury, not for the court. If the jury have any reasonable doubt, they should find the defendant not guilty; otherwise they will find him guilty.

The jury brought in a verdict of guilty, March 1, 1876, and the Court imposed a fine of $500.

The Morton Amendment.

In the session of '73, Senator Morton, of Indiana, introduced an amendment to the Constitution providing for the general choice of Presidential Electors by Congressional districts, and delivered several speeches on the subject which attracted much attention at the time. Since then many amendments have been introduced on the subject, and it is a matter for annual discussion. We quote the Morton Amendment as the one most likely to command favorable action:

"*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*,

(two-thirds of each House concurring therein:) That the following article is hereby proposed as an amendment to the Constitution of the United States, and, when ratified by the Legislatures of three-fourths of the several States, shall be valid, to all intents and purposes, as a part of the Constitution, to wit:

"Article —.

"I. The President and Vice-President shall be elected by the direct vote of the people in the manner following: Each State shall be divided into districts, equal in number to the number of Representatives to which the State may be entitled in the Congress, to be composed of contiguous territory, and to be as nearly equal in population as may be; and the person having the highest number of votes in each district for President shall receive the vote of that district, which shall count one presidential vote.

"II. The person having the highest number of votes for President in a State shall receive two presidential votes from the State at large.

"III. The person having the highest number of presidential votes in the United States shall be President.

"IV. If two persons have the same number of votes in any State, it being the highest number, they shall receive each one presidential vote from the State at large; and if more than two persons shall have each the same number of votes in any State, it being the highest number, no presidential vote shall be counted from the State at large. If more persons than one shall have the same number of votes, it being the highest number in any district, no presidential vote

shall be counted from that district.

"V. The foregoing provisions shall apply to the election of Vice-President.

"VI. The Congress shall have power to provide for holding and conducting the elections of President and Vice-President, and to establish tribunals for the decision of such elections as may be contested."

VII. The States shall be divided into districts by the legislatures thereof, but the Congress may at any time by law make or alter the same.

The present mode of election is given in Book V. of this volume.

The Whisky Ring.

During 1875 an extensive Whisky Ring, organized to control revenue legislation and avoidance of revenue taxes, was discovered in the West. It was an association of distillers in collusion with Federal officers, and for a time it succeeded in defrauding the government of the tax on distilled spirits. This form of corruption, after the declaration by President Grant—"let no guilty man escape"—was traced by detectives to the portals of the White House, but even partisan rancor could not connect the President therewith. O. E. Babcock, however, was his private Secretary, and upon him was charged complicity with the fraud. He was tried and acquitted, but had to resign. Several Federal officers were convicted at St. Louis.

Impeachment of Belknap.

Another form of corruption was discovered in 1876, when the House impeached Wm. W. Belknap, the Secretary of War, on the charge of selling an Indian trading establishment. The first and main specification was, that—

On or about the second day of November, eighteen hundred and seventy, said William W. Belknap, while Secretary of War as aforesaid, did receive from Caleb P. Marsh fifteen hundred dollars, in consideration of his having appointed said John S. Evans to maintain a trading establishment at Fort Sill aforesaid, and for continuing him therein.

The following summary of the record shows the result, and that Belknap escaped punishment by a refusal of two-thirds to vote "guilty:"

The examination of witnesses was begun, and continued on various days, till July 26, when the case was closed.

August 1.—The SENATE voted. On the first article, thirty-five voted guilty, and twenty-five not guilty. On the second, third and fourth, Mr. MAXEY made the thirty-sixth who voted guilty. On the fifth, Mr. MORTON made the thirty-seventh who voted guilty. The vote on first was:

VOTING GUILTY—Messrs. *Bayard*, BOOTH, Cameron of Pennsylvania, *Cockrell*, *Cooper*, *Davis*, Dawes, *Dennis*, Edmunds, *Gordon*, Hamilton, Harvey, Hitchcock, *Kelly*, *Kernan*, *Key*, *McCreery*, *McDonald*, *Merrimon*, Mitchell, Morrill of Vermont, *Norwood*, Oglesby, *Randolph*, *Ransom*, Robertson, Sargent, *Saulsbury*, Sherman, *Stevenson*, *Thurman*, Wadleigh, *Wallace*, *Whyte*, *Withers*—35.

VOTING NOT GUILTY—Messrs. Allison, Anthony, Boutwell, Bruce, Cameron of Wisconsin, Christiancy, Conkling, Conover, Cragin, Dorsey, *Eaton*, Ferry of Michigan, Frelinghuysen, Hamlin, Howe, Ingalls, Jones of Nevada, Logan, McMillan, Paddock, Patterson, Spencer, West, Windom, Wright—25.

Mr. JONES of Florida declined to vote. Those "voting not guilty" generally denied jurisdiction, and so voted accordingly. Belknap had resigned and the claim was set up that he was a private citizen.

The White League.

By 1874 the Democrats of the South, who then generally classed themselves as Conservatives, had gained control of all the State governments except those of Louisiana, Florida and South Carolina. In nearly all, the Republican governments had called upon President Grant for military aid in maintaining their positions, but this was declined except in the presence of such outbreak as the proper State authorities could not suppress. In Arkansas, Alabama, Mississippi, and Texas, Grant declined to interfere save to cause the Attorney-General to give legal advice. The condition of all these governments demanded constant attention from the Executive, and his task was most difficult and dangerous. The cry came from the Democratic partisans in the South for home-rule; another came from the negroes that they were constantly disfranchised, intimidated and assaulted by the White League, a body of men organized in the Gulf States for the purpose of

breaking up the "carpet-bag governments." So conflicting were the stories, and so great the fear of a final and destructive war of races, that the Congressional elections in the North were for the first time since the war greatly influenced. The Forty-fourth Congress, which met in December, 1875, had been changed by what was called "the tidal wave," from Republican to Democratic, and M. C. Kerr, of Indiana, was elected Speaker. The Senate remained Republican with a reduced margin.

The troubles in the South, and especially in Louisiana, had been in the year previous and were still of the gravest character. Gen'l Sheridan had been sent to New Orleans and on the 10th of January, 1875, made a report which startled the country as to the doings of the White League. As it still remains a subject for frequent quotation we give its text:

SHERIDAN'S REPORT.

NEW ORLEANS, January 10, 1875.

HON. W. W. BELKNAP, *Secretary of War*.

Since the year 1866, nearly thirty-five hundred persons, a great majority of whom were colored men, have been killed and wounded in this State. In 1868 the official record shows that eighteen hundred and eighty-four were killed and wounded. From 1868 to the present time, no official investigation has been made, and the civil authorities in all but a few cases have been unable to arrest, convict and punish perpetrators. Consequently, there are no correct records to be consulted for information. There is ample evidence, however, to show that more than

twelve hundred persons have been killed and wounded during this time, on account of their political sentiments. Frightful massacres have occurred in the parishes of Bossier, Caddo, Catahoula, Saint Bernard, Saint Landry, Grant and Orleans. The general character of the massacres in the above named parishes is so well known that it is unnecessary to describe them. The isolated cases can best be illustrated by the following instances which I have taken from a mass of evidence now lying before me of men killed on account of their political principles. In Natchitoches Parish, the number of isolated cases reported is thirty-three. In the parish of Bienville, the number of men killed is thirty. In Red River Parish the number of isolated cases of men killed is thirty-four. In Winn Parish the number of isolated cases where men were killed is fifteen. In Jackson Parish the number killed is twenty; and in Catahoula Parish the number of isolated cases reported where men were killed is fifty; and most of the country parishes throughout the State will show a corresponding state of affairs. The following statement will illustrate the character and kind of these outrages. On the 29th of August, 1874, in Red River Parish, six State and parish officers, named Twitchell, Divers, Holland, Howell, Edgerton and Willis, were taken, together with four negroes, under guard, to be carried out of the State, and were deliberately murdered on the 30th of August, 1874. The White League tried, sentenced, and hung two negroes on the 28th of August, 1874. Three negroes were shot and killed at Brownsville, just before the arrival of the United States troops in the parish. Two White Leaguers rode up to a negro cabin and called for a drink of water. When the old colored man turned to draw it, they shot him in the back and

killed him. The courts were all broken up in this district, and the district judge driven out. In the parish of Caddo, prior to the arrival of the United States troops, all of the officers at Shreveport were compelled to abdicate by the White League, which took possession of the place. Among those obliged to abdicate were Walsh, the mayor, Rapers, the sheriff, Wheaton, clerk of the court, Durant, the recorder, and Ferguson and Renfro, administrators. Two colored men, who had given evidence in regard to frauds committed in the parish, were compelled to flee for their lives and reached this city last night, having been smuggled through in a cargo of cotton. In the parish of Bossier the White League have attempted to force the abdication of Judge Baker, the United States Commissioner and parish judge, together with O'Neal, the sheriff, and Walker, the clerk of the court; and they have compelled the parish and district courts to suspend operations. Judge Baker states that the White Leaguers notified him several times that if he became a candidate on the republican ticket, or if he attempted to organize the republican party, he should not live until election.

They also tried to intimidate him through his family by making the same threats to his wife, and when told by him that he was a United States commissioner, they notified him not to attempt to exercise the functions of his office. In but few of the country parishes can it be truly said that the law is properly enforced, and in some of the parishes the judges have not been able to hold court for the past two years. Human life in this State is held so cheaply, that when men are killed on account of political opinions, the murderers are regarded rather as heroes than as criminals, in the localities where

they reside, and by the White League and their supporters. An illustration of the ostracism that prevails in the State may be found in a resolution of a White League club in the parish of De Soto, which states, “That they pledge themselves under (no?) circumstances after the coming election to employ, rent land to, or in any other manner give aid, comfort, or credit, to any man, white or black, who votes against the nominees of the white man’s party.” Safety for individuals who express their opinion in the isolated portion of this State has existed only when that opinion was in favor of the principles and party supported by the Ku-Klux and White League organizations. Only yesterday Judge Myers, the parish judge of the parish of Natchitoches, called on me upon his arrival in this city, and stated that in order to reach here alive, he was obliged to leave his home by stealth, and after nightfall, and make his way to Little Rock, Arkansas, and come to this city by way of Memphis. He further states that while his father was lying at the point of death in the same village, he was unable to visit him for fear of assassination; and yet he is a native of the parish, and proscribed for his political sentiments only. It is more than probable that if bad government has existed in this State it is the result of the armed organizations, which have now crystallized into what is called the White League; instead of bad government developing them, they have by their terrorism prevented to a considerable extent the collection of taxes, the holding of courts, the punishment of criminals, and vitiated public sentiment by familiarizing it with the scenes above described. I am now engaged in compiling evidence for a detailed report upon the above subject, but it will be some time before I can obtain all the requisite

data to cover the cases that have occurred throughout the State. I will also report in due time upon the same subject in the States of Arkansas and Mississippi.

P. H. SHERIDAN,
Lieutenant-General.

President Grant said in a special message to Congress, January 13, 1875:—

"It has been bitterly and persistently alleged that Kellogg was not elected. Whether he was or not is not altogether certain, nor is it any more certain that his competitor, McEnery, was chosen. The election was a gigantic fraud, and there are no reliable returns of its result. Kellogg obtained possession of the office, and in my opinion has more right to it than his competitor.

"On the 20th of February, 1873, the Committee on Privileges and Elections of the Senate made a report, in which they say they were satisfied by testimony that the manipulation of the election machinery by Warmoth and others was equivalent to twenty thousand votes; and they add, to recognize the McEnery government 'would be recognizing a government based upon fraud, in defiance of the wishes and intention of the voters of the State.' Assuming the correctness of the statements in this report, (and they seem to have been generally accepted by the country,) the great crime in Louisiana, about which so much has been said, is, that one is holding the office of governor who was cheated out of twenty thousand votes, against another whose title to the office is undoubtedly based on fraud, and in defiance of the wishes and intentions of the voters of the State.

"Misinformed and misjudging as to the nature and extent of this report, the supporters of McEnery proceeded to displace by force in some counties of the State the appointees of Governor Kellogg; and on the 13th of April, in an effort of that kind, a butchery of citizens was committed at Colfax, which in blood-thirstiness and barbarity is hardly surpassed by any acts of savage warfare.

"To put this matter beyond controversy, I quote from the charge of Judge Woods, of the United States circuit court, to the jury in the case of the United States vs. Cruikshank and others, in New Orleans, in March, 1874. He said:

"'In the case on trial there are many facts not in controversy. I proceed to state some of them in the presence and hearing of counsel on both sides; and if I state as a conceded fact any matter that is disputed, they can correct me.'

"After stating the origin of the difficulty, which grew out of an attempt of white persons to drive the parish judge and sheriff, appointees of Kellogg, from office, and their attempted protection by colored persons, which led to some fighting in which quite a number of negroes were killed, the judge states:

"'Most of those who were not killed were taken prisoners. Fifteen or sixteen of the blacks had lifted the boards and taken refuge under the floor of the courthouse. They were all captured. About thirty-seven men were taken prisoners; the number is not definitely fixed. They were kept under guard until dark. They were led out, two by two, and shot. Most of the men were shot to death. A few were wounded, not mortally, and by pretending to be dead were afterward, during the night, able to make their escape. Among them was the Levi Nelson named in

the indictment.

"'The dead bodies of the negroes killed in this affair were left unburied until Tuesday, April 15, when they were buried by a deputy marshal and an officer of the militia from New Orleans. These persons found fifty-nine dead bodies. They showed pistol-shot wounds, the great majority in the head, and most of them in the back of the head. In addition to the fifty-nine dead bodies found, some charred remains of dead bodies were discovered near the courthouse. Six dead bodies were found under a warehouse, all shot in the head but one or two, which were shot in the breast.

"'The only white men injured from the beginning of these troubles to their close were Hadnot and Harris. The courthouse and its contents were entirely consumed.

"'There is no evidence that any one in the crowd of whites bore any lawful warrant for the arrest of any of the blacks. There is no evidence that either Nash or Cazabat, after the affair, ever demanded their offices, to which they had set up claim, but Register continued to act as parish judge, and Shaw as Sheriff.

"'These are facts in this case, as I understand them to be admitted.'

"To hold the people of Louisiana generally responsible for these atrocities would not be just; but it is a lamentable fact that insuperable obstructions were thrown in the way of punishing these murderers, and the so-called conservative papers of the State not only justified the massacre, but denounced as Federal tyranny and despotism the attempt of the United States officers to bring them to justice. Fierce denunciations ring through the country about office-holding and election matters in

Louisiana, while every one of the Colfax miscreants goes unwhipped of justice, and no way can be found in this boasted land of civilization and Christianity to punish the perpetrators of this bloody and monstrous crime.

"Not unlike this was the massacre in August last. Several northern young men of capital and enterprise had started the little and flourishing town of Coushatta. Some of them were republicans and office-holders under Kellogg. They were therefore doomed to death. Six of them were seized and carried away from their homes and murdered in cold blood. No one has been punished; and the conservative press of the State denounced all efforts to that end, and boldly justified the crime."

The House on the 1st of March, 1875, by a strict party vote, 155 Republicans to 86 Democrats, recognized the Kellogg government. The Senate did the same on March 5th, by 33 to 23, also a party vote.

Under the influence of the resolution unanimously adopted by the House of Representatives of the United States, recommending that the House of Representatives of that State seat the persons rightfully entitled thereto from certain districts, the whole subject was, by consent of parties, referred to the Special Committee of the House who examined into Louisiana affairs, viz.: Messrs. George F. Hoar, William A. Wheeler, William P. Frye, Charles Foster, William Walter Phelps, Clarkson N. Potter and Samuel S. Marshall, who, after careful examination, made an award, which was adopted by the Legislature in April, 1875. It is popularly known as the "Wheeler Compromise."

Text of the Wheeler Compromise.

NEW ORLEANS, March, 1875.

Whereas, It is desirable to adjust the difficulties growing out of the general election in this State, in 1872, the action of the Returning Board in declaring and promulgating the results of the general election, in the month of November last, and the organization of the House of Representatives, on the 4th day of January last, such adjustment being deemed necessary to the re-establishment of peace and order in this State.

Now, therefore, the undersigned members of the Conservative party, claiming to have been elected members of the House of Representatives, and that their certificates of election have been illegally withheld by the Returning Board, hereby severally agree to submit their claims to seats in the House of Representatives to the award and arbitrament of George F. Hoar, William A. Wheeler, William P. Frye, Charles Foster, William Walter Phelps, Clarkson N. Potter, and Samuel S. Marshall, who are hereby authorized to examine and determine the same upon the equities of the several cases; and when such awards shall be made, we hereby severally agree to abide by the same:

And such of us as may become members of the House of Representatives, under this arrangement, hereby severally agree to sustain by our influence and votes the joint resolution herein set forth.

[Here follow the signatures of the Democrats who claimed that their certificates of election as members of the House of Representatives had been illegally withheld by the Returning Board.]

And the undersigned claiming to have been elected Senators from the Eighth and Twenty-Second Senatorial Districts, hereby agree to submit their claims to the foregoing award and arbitrament, and in all respects to abide the results of the same.

[Here follow the signatures of the Democrats, who made a like claim as to seats in the Senate.]

And the undersigned, holding certificates of election from the Returning Board, hereby severally agree that upon the coming in of the award of the foregoing arbitrators they will, when the same shall have been ratified by the report of the Committee on Elections and Qualifications of the body in session at the State House claiming to be the House of Representatives, attend the sitting of the said House for the purpose of adopting said report, and if said report shall be adopted, and the members embraced in the foregoing report shall be seated, then the undersigned severally agree that immediately upon the adoption of said report they will vote for the following joint resolution:

[Here follow the signatures of the Democratic members of the House of Representatives in relation to whose seats there was no controversy.]

JOINT RESOLUTION.

Resolved, by the General Assembly of the State of Louisiana, That said Assembly, without approving the same, will not disturb the present State Government claiming to have been elected in 1872, known as the Kellogg Government, or seek to impeach the Governor for any past official acts, and that henceforth it will accord to said Governor all necessary and legitimate support in maintaining the

laws and advancing the peace and prosperity of the people of this State: and that the House of Representatives, as to its members, as constituted under the award of George F. Hoar, W. A. Wheeler, W. P. Frye, Charles Foster, Samuel S. Marshall, Clarkson N. Potter, and William Walter Phelps, shall remain without change except by resignation or death of members until a new general election, and that the Senate, as now organized, shall also remain unchanged except so far as that body shall make changes on contests.

TEXT OF THE AWARD.

NEW YORK, March 13, 1875.

The undersigned having been requested to examine the claims of the persons hereinafter named to seats in the Senate and House of Representatives of the State of Louisiana, and having examined the returns and the evidence relating to such claims, are of opinion, and do hereby find, award and determine, that F. S. Goode is entitled to a seat in the Senate from the Twenty-second Senatorial District; and that J. B. Elam is not entitled to a seat in the Senate from the Eighth Senatorial District; and that the following named persons are entitled to seats in the House of Representatives from the following named parishes respectively: From the Parish of Assumption, R. R. Beaseley, E. F. X. Dugas; from the Parish of Bienville, James Brice; from the Parish of De Soto, J. S. Scales, Charles Schuler; from the Parish of Jackson, E. Kidd; from the Parish of Rapides, James Jeffries, R. C. Luckett, G. W. Stafford; from the Parish of Terrebone, Edward McCollum, W. H. Keyes;

from the Parish of Winn, George A. Kelley. And that the following named persons are not entitled to seats which they claim from the following named parishes respectively, but that the persons now holding seats from said parishes are entitled to retain the seats now held by them; from the Parish of Avoyelles, J. O. Quinn; from the Parish of Iberie, W. F. Schwing; from the Parish of Caddo, A. D. Land, T. R. Vaughan, J. J. Horan. We are of opinion that no person is entitled to a seat from the Parish of Grant.

In regard to most of the cases, the undersigned are unanimous; as to the others the decision is that of a majority.

GEORGE F. HOAR,
W. A. WHEELER,
W. P. FRYE,
CHARLES FOSTER,
CLARKSON N. POTTER,
WILLIAM WALTER PHELPS,
SAMUEL S. MARSHALL.

This adjustment and award were accepted and observed, until the election in November, 1876, when a controversy arose as to the result, the Republicans claiming the election of Stephen B. Packard as Governor by about 3,500 majority, and a Republican Legislature; and the Democrats claiming the election of Francis T. Nicholls as Governor, by about 8,000 majority, and a Democratic Legislature. Committees of gentlemen visited New Orleans, by request of President Grant and of various political organizations, to witness the count of the votes by the Returning Board. And in December, 1876, on the meeting of Congress, committees of investigation were appointed by the Senate and by the House of

Representatives. Exciting events were now daily transpiring. On the 1st of January, 1877, the Legislature organized in the State House without exhibitions of violence. The Democrats did not unite in the proceedings, but met in a separate building, and organized a separate Legislature. Telegraphic communication was had between the State House and the Custom House, where was the office of Marshal Pitkin, who with the aid of the United States troops, was ready for any emergency. About noon the Democratic members, accompanied by about 500 persons, called at the State House and demanded admission. The officer on duty replied that the members could enter, but the crowd could not. A formal demand was then made upon General Badger and other officials, by the spokesman, for the removal of the obstructions, barricades, police, etc., which prevented the ingress of members, which being denied, Col. Bush, in behalf of the crowd, read a formal protest, and the Democrats retired. Gov. Kellogg was presented by a committee with a copy of the protest, and he replied, that as chief magistrate and conservator of the peace of the State, believing that there was danger of the organization of the General Assembly being violently interfered with, he had caused a police force to be stationed in the lower portion of the building; that he had no motive but to preserve the peace; that no member or attache of either house will be interfered with in any way, and that no United States troops are stationed in the capitol building. Clerk Trezevant declined to call the House to order unless the policemen were removed. Upon the refusal to do so, he withdrew, when Louis Sauer, a member, called the roll, and 68 members—a full House being 120—answered to their names. Ex-Gov. Hahn was elected Speaker, receiving 53 votes

as against 15 for Ex-Gov. Warmoth.

The Senate was organized by Lieutenant-Governor Antoine with 19 present—a full Senate being 30—eight of whom held over, and 11 were returned by the Board. Gov. Kellogg's message was presented to each House.

The Democrats organized their Legislature in St. Patrick's hall. The Senators were called to order by Senator Ogden. Nineteen Senators, including nine holding over, and four, who were counted out by the board, were present.

The Democratic members of the House were called to order by Clerk Trezevant, and 61 answered to their names. Louis Bush was elected Speaker.

January 3d—Republican Legislature passed a resolution asking for military protection against apprehended Democratic violence, and it was telegraphed to the President.

On Sunday, January 8th, Gov. Kellogg telegraphed to President Grant to the same effect.

January 8th—Stephen B. Packard took the oath of office as Governor, and C. C. Antoine as Lieutenant-Governor, at the State House at 1:30, in the presence of the Legislature.

January 8—Francis T. Nicholls and L. A. Wiltz to-day took the oath of office of Governor and Lieutenant-Governor, respectively, on the balcony of St. Patrick's hall.

By the 11th of January both parties were waiting for the action of the authorities at Washington. Gov. Packard to-day commissioned A. S. Badger Major-General of the State National Guard, and directed him to organize the first division at once. Two members of the Packard Legislature, Mr. Barrett, of Rapides, and Mr. Kennedy, of St. Charles, had

withdrawn from that body and gone over to the Nicholls Legislature.

Messrs. Breux, Barrett, Kennedy, Estopival, Wheeler, and Hamlet, elected as Republicans, under the advice of Pinchback—a defeated Republican candidate for U. S. Senator, left the Packard or Republican, and joined the Nicholls Legislature.

On the 15th, Governor Packard, after receiving a copy of the telegram of the President to General Augur, issued a proclamation aimed at the "organized and armed combination and conspiracy of men now offering unlawful and violent resistance to the lawful authority of the State government."

The Nicholls court issued an order to Sheriff Handy to provide the means for protecting the court from any violence or intrusion on the part of the adherents of "S. B. Packard, a wicked and shameless impostor."

Governor Packard on the 16th, in a letter to Gen. Augur, acknowledges the receipt of a communication from his aide-de-camp asking for assurances from him that the President's wishes concerning the preservation of the present *status* be respected, and says that the request would have been more appropriate if made immediately after his installation as Governor and before many of the main branches of the Government had been forcibly taken possession of by the opposition. He says: "I had scarcely taken the oath of office when the White League were called to arms; the Court room and the records of the Supreme Court of the State were forcibly taken possession of, and various precinct police-stations were captured in like manner by overwhelming forces. Orders had been issued by the Secretary of War early on that day that all

unauthorized armed bodies should desist. A dispatch from yourself of the same date to the Secretary of War, conveyed the assurances that Nicholls had promised the disbandment of his armed forces. * * * It was my understanding, that neither side should be permitted to interfere with the *status* of the other side. Yet the day after this order was received and the pledge given by Nicholls, a force of several hundred armed White Leaguers repaired to the State Arsenal and took therefrom into their own keeping five pieces of artillery, and a garrison of armed men was placed in and around the Supreme Court building. That on the following day, January 11, an armed company of the White League broke into and took possession of the office of the Recorder of Mortgages. * * * In view of all these facts it seemed to me that to give the pledge verbally asked of me this morning would be to sanction revolution, and by acquiescence give it the force of accomplished fact, and I therefore declined."

Many telegrams followed between the Secretary of War, J. Don. Cameron, Gen'l Augur and Mr. Packard, the latter daily complaining of new "outrages by the White League," while the Nicholls government professed to accord rights to all classes, and to obey the instructions from Washington, to faithfully maintain the *status* of affairs until decisive action should be taken by the National government. None was taken, President Grant being unwilling to outline a Southern policy for his successor in office.

Election of Hayes and Wheeler.

The troubles in the South, and the almost general overthrow of the "carpet-bag government," impressed all with the fact that the Presidential election of 1876 would be exceedingly close and exciting, and the result confirmed this belief. The Greenbackers were the first to meet in National Convention, at Indianapolis, May 17th. Peter Cooper of New York was nominated for President, and Samuel F. Cary of Ohio, for Vice-President.

The Republican National Convention met at Cincinnati, June 14th, with James G. Blaine recognized as the leading candidate. Grant had been named for a third term, and there was a belief that his name would be presented. Such was the feeling on this question that the House of Congress and a Republican State Convention in Pennsylvania, had passed resolutions declaring that a third term for President would be a violation of the "unwritten law" handed down through the examples of Washington, and Jackson. His name, however, was not then presented. The "unit rule" at this Convention was for the first time resisted, and by the friends of Blaine, with a view to release from instructions of State Conventions some of his friends. New York had instructed for Conkling, and Pennsylvania for Hartranft. In both of these states some delegates had been chosen by their respective Congressional districts, in advance of any State action, and these elections were as a rule confirmed by the State bodies. Where they were not, there were contests, and the right of district representation was jeopardized if not destroyed by the reinforcement of the unit rule. It was therefore thought to be a question of much importance by the warring interests. Hon. Edw. McPherson was the temporary Chairman of the Convention, and he took the earliest

opportunity presented to decide against the binding force of the unit rule, and to assert the liberty of each delegate to vote as he pleased. The Convention sustained the decision on an appeal.

Ballots of the Cincinnati Republican Convention, 1876:

Ballots,	**1**	**2**	**3**	**4**	**5**	**6**	**7**
Blaine,	285	296	292	293	287	308	351
Conkling,	113	114	121	126	114	111	21
Bristow,	99	93	90	84	82	81	
Morton,	124	120	113	108	95	85	
Hayes,	61	64	67	68	102	113	384
Hartranft,	58	63	68	71	69	50	
Jewell,	11						
Washb'ne,		1	1	3	3	4	
Wheeler,	3	3	2	2	2	2	

Gen. Rutherford B. Hayes, of Ohio, was nominated for President, and Hon. Wm. A. Wheeler, of New York, for Vice-President.

The Democratic National Convention met at St. Louis, June 28th. Great interest was excited by the attitude of John Kelly, the Tammany leader of New York, who was present and opposed with great bitterness the nomination of Tilden. He afterwards bowed to the will of the majority and supported him. Both the unit and the two-thirds rule were observed in this body, as they have long been by the Democratic party. On the second ballot, Hon. Samuel J. Tilden, of New York, had 535 votes to 203 for all others. His leading competitor was Hon. Thomas A. Hendricks, of Indiana, who was nominated for Vice-

President.

The Electoral Count.

The election followed Nov. 7th, 1876, Hayes and Wheeler carrying all of the Northern States except Connecticut, New York, New Jersey and Indiana; Tilden and Hendricks carried all of the Southern States except South Carolina, Florida and Louisiana. The three last named States were claimed by the Democrats, but their members of the Congressional Investigating Committee quieted rival claims as to South Carolina by agreeing that it had fairly chosen the Republican electors. So close was the result that success or failure hinged upon the returns of Florida and Louisiana, and for days and weeks conflicting stories and claims came from these States. The Democrats claimed that they had won on the face of the returns from Louisiana, and that there was no authority to go behind these. The Republicans publicly alleged frauds in nearly all of the Southern States; that the colored vote had been violently suppressed in the Gulf States, but they did not formally dispute the face of the returns in any State save where the returning boards gave them the victory. This doubtful state of affairs induced a number of prominent politicians of both the great parties to visit the State capitals of South Carolina, Florida and Louisiana to witness the count. Some of these were appointed by President Grant; others by the Democratic National Committee, and both sets were at the time called the “visiting statesmen,” a

phrase on which the political changes were rung for months and years thereafter.

The electoral votes of Florida were decided by the returning board to be Republican by a majority of 926,—this after throwing out the votes of several districts where fraudulent returns were alleged to be apparent or shown by testimony. The Board was cited before the State Supreme Court, which ordered a count of the face of the returns; a second meeting only led to a second Republican return, and the Republican electors were then declared to have been chosen by a majority of 206, though before this was done, the Electoral College of the State had met and cast their four votes for Hayes and Wheeler. Both parties agreed very closely in their counts, except as to Baker county, from which the Republicans claimed 41 majority, the Democrats 95 majority—the returning board accepting the Republican claim.

In Louisiana the Packard returning board was headed by J. Madison Wells, and this body refused to permit the Democrats to be represented therein. It was in session three weeks, the excitement all the time being at fever heat, and finally made the following average returns: Republican electors, 74,436; Democratic, 70,505; Republican majority, 3,931. McEnery, who claimed to be Governor, gave the Democratic electors a certificate based on an average vote of 83,635 against 75,759, a Democratic majority of 7,876.

In Oregon, the three Republican electors had an admitted majority of the popular vote, but on a claim that one of the number was a Federal office-holder and therefore ineligible, the Democratic Governor gave a certificate to two of the Republican electors, and a Mr. Cronin, Democrat. The three Republican electors were certified by the Secretary of State, who

was the canvassing officer by law. This Oregon business led to grave suspicions against Mr. Tilden, who was thereafter freely charged by the Republicans with the use of his immense private fortune to control the result, and thereafter, the New York *Tribune*, with unexampled enterprise, exposed and reprinted the "cipher dispatches" from Gramercy, which Mr. Pelton, the nephew and private secretary of Mr. Tilden, had sent to Democratic "visiting statesmen" in the four disputed sections. In 1878, the Potter Investigating Committee subsequently confirmed the "cipher dispatches" but Mr. Tilden denied any knowledge of them.

The second session of the 44th Congress met on Dec. 5th, 1876, and while by that time all knew the dangers of the approaching electoral count, yet neither House would consent to the revision of the joint rule regulating the count. The Republicans claimed that the President of the Senate had the sole authority to open and announce the returns in the presence of the two Houses; the Democrats plainly disputed this right, and claimed that the joint body could control the count under the law. Some Democrats went so far as to say that the House (which was Democratic, with Samuel J. Randall in the Speaker's chair) could for itself decide when the emergency had arrived in which it was to elect a President.

There was grave danger, and it was asserted that the Democrats, fearing the President of the Senate would exercise the power of declaring the result, were preparing first to forcibly and at least with secrecy swear in and inaugurate Tilden. Mr. Watterson, member of the House from Kentucky, boasted that he had completed arrangements to have 100,000 men at Washington on inauguration day, to

see that Tilden was installed. President Grant and Secretary of War Cameron, thought the condition of affairs critical, and both made active though secret preparations to secure the safe if not the peaceful inauguration of Hayes. Grant, in one of his sententious utterances, said he "would have peace if he had to fight for it." To this end he sent for Gov. Hartranft of Pennsylvania, to know if he could stop any attempted movement of New York troops to Washington, as he had information that the purpose was to forcibly install Tilden. Gov. Hartranft replied that he could do it with the National Guard and the Grand Army of the Republic. He was told to return to Harrisburg and prepare for such an emergency. This he did, and as the Legislature was then in session, a Republican caucus was called, and it resolved, without knowing exactly why, to sustain any action of the Governor with the resources of the State. Secretary Cameron also sent for Gen'l Sherman, and for a time went on with comprehensive preparations, which if there had been need for completion, would certainly have put a speedy check upon the madness of any mob. There is a most interesting unwritten history of events then transpiring which no one now living can fully relate without unjustifiable violations of political and personal confidences. But the danger was avoided by the patriotism of prominent members of Congress representing both of the great political parties. These gentlemen held several important and private conferences, and substantially agreed upon a result several days before the exciting struggle which followed the introduction of the Electoral Commission Act. The leaders on the part of the Republicans in these conferences were Conkling, Edmunds, Frelinghuysen; on the part of the Democrats Bayard, Gordon, Randall and Hewitt, the

latter a member of the House and Chairman of the National Democratic Committee.

The Electoral Commission Act, the basis of agreement, was supported by Conkling in a speech of great power, and of all men engaged in this great work he was at the time most suspected by the Republicans, who feared that his admitted dislike to Hayes would cause him to favor a bill which would secure the return of Tilden, and as both of the gentlemen were New Yorkers, there was for several days grave fears of a combination between the two. The result showed the injustice done, and convinced theretofore doubting Republicans that Conkling, even as a partisan, was faithful and far-seeing. The Electoral Commission measure was a Democratic one, if we are to judge from the character of the votes cast for and against it. In the Senate the vote stood 47 for to 17 against. There were 21 Republicans for it and 16 against, while there were also 26 Democrats for it to only 1 (Eaton) against. In the House much the same proportion was maintained, the bill passing that body by 191 to 86. The following is the text of the

ELECTORAL COMMISSION ACT.

An act to provide for and regulate the counting of votes for President and Vice-President, and the decision of questions arising thereon, for the term commencing March fourth, Anno Domini eighteen hundred and seventy-seven.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Senate and House of Representatives shall meet in the hall of the House of

Representatives, at the hour of one o'clock post meridian, on the first Thursday in February, Anno Domini eighteen hundred and seventy-seven; the President of the Senate shall be their presiding officer. Two tellers shall be previously appointed on the part of the Senate, and two on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates, and papers purporting to be certificates, of the electoral votes, which certificates and papers shall be opened, presented and acted upon in the alphabetical order of the States, beginning with the letter A; and said tellers having then read the same in presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates; and the votes having been ascertained and counted as in this act provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, and the names of the persons, if any elected, which announcement shall be deemed a sufficient declaration of the persons elected President and Vice-President of the United States, and, together with a list of the votes, be entered on the journals of the Houses. Upon such reading of any such certificate or paper when there shall only be one return from a State, the President of the Senate shall call for objections, if any. Every objection shall be made in writing, and shall state clearly and concisely, and without argument, the ground thereof, and shall be signed by at least one Senator and one Member of the House of Representatives before the same shall be received. When all objections so made to any vote or paper from a State shall have been received and read, the Senate shall thereupon withdraw, and such

objections shall be submitted to the Senate for its decision; and the Speaker of the House of Representatives shall, in like manner, submit such objections to the House of Representatives for its decision; and no electoral vote or votes from any State from which but one return has been received shall be rejected, except by the affirmative vote of the two Houses. When the two Houses have votes, they shall immediately again meet, and the presiding officer shall then announce the decision of the question submitted.

SEC. 2. That if more than one return, or paper purporting to be a return from a State, shall have been received by the President of the Senate, purporting to be the certificate of electoral votes given at the last preceding election for President and Vice-President in such State (unless they shall be duplicates of the same return), all such returns and papers shall be opened by him in the presence of the two Houses when met as aforesaid, and read by the tellers, and all such returns and papers shall thereupon be submitted to the judgment and decision as to which is the true and lawful electoral vote of such State, of a commission constituted as follows, namely: During the session of each House, on the Tuesday next preceding the first Thursday in February, eighteen hundred and seventy-seven, each House shall, by viva voce vote, appoint five of its members, with the five associate justices of the Supreme Court of the United States to be ascertained as hereinafter provided, shall constitute a commission for the decision of all questions upon or in respect of such double returns named in this section. On the Tuesday next preceding the first Thursday in February, Anno Domini, eighteen hundred and seventy-seven, or as soon thereafter as

may be, the associate justices of the Supreme Court of the United States now assigned to the first, third, eighth, and ninth circuits shall select, in such manner as a majority of them shall deem fit, another of the associate justices of said court, which five persons shall be members of said commission; and the person longest in commission of said five justices shall be the president of said commission. The members of said commission shall respectively take and subscribe the following oath: "I —— do solemnly swear (or affirm, as the case maybe,) that I will impartially examine and consider all questions submitted to the commission of which I am a member, and a true judgment give thereon, agreeably to the Constitution and the laws: so help me God;" which oath shall be filed with the Secretary of the Senate. When the commission shall have been thus organized, it shall not be in the power of either House to dissolve the same, or to withdraw any of its members; but if any such Senator or member shall die or become physically unable to perform the duties required by this act, the fact of such death or physical inability shall be by said commission, before it shall proceed further, communicated to the Senate or House of Representatives, as the case may be, which body shall immediately and without debate proceed by viva voce vote to fill the place so vacated, and the person so appointed shall take and subscribe the oath hereinbefore prescribed, and become a member of said commission; and in like manner, if any of said justices of the Supreme Court shall die or become physically incapable of performing the duties required by this act, the other of said justices, members of the said commission, shall immediately appoint another justice of said court a member of said commission, and in like manner, if any of said

justices of the Supreme Court shall die or become physically incapable of performing the duties required by this act, the other of said justices, members of the said commission, shall immediately appoint another justice of said court a member of said commission, and, in such appointment, regard shall be had to the impartiality and freedom from bias sought by the original appointments to said commission, who shall thereupon immediately take and subscribe the oath hereinbefore prescribed, and become a member of said commission to fill the vacancy so occasioned. All the certificates and papers purporting to be certificates of the electoral votes of each State shall be opened, in the alphabetical order of the States, as provided in section one of this act; and when there shall be more than one such certificate or paper, as the certificates and papers from such State shall so be opened (excepting duplicates of the same return), they shall be read by the tellers, and thereupon the President of the Senate shall call for objections, if any. Every objection shall be made in writing, and shall state clearly and concisely, and without argument, the ground thereof, and shall be signed by at least one Senator and one member of the House of Representatives before the same shall be received. When all such objections so made to any certificate, vote, or paper from a State shall have been received and read, all such certificates, votes and papers so objected to, and all papers accompanying the same, together with such objections, shall be forthwith submitted to said commission, which shall proceed to consider the same, with the same powers, if any, now possessed for that purpose by the two Houses acting separately or together, and, by a majority of votes, decide whether any and what votes from such State are the

votes provided for by the Constitution of the United States, and how many and what persons were duly appointed electors in such State, and may therein take into view such petitions, depositions, and other papers, if any, as shall, by the Constitution and now existing law, be competent and pertinent in such consideration; which decision shall be made in writing, stating briefly the ground thereof, and signed by the members of said commission agreeing therein; whereupon the two Houses shall again meet, and such decision shall be read and entered in the journal of each house, and the counting of the vote shall proceed in conformity therewith, unless, upon objection made thereto in writing by at least five Senators and five members of the House of Representatives, the two Houses shall separately concur in ordering otherwise, in which case such concurrent order shall govern. No votes or papers from any other State shall be acted upon until the objections previously made to the votes or papers from any State shall have been finally disposed of.

SEC. 3. That, while the two Houses shall be in meeting, as provided in this act, no debate shall be allowed and no question shall be put by the presiding officer, except to either House on a motion to withdraw, and he shall have power to preserve order.

SEC. 4. That when the two Houses separate to decide upon an objection that may have been made to the counting of any electoral vote or votes from any State, or upon objection to a report of said commission, or other question arising under this act, each Senator and Representative may speak to such objection or question ten minutes, and not oftener than once; but after such debate shall have lasted two hours, it shall be the duty of each House to put

the main question without further debate.

SEC. 5. That at such joint meeting of the two Houses, seats shall be provided as follows: For the President of the Senate, the Speaker's chair; for the Speaker, immediately upon his left; the Senators in the body of the hall upon the right of the presiding officer; for the Representatives, in the body of the hall not provided for the Senators; for the tellers, Secretary of the Senate, and Clerk of the House of Representatives, at the Clerk's desk; for the other officers of the two Houses, in front of the Clerk's desk and upon each side of the Speaker's platform. Such joint meeting shall not be dissolved until the count of electoral votes shall be completed and the result declared; and no recess shall be taken unless a question shall have arisen in regard to counting any such votes, or otherwise under this act, in which case it shall be competent for either House, acting separately, in the manner hereinbefore provided, to direct a recess of such House not beyond the next day, Sunday excepted, at the hour of ten o'clock in the forenoon. And while any question is being considered by said commission, either House may proceed with its legislative or other business.

SEC. 6. That nothing in this act shall be held to impair or affect any right now existing under the Constitution and laws to question, by proceeding in the judicial courts of the United States, the right or title of the person who shall be declared elected, or who shall claim to be President or Vice-President of the United States, if any such right exists.

SEC. 7. That said commission shall make its own rules, keep a record of its proceedings, and shall have power to employ such persons as may be necessary for the transaction of its business and the execution of its powers.

Approved, January 29, 1877.

Members of the Commission.

Hon. NATHAN CLIFFORD, *Associate Justice Supreme Court, First Circuit.*

Hon. WILLIAM STRONG, *Associate Justice Supreme Court, Third Circuit.*

Hon. SAMUEL F. MILLER, *Associate Justice Supreme Court, Eighth Circuit.*

Hon. STEPHEN J. FIELD, *Associate Justice Supreme Court, Ninth Circuit.*

Hon. JOSEPH P. BRADLEY, *Associate Justice Supreme Court, Fifth Circuit.*

Hon. GEORGE F. EDMUNDS, *United States Senator.*

Hon. OLIVER P. MORTON, *United States Senator.*

Hon. FREDERICK T. FRELINGHUYSEN, *United States Senator.*

Hon. ALLEN G. THURMAN, *United States Senator.*

Hon. THOMAS F. BAYARD, *United States Senator.*

Hon. HENRY B. PAYNE, *United States Representative.*

Hon. EPPA HUNTON, *United States Representative.*

Hon. JOSIAH G. ABBOTT, *United States Representative.*

Hon. JAMES A. GARfiELD, *United States Representative.*

Hon. GEORGE F. HOAR, *United States Representative.*

The Electoral Commission met February 1st, and

by uniform votes of 8 to 7, decided all objections to the Electoral votes of Florida, Louisiana, South Carolina, and Oregon, in favor of the Republicans, and while the two Houses disagreed on nearly all of these points by strict party votes, the electoral votes were, under the provisions of the law, given to Hayes and Wheeler, and the final result declared to be 185 electors for Hayes and Wheeler, to 184 for Tilden and Hendricks. Questions of eligibility had been raised against individual electors from Michigan, Nevada, Pennsylvania, Rhode Island, Vermont and Wisconsin, but the Commission did not sustain any of them, and as a rule they were unsupported by evidence. Thus closed the gravest crisis which ever attended an electoral count in this country, so far as the Nation was concerned; and while for some weeks the better desire to peacefully settle all differences prevailed, in a few weeks partisan bitterness was manifested on the part of a great majority of Northern Democrats, who believed their party had been deprived by a partisan spirit of its rightful President.

The Title of President Hayes.

The uniform vote of 8 to 7 on all important propositions considered by the Electoral Commission, to their minds showed a partisan spirit, the existence of which it was difficult to deny. The action of the Republican “visiting statesmen” in Louisiana, in practically overthrowing the Packard or Republican government there, caused distrust and dissatisfaction

in the minds of the more radical Republicans, who contended with every show of reason that if Hayes carried Louisiana, Packard must also have done so. The only sensible excuse for seating Hayes on the one side and throwing out Governor Packard on the other, was a patriotic desire for peace in the settlement of both Presidential and Southern State issues. This desire was plainly manifested by President Hayes on the day of his inauguration and for two years thereafter. He took early occasion to visit Atlanta, Ga., and while at that point and *en route* there made the most conciliatory speeches, in which he called those who had engaged in the Rebellion, "brothers," "gallant soldiers," etc. These speeches excited much attention. They had little if any effect upon the South, while the more radical Republicans accused the President of "slopping over." They did not allay the hostility of the Democratic party, and did not restore the feeling in the South to a condition better than that which it had shown during the exciting days of the Electoral count. The South then, under the lead of men like Stephens, Hill and Gordon, in the main showed every desire for a peaceful settlement. As a rule only the Border States and Northern Democrats manifested extreme distrust and bitterness, and these were plainly told by some of the leaders from the Gulf States, that so far as they were concerned, they had had enough of civil war.

As late as April 22, 1877, the Maryland Legislature passed the following:

Resolved by the General Assembly of Maryland, That the Attorney-General of the State be, and he is hereby, instructed, in case Congress shall provide for expediting the action, to exhibit a bill in the Supreme Court of the United States, on behalf of the State of

Maryland, with proper parties thereto, setting forth the fact that due effect has not been given to the electoral vote cast by this State on the 6th day of December, 1876, by reason of fraudulent returns made from other States and allowed to be counted provisionally by the Electoral Commission, and subject to judicial revision, and praying said court to make the revision contemplated by the act establishing said commission; and upon such revision to declare the returns from the States of Louisiana and Florida, which were counted for Rutherford B. Hayes and William A. Wheeler, fraudulent and void, and that the legal electoral votes of said States were cast for Samuel J. Tilden as President, and Thomas A. Hendricks as Vice-President, and that by virtue thereof and of 184 votes cast by other States, of which 8 were cast by the State of Maryland, the said Tilden and Hendricks were duly elected, and praying said Court to decree accordingly.

It was this resolution which induced the Clarkson N. Potter resolution of investigation, a resolution the passage of which was resisted by the Republicans through filibustering for many days, but was finally passed by 146 Democratic votes to 2 Democratic votes (Mills and Morse) against, the Republicans not voting.

The Cipher Despatches.

An amendment offered to the Potter resolution but not accepted, and defeated by the Democratic majority, cited some fair specimens of the cipher

dispatches exposed by the New York *Tribune*. These are matters of historical interest, and convey information as to the methods which politicians will resort to in desperate emergencies. We therefore quote the more pertinent portions.

Resolved, That the select committee to whom this House has committed the investigation of certain matters affecting, as is alleged, the legal title of the President of the United States to the high office which he now holds, be and is hereby instructed in the course of its investigations to fully inquire into all the facts connected with the election in the State of Florida in November, 1876, and especially into the circumstances attending the transmission and receiving of certain telegraphic dispatches sent in said year between Tallahassee in said State and New York City, viz.:

"TALLAHASSEE, *November 9, 1876*.

"A. S. HEWITT, *New York*:

"Comply if possible with my telegram.

"Geo. P. RAREY."

Also the following:

"TALLAHASSEE, *December 1, 1876*.

"W. T. PELTON, *New York*:

"Answer Mac's dispatch immediately, or we will be embarrassed at a critical time.

WILKINSON CALL."

Also the following:

"TALLAHASSEE, *December 4, 1876*.

"W. T. PELTON:

"Things culminating here. Answer Mac's despatch to-day.

W. CALL."

And also the facts connected with all telegraphic dispatches between one John F. Coyle and said Pelton, under the latters real or fictitious name, and with any and all demands for money on or about December 1, 1876, from said Tallahassee, on said Pelton, or said Hewitt, or with any attempt to corrupt or bribe any official of the said State of Florida by any person acting for said Pelton, or in the interest of Samuel J. Tilden as a presidential candidate.

Also to investigate the charges of intimidation at Lake City, in Columbia county, where Joel Niblack and other white men put ropes around the necks of colored men and proposed to hang them, but released them on their promise to join a Democratic club and vote for Samuel J. Tilden.

Also the facts of the election in Jackson county, where the ballot-boxes were kept out of the sight of voters, who voted through openings or holes six feet above the ground, and where many more Republican votes were thus given into the hands of the Democratic inspectors than were counted or returned by them.

Also the facts of the election in Waldo precinct, in Alachua county, where the passengers on an emigrant-train, passing through on the day of election, were allowed to vote.

Also the facts of the election in Manatee county, returning 235 majority for the Tilden electors, where there were no county officers, no registration, no

notice of the election, and where the Republican party, therefore, did not vote.

Also the facts of the election in the third precinct of Key West, giving 342 Democratic majority where the Democratic inspector carried the ballot-box home, and pretended to count the ballots on the next day, outside of the precinct and contrary to law.

Also the facts of the election in Hamilton, where the election officers exercised no control over the ballot-box, but left it in unauthorized hands, that it might be tampered with.

Also the reasons why the Attorney General of the State, Wm. Archer Cocke, as a member of the Canvassing Board, officially advised the board, and himself voted, to exclude the Hamilton county and Key West precinct returns, thereby giving, in any event, over 500 majority to the Republican electoral ticket, and afterwards protested against the result which he had voted for, and whether or not said Cocke was afterward rewarded for such protest by being made a State Judge.

OREGON.

And that said committee is further instructed and directed to investigate into all the facts connected with an alleged attempt to secure one electoral vote in the State of Oregon for Samuel J. Tilden for President of the United States, and Thomas A. Hendricks for Vice-President, by unlawfully setting up the election of E. A. Cronin as one of such presidential electors elected from the State of Oregon on the 7th of November, the candidates for the presidential electors on the two tickets being as follows:

On the Republican ticket: W. C. Odell, J. C. Cartwright, and John W. Watts.

On the Democratic ticket; E. A. Cronin, W. A. Laswell, and Henry Klippel.

The votes received by each candidate, as shown by the official vote as canvassed, declared, and certified to by the Secretary of State under the seal of the State,—the Secretary being under the laws of Oregon sole canvassing officer, as will be shown hereafter,—being as follows:

W. K. Odell received	15,206	votes
John C. Cartwright received	15,214	„
John W. Watts received	15,206	„
E. A. Cronin received	14,157	„
W. A. Laswell received	14,149	„
Henry Klippel received	14,136	„

And by the unlawful attempt to bribe one of said legally elected electors to recognize said Cronin as an elector for President and Vice-President, in order that one of the electoral votes of said State might be cast for said Samuel J. Tilden as President and for Thomas A. Hendricks as Vice-President; and especially to examine and inquire into all the facts relating to the sending of money from New York to some place in said Oregon for the purposes of such bribery, the parties sending and receiving the same, and their relations to and agency for said Tilden, and more particularly to investigate into all the circumstances attending the transmission of the following telegraphic despatches:

"PORTLAND, Oregon, *Nov. 14, 1876*.

"Gov. L. F. GROVER:

"Come down to-morrow if possible.

"W. H. EFFINGER,
"A. NOLTNER,
"C. P. BELLINGER."

"PORTLAND, *November 16, 1876*.

"To Gov. GROVER, *Salem*:

"We want to see you particularly on account of despatches from the East.

"WILLIAM STRONG,
"C. P. BELLINGER,
"S. H. REED,
"W. W. THAYER,
"C. E. BRONAUGH."

Also the following cipher despatch sent from Portland, Oregon, on the 28th day of November, 1876, to New York City:

"PORTLAND, *November 28, 1876*.

"To W. T. PELTON, *No. 15 Gramercy Park, New York*:

"By vizier association innocuous negligence cunning minutely previously readmit doltish to purchase afar act with cunning afar sacristy unweighed afar pointer tigress cattle superannuated syllabus dilatoriness misapprehension contraband Kountz bisulcuous top usher spiniferous answer.

J. H. N. PATRICK.

"I fully endorse this.

"JAMES K. KELLY."

Of which, when the key was discovered, the following was found to be the true intent and meaning:

"PORTLAND, *November 28, 1876*.

"To W. T. PELTON, *No. 15 Gramercy Park, New York*:

"Certificate will be issued to one Democrat. Must purchase a Republican elector to recognize and act with Democrats and secure the vote and prevent trouble. Deposit $10,000 to my credit with Kountz Brothers, Wall Street. Answer.

J. H. N. PATRICK.

"I fully endorse this.

"JAMES K. KELLY."

Also the following:

"NEW YORK, *November 25, 1876*.

"A. BUSH, *Salem*:

"Use all means to prevent certificate. Very important.

C. E. TILTON."

Also the following:

"*December 1, 1876.*

"To Hon. SAM. J. TILDEN, *No. 15 Gramercy Park, New York*:

"I shall decide every point in the case of post-office elector in favor of the highest Democratic elector, and grant certificate accordingly on morning of 6th instant. Confidential.

GOVERNOR."

Also the following:

"SAN FRANCISCO, *December 5*.

"LADD & BUSH, *Salem*:

"Funds from New York will be deposited to your credit here to-morrow when bank opens. I know it. Act accordingly. Answer.

W. C. GRISWOLD."

Also the following, six days before the foregoing:

"NEW YORK, *November 29, 1876*.

"To J. H. N. PATRICK, *Portland, Oregon*:

"Moral hasty sideral vizier gabble cramp by hemistic welcome licentiate muskeete compassion neglectful recoverable hathouse live innovator brackish association dime afar idolator session hemistic mitre."

[No signature.]

Of which the interpretation is as follows:

"NEW YORK, *November 29, 1876*.

"To J. H. N. PATRICK, *Portland, Oregon*:

"No. How soon will Governor decide certificate? If you make obligation contingent on the result in March, it can be done, and slightly if necessary."

[No signature.]

Also the following, one day later:

"PORTLAND, *November 30, 1876*.

"To W. T. PELTON, *No. 15 Gramercy Park, New York*:

"Governor all right without reward. Will issue certificate Tuesday. This is a secret. Republicans threaten if certificate issued to ignore Democratic claims and fill vacancy, and thus defeat action of Governor. One elector must be paid to recognize Democrat to secure majority. Have employed three lawyers, editor of only Republican paper as one lawyer, fee $3,000. Will take $5,000 for Republican elector; must raise money; can't make fee contingent. Sail Saturday. Kelly and Bellinger will act. Communicate with them. Must act promptly."

[No signature].

Also the following:

"SAN FRANCISCO, *December 5, 1876*.

"To KOUNTZE BROS., *No. 12 Wall St., New York*:

"Has my account credit by any funds lately? How much?

"J. H. N. PATRICK."

Also the following:

"NEW YORK, *December 6*.

"J. H. N. PATRICK, *San Francisco*:

"Davis deposited eight thousand dollars December first.

KOUNTZE BROS."

Also the following:

"SAN FRANCISCO, *December 6*.

"To JAMES K. KELLY:

"The eight deposited as directed this morning. Let no technicality prevent winning. Use your discretion."

[No signature.]

And the following:

"NEW YORK, *December 6*.

"HON. JAS. K. KELLY:

"Is your matter certain? There must be no mistake. All depends on you. Place no reliance on any favorable report from three southward. Sonetter. Answer quick."

[No signature.]

Also the following:

"*December 6, 1876.*

"To Col. W. T. PELTON, *15 Gramercy Park, N. Y.*:

"Glory to God! Hold on to the one vote in Oregon! I have one hundred thousand men to back it up!

"CORSE."

And said committee is further directed to inquire into and bring to light, so far as it may be possible, the entire correspondence and conspiracy referred to in the above telegraphic despatches, and to ascertain what were the relations existing between any of the parties sending or receiving said despatches and W. T. Pelton, of New York, and also what relations existed between said W. T. Pelton and Samuel J. Tilden, of New York.

April 15, 1878, Mr. Kimmel introduced a bill, which was never finally acted upon, to provide a mode for trying and determining by the Supreme Court of the United States the title of the President and Vice-President of the United States to take their respective offices when their election to such offices

is denied by one or more of the States of the Union.

The question of the title of President was finally settled June 14, 1878, by the following report of the House Judiciary Committee:

Report of the Judiciary Committee.

June 14—Mr. HARTRIDGE, from the Committee on the Judiciary, made the following report:

The Committee on the Judiciary, to whom were referred the bill (H. R. No. 4315) and the resolutions of the Legislature of the State of Maryland directing judicial proceedings to give effect to the electoral vote of that State in the last election of President and Vice-President of the United States, report back said bill and resolutions with a recommendation that the bill do not pass.

Your committee are of the opinion that Congress has no power, under the Constitution, to confer upon the Supreme Court of the United States the original jurisdiction sought for it by this bill. The only clause of the Constitution which could be plausibly invoked to enable Congress to provide the legal machinery for the litigation proposed, is that which gives the Supreme Court original jurisdiction in “cases” or “controversies” between a State and the citizens of another State. The committee are of the opinion that this expression “cases” and “controversies” was not intended by the framers of the Constitution to embrace an original proceeding by a State in the Supreme Court of the United States to oust any incumbent from a political office filled by the

declaration and decision of the two Houses of Congress clothed with the constitutional power to count the electoral votes and decide as a final tribunal upon the election for President and Vice-President. The Forty-fourth Congress selected a commission to count the votes for President and Vice-President, reserving to itself the right to ratify or reject such count, in the way prescribed in the act creating such commission. By the joint action of the two Houses it ratified the count made by the commission, and thus made it the expression of its own judgment.

All the Departments of the Federal Government, all the State governments in their relations to Federal authority, foreign nations, the people of the United States, all the material interests and industries of the country, have acquiesced in, and acted in accordance with, the pronounced finding of that Congress. In the opinion of this committee, the present Congress has no power to undo the work of its predecessor in counting the electoral vote, or to confer upon any judicial tribunal the right to pass upon and perhaps set aside the action of that predecessor in reference to a purely political question, the decision of which is confided by the Constitution in Congress.

But apart from these fundamental objections to the bill under consideration, there are features and provisions in it which are entirely impracticable. Your committee can find no warrant of authority to summon the chief justices of the supreme courts of the several States to sit at Washington as a jury to try any case, however grave and weighty may be its nature. The right to summon must carry with it the power to enforce obedience to the mandate, and the Committee can see no means by which the judicial officers of a State can be compelled to assume the

functions of jurors in the Supreme Court of the United States.

There are other objections to the practical working of the bill under consideration, to which we do not think it necessary to refer.

It may be true that the State of Maryland has been, in the late election for President and Vice-President deprived of her just and full weight in deciding who were legally chosen, by reason of frauds perpetrated by returning boards in some of the States. It may also be true that these fraudulent acts were countenanced or encouraged or participated in by some who now enjoy high offices as the fruit of such frauds. It is due to the present generation of the people of this country and their posterity, and to the principles on which our Government is founded, that all evidence tending to establish the fact of such fraudulent practices should be calmly, carefully, and rigorously examined.

But your committee are of the opinion that the consequence of such examination, if it discloses guilt upon the part of any in high official position, should not be an effort to set aside the judgment of a former Congress as to the election of a President and Vice-President, but should be confined to the punishment, by legal and constitutional means, of the offenders, and to the preservation and perpetuation of the evidences of their guilt, so that the American people may be protected from a recurrence of the crime.

Your committee, therefore, recommend the adoption of the accompanying resolution:

Resolved, That the two Houses of the Forty-fourth Congress having counted the votes cast for President and Vice-President of the United States, and having declared Rutherford B. Hayes to be elected President,

and William A. Wheeler to be elected Vice-President, there is no power in any subsequent Congress to reverse that declaration, nor can any such power be exercised by the courts of the United States, or any other tribunal that Congress can create under the Constitution.

We agree to the foregoing report so far as it states the reasons for the resolution adopted by the committee, but dissent from the concluding portion, as not having reference to such reasons, as not pertinent to the inquiry before us, and as giving an implied sanction to the propriety of the pending investigation ordered by a majority vote of the House of Representatives, to which we were and are opposed.

WM. P. FRYE.
O. D. CONGER.
E. G. LAPHAM.

Leave was given to Mr. KNOTT to present his individual views, also to Mr. BUTLER (the full committee consisting of Messrs. *Knott*, *Lynde*, *Harris*, of Virginia, *Hartridge*, *Stenger*, *McMahon*, *Culberson*, Frye, Butler, Conger, Lapham.)

The question being on the resolution reported by the committee, it was agreed to—yeas 235, nays 14, not voting 42.

The Hayes Administration.

It can be truthfully said that from the very beginning the administration of President Hayes had not the cordial support of the Republican party, nor was it solidly opposed by the Democrats, as was the last administration of General Grant. His early withdrawal of the troops from the Southern States,—and it was this withdrawal and the suggestion of it from the "visiting statesmen" which overthrew the Packard government in Louisiana,—embittered the hostility of many radical Republicans. Senator Conkling was conspicuous in his opposition, as was Logan of Illinois; and when he reached Washington, the younger Senator Cameron, of Pennsylvania. It was during this administration, and because of its conservative tendencies, that these three leaders formed the purpose to bring Grant again to the Presidency. Yet the Hayes administration was not always conservative, and many Republicans believed that its moderation had afforded a much needed breathing spell to the country. Toward its close all became better satisfied, the radical portion by the President's later efforts to prevent the intimidation of negro voters in the South, a form of intimidation which was now accomplished by means of rifle clubs, still another advance from the White League and the Ku Klux. He made this a leading feature in his annual message to the Congress which began December 2d, 1878, and by a virtual abandonment of his earlier policy he succeeded in reuniting what were then fast separating wings of his own party. The conference report on the Legislative Appropriation Bill was adopted by both Houses June 18th, and approved the 21st. The Judicial Expenses Bill was vetoed by the President June 23d, on the ground that it would deprive him of the means of executing the election laws. An attempt on the part

of the Democrats to pass the Bill over the veto failed for want of a two-thirds vote, the Republicans voting solidly against it. June 26th the vetoed bill was divided, the second division still forbidding the pay of deputy marshals at elections. This was again vetoed, and the President sent a special message urging the necessity of an appropriation to pay United States marshals. Bills were accordingly introduced, but were defeated. This failure to appropriate moneys called for continued until the end of the session. The President was compelled, therefore, to call an extra session, which he did March 19th, 1879, in words which briefly explain the cause:—

THE EXTRA SESSION OF 1879.

"The failure of the last Congress to make the requisite appropriation for legislative and judicial purposes, for the expenses of the several executive departments of the Government, and for the support of the Army, has made it necessary to call a special session of the Forty-sixth Congress.

"The estimates of the appropriations needed, which were sent to Congress by the Secretary of the Treasury at the opening of the last session, are renewed, and are herewith transmitted to both the Senate and the House of Representatives.

"Regretting the existence of the emergency which requires a special session of Congress at a time when it is the general judgment of the country that the public welfare will be best promoted by permanency in our legislation, and by peace and rest, I commend these few necessary measures to your considerate attention."

By this time both Houses were Democratic. In the Senate there were 42 Democrats, 33 Republicans and 1 Independent (David Davis). In the House 149 Democrats, 130 Republicans, and 14 Nationals—a name then assumed by the Greenbackers and Labor-Reformers. The House passed the Warner Silver Bill, providing for the unlimited coinage of silver, the Senate Finance Committee refused to report it, the Chairman, Senator Bayard, having refused to report it, and even after a request to do so from the Democratic caucus,—a course of action which heralded him every where as a "hard-money" Democrat.

The main business of the extra session was devoted to the consideration of the Appropriation Bills which the regular session had failed to pass. On all of these the Democrats added "riders" for the purpose of destroying Federal supervision of the elections, and all of these political riders were vetoed by President Hayes. The discussions of the several measures and the vetoes were highly exciting, and this excitement cemented afresh the Republicans, and caused all of them to act in accord with the administration. The Democrats were equally solid, while the Nationals divided—Forsythe, Gillette, Kelley, Weaver, and Yocum generally voting with the Republicans; De La Matyr, Stevenson, Ladd and Wright with the Democrats.

President Hayes, in his veto of the Army Appropriation Bill, said:

"I have maturely considered the important questions presented by the bill entitled 'An Act making appropriations for the support of the Army for the fiscal year ending June 30, 1880, and for other purposes,' and I now return it to the House of Representatives, in which it originated, with my

objections to its approval.

"The bill provides, in the usual form, for the appropriations required for the support of the Army during the next fiscal year. If it contained no other provisions, it would receive my prompt approval. It includes, however, further legislation, which, attached as it is to appropriations which are requisite for the efficient performance of some of the most necessary duties of the Government, involves questions of the gravest character. The sixth section of the bill is amendatory of the statute now in force in regard to the authority of persons in the civil, military and naval service of the United States 'at the place where any general or special election is held in any State.' This statute was adopted February 25, 1865, after a protracted debate in the Senate, and almost without opposition in the House of Representatives, by the concurrent votes of both of the leading political parties of the country, and became a law by the approval of President Lincoln. It was re-enacted in 1874 in the Revised Statutes of the United States, sections 2002 and 5528.

"Upon the assembling of this Congress, in pursuance of a call for an extra session, which was made necessary by the failure of the Forty-fifth Congress to make the needful appropriations for the support of the Government, the question was presented whether the attempt made in the last Congress to engraft, by construction, a new principle upon the Constitution should be persisted in or not. This Congress has ample opportunity and time to pass the appropriation bills, and also to enact any political measures which may be determined upon in separate bills by the usual and orderly methods of proceeding. But the majority of both Houses have

deemed it wise to adhere to the principles asserted and maintained in the last Congress by the majority of the House of Representatives. That principle is that the House of Representatives has the sole right to originate bills for raising revenue, and therefore has the right to withhold appropriations upon which the existence of the Government may depend, unless the Senate and the President shall give their assent to any legislation which the House may see fit to attach to appropriation bills. To establish this principle is to make a radical, dangerous, and unconstitutional change in the character of our institutions. The various Departments of the Government, and the Army and Navy, are established by the Constitution, or by laws passed in pursuance thereof. Their duties are clearly defined, and their support is carefully provided for by law. The money required for this purpose has been collected from the people, and is now in the Treasury, ready to be paid out as soon as the appropriation bills are passed. Whether appropriations are made or not, the collection of the taxes will go on. The public money will accumulate in the Treasury. It was not the intention of the framers of the Constitution that any single branch of the Government should have the power to dictate conditions upon which this treasure should be applied to the purpose for which it was collected. Any such intention, if it had been entertained, would have been plainly expressed in the Constitution."

The vote in the House on this Bill, notwithstanding the veto, was 148 for to 122 against—a party vote, save the division of the Nationals, previously given. Not receiving a two-thirds vote, the Bill failed.

The other appropriation bills with political riders shared the same fate, as did the bill to prohibit military interference at elections, the modification of

the law touching supervisors and marshals at congressional elections, etc. The debates on these measures were bitterly partisan in their character, as a few quotations from the Congressional *Record* will show:

The Republican view was succinctly and very eloquently stated by General Garfield, when, in his speech of the 29th of March, 1879, he said to the revolutionary Democratic House:

"The last act of Democratic domination in this Capitol, eighteen years ago, was striking and dramatic, perhaps heroic. Then the Democratic party said to the Republicans, 'If you elect the man of your choice as President of the United States we will shoot your Government to death;' and the people of this country, refusing to be coerced by threats or violence, voted as they pleased, and lawfully elected Abraham Lincoln President of the United States.

"Then your leaders, though holding a majority in the other branch of Congress, were heroic enough to withdraw from their seats and fling down the gage of mortal battle. We called it rebellion; but we recognized it as courageous and manly to avow your purpose, take all the risks, and fight it out on the open field. Notwithstanding your utmost efforts to destroy it, the Government was saved. Year by year since the war ended, those who resisted you have come to believe that you have finally renounced your purpose to destroy, and are willing to maintain the Government. In that belief you have been permitted to return to power in the two Houses.

"To-day, after eighteen years of defeat, the book of your domination is again opened, and your first act awakens every unhappy memory and threatens to destroy the confidence which your professions of

patriotism inspired. You turned down a leaf of the history that recorded your last act of power in 1861, and you have now signalized your return to power by beginning a second chapter at the same page; not this time by a heroic act that declares war on the battle-field, but you say if all the legislative powers of the Government do not consent to let you tear certain laws out of the statute book, you will not shoot our Government to death as you tried to do in the first chapter; but you declare that if we do not consent against our will, if you cannot coerce an independent branch of this Government against its will, to allow you to tear from the statute books some laws put there by the will of the people, you will starve the Government to death. [Great applause on the Republican side.]

"Between death on the field and death by starvation, I do not know that the American people will see any great difference. The end, if successfully reached, would be death in either case. Gentlemen, you have it in your power to kill this Government; you have it in your power, by withholding these two bills, to smite the nerve-centres of our Constitution with the paralysis of death; and you have declared your purpose to do this, if you cannot break down that fundamental element of free consent which up to this hour has always ruled in the legislation of this Government."

The Democratic view was ably given by Representative Tucker of Virginia, April 3, 1879: "I tell you, gentlemen of the House of Representatives, *the Army dies on the 30th day of June, unless we resuscitate it by legislation*. And what is the question here on this bill? Will you resuscitate the Army after the 30th of June, with the power to use it as keepers of the polls? That is the question. It is not a question

of repeal. It is a question of re-enactment. If you do not appropriate this money, there will be no Army after the 30th of June to be used at the polls. The only way to secure an Army at the polls is to appropriate the money. *Will you appropriate the money for the Army in order that they may be used at the polls? We say no, a thousand times no.* * * * The gentlemen on the other side say there must be no coercion. Of whom? Of the President? But what right has the President to coerce us? There may be coercion one way or the other. He demands an unconditional supply. *We say we will give him no supply but upon conditions.* * * * When, therefore, vicious laws have fastened themselves upon the statute book which imperil the liberty of the people, this House is bound to say it will appropriate no money to give effect to such laws until and except upon condition that they are repealed. [Applause on the Democratic side.] * * * We will give him the Army on a single condition that it shall never be used or be present at the polls when an election is held for members of this House, or in any presidential election, or in any State or municipal election. * * * Clothed thus with unquestioned power, bound by clear duty, to expunge these vicious laws from the statute book, following a constitutional method sanctioned by venerable precedents in English history, we feel that we have the undoubted right, and are beyond cavil in the right, in declaring that with our grant of supply there must be a cessation of these grievances, and we make these appropriations conditioned on securing a free ballot and fair juries for our citizens."

The Senate, July 1, passed the House bill placing quinine on the free list.

The extra session finally passed the Appropriation

bills without riders, and adjourned July 1st, 1879, with the Republican party far more firmly united than at the beginning of the Hayes administration. The attempt on the part of the Democrats to pass these political riders, and their threat, in the words of Garfield, who had then succeeded Stevens and Blaine as the Republican Commoner of the House, reawakened all the partisan animosities which the administration of President Hayes had up to that time allayed. Even the President caught its spirit, and plainly manifested it in his veto messages. It was a losing battle to the Democrats, for they had, with the view not to "starve the government," to abandon their position, and the temporary demoralization which followed bridged over the questions pertaining to the title of President Hayes, overshadowed the claims of Tilden, and caused the North to again look with grave concern on the establishment of Democratic power. If it had not been for this extra session, it is asserted and believed by many, the Republicans could not have so soon gained control of the lower House, which they did in the year following; and that the plan to nominate General Hancock for the Presidency, which originated with Senator Wallace of Pennsylvania, could not have otherwise succeeded if Tilden's cause had not been kept before his party, unclouded by an extra session which was freighted with disaster to the Democratic party.

The Negro Exodus.

During this summer political comment, long after adjournment, was kept active by a great negro exodus from the South to the Northwest, most of the emigrants going to Kansas. The Republicans ascribed this to ill treatment, the Democrats to the operations of railroad agents. The people of Kansas welcomed them, but other States, save Indiana, were slow in their manifestations of hospitality, and the exodus soon ceased for a time. It was renewed in South Carolina in the winter of 1881–82, the design being to remove to Arkansas, but at this writing it attracts comparatively little notice. The Southern journals generally advise more liberal treatment of the blacks in matters of education, labor contracts, etc., while none of the Northern or Western States any longer make efforts to get the benefit of their labor, if indeed they ever did.

Closing Hours of the Hayes Administration.

At the regular session of Congress, which met December 1st, 1879, President Hayes advised Congress against any further legislation in reference to coinage, and favored the retirement of the legal tenders.

The most important political action taken at this session was the passage, for Congress was still Democratic, of a law to prevent the use of the army to keep the peace at the polls. To this was added the Garfield proviso, that it should not be construed to prevent the Constitutional use of the army to

suppress domestic violence in a State—a proviso which in the view of the Republicans rid the bill of material partisan objections, and it was therefore passed and approved. The "political riders" were again added to the Appropriation and Deficiency bills, but were again vetoed and failed in this form to become laws. Upon these questions President Hayes showed much firmness. During the session the Democratic opposition to the General Election Law was greatly tempered, the Supreme Court having made an important decision, which upheld its constitutionality. Like all sessions under the administration of President Hayes and since, nothing was done to provide permanent and safe methods for completing the electoral count. On this question each party seemed to be afraid of the other. The session adjourned June 16th, 1880.

The second session of the 46th Congress began December 1st, 1880. The last annual message of President Hayes recommended the earliest practicable retirement of the legal-tender notes, and the maintenance of the present laws for the accumulation of a sinking fund sufficient to extinguish the public debt within a limited period. The laws against polygamy, he said, should be firmly and effectively executed. In the course of a lengthy discussion of the civil service the President declared that in his opinion "every citizen has an equal right to the honor and profit of entering the public service of his country. The only just ground of discrimination is the measure of character and capacity he has to make that service most useful to the people. Except in cases where, upon just and recognized principles, as upon the theory of pensions, offices and promotions are bestowed as rewards for past services, their bestowal upon any

theory which disregards personal merit is an act of injustice to the citizen, as well as a breach of that trust subject to which the appointing power is held. Considerable space was given in the Message to the condition of the Indians, the President recommending the passage of a law enabling the government to give Indians a title-fee, inalienable for twenty-five years, to the farm lands assigned to them by allotment. He also repeats the recommendation made in a former message that a law be passed admitting the Indians who can give satisfactory proof of having by their own labor supported their families for a number of years, and who are willing to detach themselves from their tribal relations, to the benefit of the Homestead Act, and authorizing the government to grant them patents containing the same provision of inalienability for a certain period.

The Senate, on the 19th, appointed a committee of five to investigate the causes of the recent negro exodus from the South. On the same day a committee was appointed by the House to examine into the subject of an inter-oceanic ship-canal.

The payment of the award of the Halifax Fisheries Commission—$5,500,000—to the British government was made by the American minister in London, November 23, 1879, accompanied by a communication protesting against the payment being understood as an acquiescence in the result of the Commission “as furnishing any just measure of the value of a participation by our citizens in the inshore fisheries of the British Provinces.”

On the 17th of December 1879, gold was sold in New York at par. It was first sold at a premium January 13, 1862. It reached its highest rate, $2.85, July 11, 1864.

The electoral vote was counted without any partisan excitement or disagreement. Georgia's electoral college had met on the second instead of the first Wednesday of December, as required by the Federal law. She actually voted under her old Confederate law, but as it could not change the result, both parties agreed to the count of the vote of Georgia "in the alternative," *i. e.*—"if the votes of Georgia were counted the number of votes for A and B. for President and Vice-President would be so many, and if the votes of Georgia were not counted, the number of votes for A and B. for President and Vice-President would be so many, and that in either case A and B are elected."

Among the bills not disposed of by this session were the electoral count joint rule; the funding bill; the Irish relief bill; the Chinese indemnity bill; to restrict Chinese immigration; to amend the Constitution as to the election of President; to regulate the pay and number of supervisors of election and special deputy marshals; to abrogate the Clayton-Bulwer Treaty; to prohibit military interference at elections; to define the terms of office of the Chief Supervisors of elections; for the appointment of a tariff commission; the political assessment bill; the Kellogg-Spofford case; and the Fitz-John Porter bill.

The regular appropriation bills were all completed. The total amount appropriated was about $186,000,000. Among the special sums voted were $30,000 for the centennial celebration of the Yorktown victory, and $100,000 for a monument to commemorate the same.

Congress adjourned March 3d, 1881, and President Hayes on the following day retired from office. The effect of his administration was, in a political sense,

to strengthen a growing independent sentiment in the ranks of the Republicans—an element more conservative generally in its views than those represented by Conkling and Blaine. This sentiment began with Bristow, who while in the cabinet made a show of seeking out and punishing all corruptions in government office or service. On this platform and record he had contested with Hayes the honors of the Presidential nominations, and while the latter was at the time believed to well represent the same views, they were not urgently pressed during his administration. Indeed, without the knowledge of Hayes, what is believed to be a most gigantic "steal," and which is now being prosecuted under the name of the Star Route cases, had its birth, and thrived so well that no important discovery was made until the incoming of the Garfield administration. The Hayes administration, it is now fashionable to say, made little impress for good or evil upon the country, but impartial historians will give it the credit of softening party asperities and aiding very materially in the restoration of better feeling between the North and South. Its conservatism, always manifested save on extraordinary occasions, did that much good at least.

The Campaign of 1880.

The Republican National Convention met June 5th, 1880, at Chicago, in the Exposition building, capable of seating 20,000 people. The excitement in the ranks of the Republicans was very high, because

of the candidacy of General Grant for what was popularly called a “third term,” though not a third consecutive term. His three powerful Senatorial friends, in the face of bitter protests, had secured the instructions of their respective State Conventions for Grant. Conkling had done this in New York, Cameron in Pennsylvania, Logan in Illinois, but in each of the three States the opposition was so impressive that no serious attempts were made to substitute other delegates for those which had previously been selected by their Congressional districts. As a result there was a large minority in the delegations of these States opposed to the nomination of General Grant, and the votes of them could only be controlled by the enforcement of the unit rule. Senator Hoar of Massachusetts, the President of the Convention, decided against its enforcement, and as a result all of the delegates were free to vote upon either State or District instructions, or as they chose. The Convention was in session three days. We present herewith the

BALLOTS.

Ballots.	**1**	**2**	**3**	**4**	**5**	**6**
Grant,	304	305	305	305	305	305
Blaine,	284	282	282	281	281	281
Sherman,	93	94	93	95	95	95
Edmunds,	34	32	32	32	32	31
Washburne,	30	32	31	31	31	31
Windom,	10	10	10	10	10	10
Garfield,		1	1	1	2	2
Harrison,		1				

Ballots.	7	8	9	10	11	12
Grant,	305	306	308	305	305	304
Blaine,	281	284	282	282	281	283
Sherman,	94	91	90	91	62	93
Edmunds,	32	31	31	30	31	31
Washburne,	31	32	32	22	32	33
Windom,	10	10	10	10	10	10
Garfield,	1	1	1	2	2	1
Hayes,					1	2
Ballots,	13	14	15	16	17	18
Grant,	305	305	309	306	303	305
Blaine,	285	285	281	283	284	283
Sherman,	89	89	88	88	90	92
Edmunds,	31	31	31	31	31	31
Washburne,	33	35	36	36	34	35
Windom,	10	10	10	10	10	10
Garfield,	1					
Hayes,	1	1				
Davis,					1	
McCrary,	1					
Ballots,	19	20	21	22	23	24
Grant,	305	308	305	305	304	305
Blaine,	279	276	276	275	274	279
Sherman,	95	93	96	95	98	93
Edmunds,	31	31	31	31	31	31
Washburne,	31	35	35	35	36	35
Windom,	10	10	10	10	10	10
Garfield,	1	1	1	1	2	2
Hartranft,	1	1	1	1		
Ballots,	25	26	27			

Grant,	302	303	306
Blaine,	281	280	277
Sherman,	94	93	93
Edmunds,	31	31	31
Washburne,	36	35	36
Windom,	10	10	10
Garfield,	2	2	2

There was little change from the 27th ballot until the 36th and final one, which resulted as follows:

Whole number of votes	755
Necessary to a choice	378
Grant	306
Blaine	42
Sherman	3
Washburne	5
Garfield	399

As shown, General James A. Garfield, of Ohio, was nominated on the 36th ballot, the forces of General Grant alone remaining solid. The result was due to a sudden union of the forces of Blaine and Sherman, it is believed with the full consent of both, for both employed the same wire leading from the same room in Washington in telegraphing to their friends at Chicago. The object was to defeat Grant. After Garfield's nomination there was a temporary adjournment, during which the friends of the nominee consulted Conkling and his leading friends, and the result was the selection of General Chester A. Arthur of New York, for Vice-President. The object of this selection was to carry New York, the great State

which was then almost universally believed to hold the key to the Presidential position.

The Democratic National Convention met at Cincinnati, June 22d. Tilden had up to the holding of the Pennsylvania State Convention been one of the most prominent candidates. In this Convention there was a bitter struggle between the Wallace and Randall factions, the former favoring Hancock, the latter Tilden. Wallace, after a contest far sharper than he expected, won, and bound the delegation by the unit rule. When the National Convention met, John Kelly, the Tammany leader of New York, was again there, as at St. Louis four years before, to oppose Tilden, but the latter sent a letter disclaiming that he was a candidate, and yet really inviting a nomination on the issue of "the fraudulent counting in of Hayes." There were but two ballots, as follows:

FIRST BALLOT.

Hancock	171
Bayard	153½
Payne	81
Thurman	63½
Field	66
Morrison	62
Hendricks	46½
Tilden	38
Ewing	10
Seymour	8
Randall	6
Loveland	5
McDonald	3

McClellan	3
English	1
Jewett	1
Black	1
Lothrop	1
Parker	1

SECOND BALLOT.

Hancock	705
Tilden	1
Bayard	2
Hendricks	30

Thus General Winfield S. Hancock, of New York, was nominated on the second ballot. Wm. H. English, of Indiana, was nominated for Vice-President.

The National Greenback-Labor Convention, held at Chicago, June 11, nominated General J. B. Weaver, of Iowa, for President, and General E. J. Chambers, of Texas, for Vice-President.

In the canvass which followed, the Republicans were aided by such orators as Conkling, Blaine, Grant, Logan, Curtis, Boutwell, while the Camerons, father and son, visited the October States of Ohio and Indiana, as it was believed that these would determine the result, Maine having in September very unexpectedly defeated the Republican State ticket by a small majority. The Democrats were aided by Bayard, Voorhees, Randall, Wallace, Hill, Hampton, Lamar, and hosts of their best orators. Every issue was recalled, but for the first time in the

history of the Republicans of the West, they accepted the tariff issue, and made open war on Watterson's plank in the Democratic platform—"a tariff for revenue only." Iowa, Ohio, and Indiana, all elected the Republican State tickets with good margins; West Virginia went Democratic, but the result was, notwithstanding this, reasonably assured to the Republicans. The Democrats, however, feeling the strong personal popularity of their leading candidate, persisted with high courage to the end. In November all of the Southern States, with New Jersey, California,[36] and Nevada in the North, went Democratic; all of the others Republican. The Greenbackers held only a balance of power, which they could not exercise, in California, Indiana, and New Jersey. The electoral vote of Garfield and Arthur was 214, that of Hancock and English 155. The popular vote was Republican, 4,442,950; Democratic, 4,442,035; Greenback or National, 306,867; scattering, 12,576. The Congressional elections in the same canvass gave the Republicans 147 members; the Democrats, 136; Greenbackers, 9; Independents, 1.

Fifteen States elected Governors, nine of them Republicans and six Democrats.

General Garfield, November 10, sent to Governor Foster, of Ohio, his resignation as a Senator, and John Sherman, the Secretary of the Treasury, was in the winter following elected as his successor.

The third session of the Forty-sixth Congress was begun December 6. The President's Message was read in both Houses. Among its recommendations to Congress were the following: To create the office of Captain-General of the Army for General Grant; to defend the inviolability of the constitutional amendments; to promote free popular education by

grants of public lands and appropriations from the United States Treasury; to appropriate $25,000 annually for the expenses of a Commission to be appointed by the President to devise a just, uniform, and efficient system of competitive examinations, and to supervise the application of the same throughout the entire civil service of the government; to pass a law defining the relations of Congressmen to appointments to office, so as to end Congressional encroachment upon the appointing power; to repeal the Tenure-of-office Act, and pass a law protecting office-holders in resistance to political assessments; to abolish the present system of executive and judicial government in Utah, and substitute for it a government by a commission to be appointed by the President and confirmed by the Senate, or, in case the present government is continued, to withhold from all who practice polygamy the right to vote, hold office, and sit on juries; to repeal the act authorizing the coinage of the silver dollar of 412½ grains, and to authorize the coinage of a new silver dollar equal in value as bullion with the gold dollar; to take favorable action on the bill providing for the allotment of lands on the different reservations.

Two treaties between this country and China were signed at Pekin, November 17, 1881, one of commerce, and the other securing to the United States the control and regulation of the Chinese immigration.

President Hayes, February 1, 1881, sent a message to Congress sustaining in the main the findings of the Ponca Indian Commission, and approving its recommendation that they remain on their reservation in Indian Territory. The President suggested that the general Indian policy for the

future should embrace the following ideas: First, the Indians should be prepared for citizenship by giving to their young of both sexes that industrial and general education which is requisite to enable them to be self-supporting and capable of self-protection in civilized communities; second, lands should be allotted to the Indians in severalty, inalienable for a certain period; third, the Indians should have a fair compensation for their lands not required for individual allotments, the amount to be invested, with suitable safeguards, for their benefit; fourth, with these prerequisites secured, the Indians should be made citizens, and invested with the rights and charged with the responsibilities of citizenship.

The Senate, February 4, passed Mr. Morgan's concurrent resolution declaring that the President of the Senate is not invested by the Constitution of the United States with the right to count the votes of electors for President and Vice-President of the United States, so as to determine what votes shall be received and counted, or what votes shall be rejected. An amendment was added declaring in effect that it is the duty of Congress to pass a law at once providing for the orderly counting of the electoral vote. The House concurred February 5, but no action by bill or otherwise has since been taken.

Senator Pendleton, of Ohio, December 15, 1881, introduced a bill to regulate the civil service and to promote the efficiency thereof, and also a bill to prohibit Federal officers, claimants, and contractors from making or receiving assessments or contributions for political purposes.

The Burnside Educational Bill passed the Senate December 17, 1881. It provides that the proceeds of the sale of public land and the earnings of the Patent Office shall be funded at four per cent., and the

interest divided among the States in proportion to their illiteracy. An amendment by Senator Morgan provides for the instruction of women in the State agricultural colleges in such branches of technical and industrial education as are suited to their sex. No action has yet been taken by the House.

On the 9th of February the electoral votes were counted by the Vice-President in the presence of both Houses, and Garfield and Arthur were declared elected President and Vice-President of the United States. There was no trouble as to the count, and the result previously stated was formally announced.

The Three Per Cent. Funding Bill.

The 3 per cent. Funding Bill passed the House March 2, and was on the following day vetoed by President Hayes on the ground that it dealt unjustly with the National Banks in compelling them to accept and employ this security for their circulation in lieu of the old bonds. This feature of the bill caused several of the Banks to surrender their circulation, conduct which for a time excited strong political prejudices. The Republicans in Congress as a rule contended that the debt could not be surely funded at 3 per cent.; that 3½ was a safer figure, and to go below this might render the bill of no effect. The same views were entertained by President Hayes and Secretary Sherman. The Democrats insisted on 3 per cent., until the veto, when the general desire to fund at more favorable rates broke party lines, and a 3½ per cent. funding bill was passed, with the

feature objectionable to the National Banks omitted.

The Republicans were mistaken in their view, as the result proved. The loan was floated so easily, that in the session of 1882 Secretary Sherman, now a Senator, himself introduced a 3 per cent. bill, which passed the Senate Feb. 2d, 1882, in this shape:—

Be it enacted, &c. That the Secretary of the Treasury is hereby authorized to receive at the Treasury and at the office of any Assistant Treasurer of the United States and at any postal money order office, lawful money of the United States to the amount of fifty dollars or any multiple of that sum or any bonds of the United States, bearing three and a half per cent, interest, which are hereby declared valid, and to issue in exchange therefore an equal amount of registered or coupon bonds of the United States, of the denomination of fifty, one hundred, five hundred, one thousand and ten thousand dollars, of such form as he may prescribe, bearing interest at the rate three per centum per annum, payable either quarterly or semi-annually, at the Treasury of the United States. Such bonds shall be exempt from all taxation by or under state authority, and be payable at the pleasure of the United States. "Provided, That the bonds herein authorized shall not be called in and paid so long as any bonds of the United States heretofore issued bearing a higher rate of interest than three per centum, and which shall be redeemable at the pleasure of the United States, shall be outstanding and uncalled. The last of the said bonds originally issued and their substitutes under this act shall be first called in and this order of payment shall be followed until all shall have been paid."

The money deposited under this act shall be promptly applied solely to the redemption of the bonds of the United States bearing three and a half per centum interest, and the aggregate amount of deposits made and bonds issued under this act shall not exceed the sum of two hundred million dollars. The amount of lawful money so received on deposit, as aforesaid, shall not exceed, at any time, the sum of twenty-five million dollars. Before any deposits are received at any postal money office under this act, the postmaster at such office shall file with the Secretary of the Treasury his bond, with satisfactory security, conditioned that he will promptly transmit to the Treasury of the United States the money received by him in conformity with regulations to be prescribed by such secretary; and the deposit with any postmaster shall not at any time, exceed the amount of his bond.

SECTION 2. Any national banking association now organized or hereafter organized desiring to withdraw its circulating notes upon a deposit of lawful money with the Treasury or the United States as provided in section 4 of the Act of June 20, 1874, entitled "An act fixing the amount of United States notes providing for a redistribution of National bank currency and for other purposes," shall be required to give thirty days' notice to the Controller of the Currency of its intention to deposit lawful money and withdraw its circulating notes; provided that not more than five million of dollars of lawful money shall be deposited during any calendar month for this purpose; and provided further, that the provisions of this section shall not apply to bonds called for redemption by the Secretary of the Treasury.

SECTION 3. That nothing in this act shall be so

construed as to authorize an increase of the public debt.

In the past few years opinions on the rates of interest have undergone wonderful changes. Many supposed—indeed it was a "standard" argument—that rates must ever be higher in new than old countries, that these higher rates comported with and aided the higher rates paid for commodities and labor. The funding operations since the war have dissipated this belief, and so shaken political theories that no party can now claim a monopoly of sound financial doctrine. So high is the credit of the government, and so abundant are the resources of our people after a comparatively short period of general prosperity, that they seem to have plenty of surplus funds with which to aid any funding operation, however low the rate of interest, if the government—State or National—shows a willingness to pay. As late as February, 1882, Pennsylvania funded seven millions of her indebtedness at 3, 3½ and 4 per cent., the two larger sums commanding premiums sufficient to cause the entire debt to be floated at a little more than 3 per cent., and thus floating commands an additional premium in the money exchanges.

History of the National Loans.

In Book VII of this volume devoted to Tabulated History, we try to give the reader at a glance some idea of the history of our National finances. An attempt to go into details would of itself fill volumes,

for no class of legislation has taken so much time or caused such a diversity of opinion. Yet it is shown, by an admirable review of the loans of the United States, by Rafael A. Bayley, of the Treasury Department published in the February (1882) number of the *International Review*, that the "financial system of the government of the United States has continued the same from its organization to the present time." Mr. Bayley has completed a history of our National Loans, which will be published in the Census volume on "Public Debts." From his article in the *Review* we condense the leading facts bearing on the history of our national loans.

The financial system of the United States, in all its main features, is simple and well defined, and its very simplicity may probably be assigned as the reason why it appears so difficult of comprehension by many people of intelligence and education. It is based upon the principles laid down by Alexander Hamilton, and the practical adoption of the fundamental maxim which he regarded as the true secret for rendering public credit immortal, viz., "that the creation of the debt should always be accompanied with the means of extinguishment." A faithful adherence to this system by his successors has stood the test of nearly a century, with the nation at peace or at war, in prosperity or adversity; so that, with all the change that progress has entailed upon the people of the age, no valid grounds exist for any change here.

"During the colonial period, and under the confederation, the financial operations of the Government were based on the law of necessity, and depended for success upon the patriotism of the people, the co-operation of the several States, and

the assistance of foreign powers friendly to our cause.

"It was the willingness of the people to receive the various kinds of paper money issued under authority of the Continental Congress, and used in payment for services and supplies, together with the issue of similar obligations by the different States, for the redemption of which they assumed the responsibility; aided by the munificent gift of money from Louis XVI. of France, followed by loans for a large amount from both France and Holland, that made victory possible, and laid the foundations for the republic of to-day, with its credit unimpaired, and with securities commanding a ready sale at a high premium in all the principal markets of the world.

"Authorities vary as to the amount of paper money issued and the cost of the war for independence. On the 1st of September, 1779, Congress resolved that it would 'on no account whatever emit more bills of credit than to make the whole amount of such bills two hundred millions of dollars.' Mr. Jefferson estimates the value of this sum *at the time of its emission* at $36,367,719.83 in specie, and says; 'If we estimate at the same value the like sum of $200,000,000 supposed to have been emitted by the States, and reckon the Federal debt, foreign and domestic, at about $43,000,000, and the State debt at $25,000,000, it will form an amount of $140,000,000, the total sum which the war cost the United States. It continued eight years, from the battle of Lexington to the cessation of hostilities in America. The annual expense was, therefore, equal to about $17,500,000 in specie.'

"The first substantial aid rendered the colonies by any foreign power was a free gift of money and

military supplies from Louis XVI. of France, amounting in the aggregate to 10,000,000 livres, equivalent to $1,815,000.

“These supplies were not furnished openly, for the reason that France was not in a position to commence a war with Great Britain. The celebrated Caron de Beaumarchais was employed as a secret agent, between whom and Silas Deane, as the political and commercial agent of the United States, a contract was entered into whereby the former agreed to furnish a large amount of military supplies from the arsenals of France, and to receive American produce in payment therefor.

“Under this arrangement supplies were furnished by the French Government to the amount of 2,000,000 livres. An additional 1,000,000 was contributed by the Government of Spain for the same purpose, and through the same agency. The balance of the French subsidy was paid through Benjamin Franklin. In 1777 a loan of 1,000,000 livres was obtained from the ‘Farmers General of France’ under a contract for its repayment in American tobacco at a stipulated price. From 1778 to 1783, additional loans were obtained from the French King, amounting to 34,000,000 livres. From 1782 to 1789, loans to the amount of 9,000,000 guilders were negotiated in Holland, through the agency of John Adams, then the American Minister to the Hague.

“The indebtedness of the United States at the organization of the present form of government (including interest to December 31, 1790) may be briefly stated, as follows:

Foreign debt	$11,883,315.96
Domestic debt	40,256,802.45

Debt due foreign officers	198,208.10
Arrears outstanding (since discharged)	450,395.52
Total	$52,788,722.03

To this should be added the individual debts of the several States, the precise amount and character of which was then unknown, but estimated by Hamilton at that time to aggregate about $25,000,000.

“The payment of this vast indebtedness was virtually guarantied by the provisions of Article VI. of the Constitution, which says: ‘All debts contracted, and engagements entered into, before the adoption of this Constitution shall be as valid against the United States under this Constitution as under the confederation.’ On the 21st of September, 1789, the House of Representatives adopted the following resolutions:

Resolved, That this House consider an adequate provision for the support of the public credit as a matter of high importance to the national honor and prosperity.

Resolved, That the Secretary of the Treasury be directed to prepare a plan for that purpose, and to report the same to this House at its next meeting.

“In reply thereto Hamilton submitted his report on the 9th of January, 1790, in which he gave many reasons for assuming the debts of the old Government, and of the several States, and furnished a plan for supporting the public credit. His recommendations were adopted, and embodied in the act making provision for the payment of the debt of the United States, approved August 4, 1790.

This act authorized a loan of $12,000,000, to be applied to the payment of the foreign debt, principal and interest; a loan equal to the full amount of the domestic debt, payable in certificates issued for its amount according to their specie value, and computing the interest to December 31, 1791, upon such as bore interest; and a further loan of $21,500,000, payable in the principal and interest of the certificates or notes which, prior to January 1, 1790, were issued by the respective States as evidences of indebtedness incurred by them for the expenses of the late war. 'In the case of the debt of the United States, interest upon two-thirds of the principal only, at 6 per cent., was immediately paid; interest upon the remaining third was deferred for ten years, and only three per cent. was allowed upon the arrears of interest, making one-third of the whole debt. In the case of the separate debts of the States, interest upon four-ninths only of the entire sum was immediately paid; interest upon two-ninths was deferred for ten years, and only 3 per cent. allowed on three-ninths.' Under this authority 6 per cent. stock was issued to the amount of $30,060,511, and deferred 6 per cent. stock, bearing interest from January 1, 1800, amounting to $14,635,386. This stock was made subject to redemption by payments not exceeding, in one year, on account both of principal and interest, the proportion of eight dollars upon a hundred of the sum mentioned in the certificates; $19,719,237 was issued in 3 per cent. stock, subject to redemption whenever provision should be made by law for that purpose.

"The money needed for the payment of the principal and interest of the foreign debt was procured by new loans negotiated in Holland and Antwerp to the amount of $9,400,000, and the issue

of new stock for the balance of $2,024,900 due on the French debt, this stock bearing a rate of interest one-half of one per cent. in advance of the rate previously paid, and redeemable at the pleasure of the Government. Subsequent legislation provided for the establishment of a sinking fund, under the management of a board of commissioners, consisting of the President of the Senate, Chief Justice of the Supreme Court, Secretary of State, Secretary of the Treasury, and Attorney-General, for the time being, who, or any three of whom, were authorized, under the direction of the President of the United States, to make purchases of stock, and otherwise provide for the gradual liquidation of the entire debt, from funds set apart for this purpose. On assuming the position of Secretary of the Treasury, Hamilton found himself entirely without funds to meet the ordinary expenses of the Government, except by borrowing, until such time as the revenues from duties on imports and tonnage began to come into the Treasury. Under these circumstances, he was forced to make arrangements with the Bank of New York and the Bank of North America for temporary loans, and it was from the moneys received from these banks that he paid the first installment of salary due President Washington, Senators, Representatives and officers of Congress, during the first session under the Constitution, which began at the city of New York, March 4, 1789.

"The first 'Bank of the United States' appears to have been proposed by Alexander Hamilton in December, 1790, and it was incorporated by an act of Congress, approved February 25, 1791, with a capital stock of $10,000,000 divided into 25,000 shares at $400 each. The government subscription of $2,000,000, under authority of the act, was paid by

giving to the bank bills of exchange on Holland equivalent to gold, and borrowing from the bank a like sum for ten years at 6 per cent. interest. The bank went into operation very soon after its charter was obtained, and declared its first dividend in July, 1792. It was evidently well managed, and was of great benefit to the Government and the people at large, assisting the Government by loans in cases of emergency, and forcing the 'wildcat' banks of the country to keep their issues 'somewhere within reasonable bounds.' More than $100,000,000 of Government money was received and disbursed by it without the loss of a single dollar. It made semi-annual dividends, averaging about 8½ per cent., and its stock rose to a high price. The stock belonging to the United States was sold out at different times at a profit, 2,220 shares sold in 1802 bringing an advance of 45 per cent. The government subscription, with ten years' interest amounted to $3,200,600, while there was received in dividends and for stock sold $3,773,580, a profit of nearly 28.7 per cent. In 1796 the credit of the Government was very low, as shown by its utter failure to negotiate a loan for the purpose of paying a debt to the Bank of the United States for moneys borrowed and used, partly to pay the expenses of suppressing the whisky insurrection in Pennsylvania and to buy a treaty with the pirates of Algiers. On a loan authorized for $5,000,000, only $80,000 could be obtained, and this at a discount of 12½ per cent.; and, there being no other immediate resource, United States Bank stock to the amount of $1,304,260 was sold at a premium of 25 per cent.

"Under an act approved June 30, 1798, the President was authorized to accept such vessels as were suitable to be armed for the public service, not exceeding twelve in number, and to issue certificates,

or other evidences of the public debt of the United States, in payment. The ships George Washington, Merrimack, Maryland and Patapsco, brig Richmond, and frigates Boston, Philadelphia, John Adams, Essex and New York, were purchased, and 6 per cent. stock, redeemable at the pleasure of Congress, was issued in payment to the amount of $711,700.

"The idea of creating a navy by the purchase of vessels built by private parties and issuing stock in payment therefor, seems to have originated with Hamilton.

"In the years 1797 and 1798 the United States, though nominally at peace with all the world, was actually at war with France—a war not formally declared, but carried on upon the ocean with very great virulence. John Marshall, Elbridge Gerry and Charles C. Pinckney were appointed envoys extraordinary to the French Republic, with power for terminating all differences and restoring harmony, good understanding and commercial and friendly intercourse between the two nations; but their efforts were in vain, and extensive preparations were made to resist a French invasion. It was evident that the ordinary revenues of the country would be inadequate for the increased expenditure, and a loan of $5,000,000 was authorized by an act approved July 16, 1798, redeemable at pleasure after fifteen years. The rate of interest was not specified in the act, and the market rate at the time being 8 per cent. this rate was paid, and it was thought by a committee of Congress that the loan was negotiated 'upon the best terms that could be procured, and with a laudable eye to the public interest.' A loan of $3,500,000 was authorized by an act approved May 7, 1800, for the purpose of meeting a large deficit in the revenues of the preceding year, caused by

increased expenditures rendered necessary on account of the difficulties with France, and stock bearing 8 per cent. interest, reimbursable after fifteen years, was issued to the amount of $1,481,700, on which a premium was realized of nearly 5¾ per cent. These are the only two instances in which the Government has paid 8 per cent. interest on its bonds.

"The province of Louisiana was ceded to the United States by a treaty with France, April 30, 1803, in payment for which 6 per cent. bonds, payable in fifteen years, were issued to the amount of $11,250,000, and the balance which the Government agreed to pay for the province, amounting to $3,750,000, was devoted to reimbursing American citizens for French depredations on their commerce. These claims were paid in money, and the stock redeemed by purchases made under the direction of the Commissioners of the Sinking Fund within twelve years. Under an act approved February 11, 1807, a portion of the 'old 6 per cent.' and 'deferred stocks' was refunded into new stock, bearing the same rate of interest, but redeemable at the pleasure of the United States. This was done for the purpose of placing it within the power of the Government to reimburse the amount refunded within a short time, as under the old laws these stocks could only be redeemed at the rate of 2 per cent. annually. Stock was issued amounting to $6,294,051, nearly all of which was redeemed within four years. Under the same act old '3 per cent. stock' to the amount of $2,861,309 was converted into 6 per cents., at sixty-five cents on the dollar, but this was not reimbursable without the assent of the holder until after the whole of certain other stocks named in the act was redeemed. The stock issued

under this authority amounted to $1,859,871. It would appear that the great majority of the holders of the "old stock" preferred it to the new. A loan equal to the amount of the principal of the public debt reimbursable during the current year was authorized by an act approved May 1, 1810, and $2,750,000 was borrowed at 6 per cent. interest from the Bank of the United States, for the purpose of meeting any deficiency arising from increased expenditures on account of the military and naval establishments. This was merely a temporary loan, which was repaid the following year.

"The ordinary expenses for the year 1812 were estimated by the Committee of Ways and Means of the House of Representatives at $1,200,000 more than the estimated receipts for the same period, and the impending war with Great Britain made it absolutely necessary that some measures should be adopted to maintain the public credit, and provide the requisite funds for carrying on the Government. Additional taxes were imposed upon the people, but as these could not be made immediately available there was no other resource but new loans and the issue of Treasury notes. This was the first time since the formation of the new Government that the issue of such notes had been proposed, and they were objected to as engrafting on our system of finance a new and untried measure.

"Under various acts of Congress approved between March 4, 1812, and February 24, 1815, 6 per cent. bonds were issued to the amount of $50,792,674. These bonds were negotiated at rates varying from 20 per cent. discount to par, the net cash realized amounting to $44,530,123. A further sum of $4,025,000 was obtained by temporary loans at par, of which sum $225,000 was for the purpose of

repairing the public buildings in Washington, damaged by the enemy on the night of August 24, 1814. These ‘war loans’ were all made redeemable at the pleasure of the Government after a specified date, and the faith of the United States was solemnly pledged to provide sufficient revenues for this purpose. The ‘Treasury note system’ was a new feature, and its success was regarded as somewhat doubtful.

“Its subsequent popularity, however, was owing to a variety of causes. The notes were made receivable everywhere for dues and customs, and in payment for public lands. They were to bear interest from the day of issue, at the rate of 5–⅖ per cent. per annum, and their payment was guaranteed by the United States, principal and interest, at maturity. They thus furnished a circulating medium to the country, superior to the paper of the suspended and doubtful State banks. These issues were therefore considered more desirable than the issue of additional stock, which could be realized in cash only by the payment of a ruinous discount. The whole amount of Treasury notes issued during the war period was $36,680,794. The Commissioners of the Sinking Fund were authorized to provide for their redemption by purchase, in the same manner as for other evidences of the public debt, and by authority of law $10,575,738 was redeemed by the issue of certificates of funded stock, bearing interest at from 6 to 7 per cent. per annum, redeemable at any time after 1824.

“During the years 1812–13 the sum of $2,984,747 of the old 6 per cent. and deferred stocks were refunded into new 6 per cent. stock redeemable in twelve years; and by an act approved March 31, 1814, Congress having authorized a settlement of the

'Yazoo claims' by an issue of non-interest-bearing stock, payable out of the first receipts from the sale of public lands in the Mississippi territory, $4,282,037 was issued for this purpose. On the 24th of February, 1815, Secretary Dallas reported to Congress that the public debt had been increased, in consequence of the war with Great Britain, $68,783,122, a large portion of which was due and unpaid, while another considerable proportion was fast becoming due. These unpaid or accruing demands were in part for temporary loans, and the balance for Treasury notes either due or maturing daily. To provide for their payment a new loan for the full amount needed was authorized by act of March 3, 1815, and six per cent. stock redeemable in fifteen years, was issued in the sum of $12,288,148. This stock was sold at from 95 per cent. to par, and was nearly all redeemed in 1820 by purchases made by the Commissioners of the Sinking Fund.

"The Government became a stockholder in the second Bank of the United States, to the amount of 70,000 shares, under the act of incorporation, approved April 10, 1816. The capital stock was limited to $35,000,000, divided into 350,000 shares of $100 each. The Government subscription was paid by the issue of 5 per cent. stock to the amount of $7,000,000, redeemable at the pleasure of the Government. This was a profitable investment for the United States, as in addition to $1,500,000 which the bank paid as a bonus for its charter, the net receipts over and above disbursements amounted to $4,993,167. The available funds in the Treasury on the 1st of January, 1820, were less than $250,000, and the estimated deficiency for the year amounted to nearly $4,000,000. This state of affairs was owing partly to the disastrous effects of the commercial

crisis of 1819, heavy payments for the redemption of the public debt, continued through a series of years, and large outstanding claims, amounting to over $30,000,000, resulting from the late war with Great Britain. To meet the emergency, a loan was authorized by act of May 15, 1820, and $999,999.13 was borrowed at 5 per cent., redeemable in twelve years, and $2,000,000 at 6 per cent., reimbursable at pleasure, this latter stock realizing a premium of 2 per cent. By act of March 3, 1821, 5 per cent. stock amounting to $4,735,276 was issued at a premium of over 5½ per cent., and the proceeds used in payment of the principal and interest of the public debt falling due within the year.

"An effort was made in 1822 to refund a portion of the 6 per cent. war loans of 1812–14 into 5 per cents., but only $56,705 could be obtained. Two years later the Government was more successful, and, under the act of May 26, 1824, 6 per cent. stock of 1813 to the amount of $4,454,728 was exchanged for new stock bearing 4½ per cent. interest, redeemable in 1833–34. During the same year $5,000,000 was borrowed at 4½ per cent. to provide for the payment of the awards made by the Commissioners under the treaty with Spain of February 22, 1819, and a like amount, at the same rate of interest, to be applied in paying off that part of the 6 per cent. stock of 1812 redeemable the following year. The act of March 3, 1825, authorized a loan of $12,000,000, at 4½ per cent. interest, the money borrowed to be applied in paying off prior loans, but only $1,539,336 was exchanged for an equal amount of 6 per cent. stock of 1813.

"In the year 1836 the United States was, for the first time in the history of the country, practically out of debt. Secretary Woodbury, in his report of

December 8, 1836, estimated the amount of public debt still outstanding at about $328,582, and this remained unpaid solely because payment had not been demanded, ample funds to meet it having been deposited in the United States Bank and loan offices. The debt outstanding consisted mainly of unclaimed interest and dividends, of claims for services and supplies during the Revolution, and of old Treasury notes, and it is supposed that payment of these had not been asked for solely because the evidences of the debt had been lost or destroyed. The estimates showed the probability of a surplus of at least $14,000,000 in the Treasury at the close of the year 1836, and this estimate proved to be far below the truth. In this favorable condition of the public finances, Congress adopted the extraordinary resolution of depositing the surplus over $5,000,000 with the several States, and under the act of June 23, 1836, surplus revenue amounting to $28,101,644.91 was so deposited.

"In 1837, however, the state of the country had changed. The 'flush' times of 1835 and 1836 had been succeeded by extraordinary depression, which ultimately produced a panic. In May most of the banks suspended specie payments. The sales of public lands, and the duties on the importations of foreign goods, which had helped to swell the balance in the Treasury to over $42,000,000, had fallen off enormously. Even on the goods that were imported it was difficult to collect the duties, for the law compelled them to be paid in specie, and specie was hard to obtain. It had become impossible not only to pay the fourth installment of the surplus at the end of 1836 to the several States, but even to meet the current expenses of the Government from its ordinary revenues. In this emergency the Secretary of

the Treasury suggested that contingent authority be given the President to cause the issue of Treasury notes. This measure was generally supported on the ground of absolute necessity, as there was a large deficit already existing, and this was likely to increase from the condition of the country at that time. The measure was opposed, however, by some who thought that greater economy in expenditures would relieve the Treasury, while others denounced it as an attempt "to start a Treasury bank."

"However, an act was approved October 12, 1837, authorizing an issue of $10,000,000 in Treasury notes in denominations not less than fifty dollars, redeemable in one year from date, with interest at rates fixed by the Secretary, not exceeding 6 per cent. These notes, as usual, were receivable in payment of all duties and taxes levied by the United States, and in payment for public lands. Prior to 1846, the issue of notes of this character amounted to $47,002,900, bearing interest at rates varying from one tenth of one per cent. to 6 per cent. To provide in part for their redemption, authority was granted for the negotiation of several loans, and $21,021,094 was borrowed for this purpose, bonds being issued for a like sum, bearing interest at from 5 to 6 per cent., redeemable at specified dates. These bonds were sold at from 2½ per cent. discount to 3¾ per cent. premium, and redeemed at from par to 19¼ per cent. advance.

"War with Mexico was declared May 13, 1846, and in order to provide against a deficiency a further issue of $10,000,000 in Treasury notes was authorized by act of July 22, 1846, under the same limitations and restrictions as were contained in the act of October, 1837, except that the authority given was to expire at the end of one year from the passage

of the act. The sum of $7,687,800 was issued in Treasury notes, and six per cent. bonds having ten years to run were issued under the same act to the amount of $4,999,149. These were sold at a small advance, and redeemed at various rates from par to eighteen and two-thirds per cent. premium.

"The expenses incurred on account of the war with Mexico were much greater than the original estimates, and the failure to provide additional revenues sufficient to meet the increased demands made a new loan necessary, as well as an additional issue of notes, which had now become a popular method of obtaining funds. Under the authority granted by act of January 28, 1847, Treasury notes to the amount of $26,122,100 were issued at par, redeemable one and two years from date, with interest at from 5–⅖ to 6 per cent. More money still being needed, a 6 per cent. loan, having twenty years to run, was placed upon the market, under the authority of the same act, and bonds to the amount of $28,230,350 were sold at various rates, ranging from par to 2 per cent. premium. Of this stock the sum of $18,815,100 was redeemed at an advance of from 1½ to 21¼ per cent., the premium paid (exclusive of commissions) amounting to $3,466,107. Under the act of March 31, 1848, 6 per cent. bonds, running twenty years, were issued to the amount of $16,000,000, and sold at a premium ranging from 3 to 4.05 per cent. This loan was made for the same purpose as the preceding one, and $7,091,658 was redeemed by purchase at an advance ranging from 8 to 22.46 per cent., the premium paid amounting to $1,251,258.

"The widespread depression of trade and commerce which occurred in 1857 was severely felt by the Government, as well as by the people, and so

great was the decrease in the revenues from customs that it became absolutely necessary to provide the Treasury with additional means for meeting the demands upon it. Treasury notes were considered as preferable to a new loan, and by the act of December 23, 1857, a new issue was authorized for such an amount as the exigencies of the public service might require, but not to exceed at any one time $20,000,000. These notes were receivable in payment for all debts due the United States, including customs, and were issued at various rates of interest, ranging from 3 to 6 per cent., to the amount of $52,778,900, redeemable one year from date, the interest to cease at the expiration of sixty days' notice after maturity. In May, 1858, the Secretary of the Treasury informed Congress that, owing to the appropriations having been increased by legislation nearly $10,000,000 over the estimates, while the customs revenue had fallen off to a like amount, it would be necessary to provide some means to meet the deficit. In these circumstances, a new loan was authorized by act of June 14, 1858, and 5 per cent. bonds amounting to $20,000,000, redeemable in fifteen years, were sold at an average premium of over 3½ per cent. Under the act of December 17, 1873, $13,957,000 in bonds of the loan of 1881, and $260,000 in bonds of a loan of 1907, were issued in exchange for a like amount of bonds of this loan.

"The act of June 22, 1860, authorized the President to borrow $21,000,000 on the credit of the United States, the money to be used only in the redemption of Treasury notes, and to replace any amount of such notes in the Treasury which should have been paid in for public dues. Only $7,022,000 was borrowed at 5 per cent. interest, the certificates

selling at from par to 1.45 per cent. premium. The failure to realize the whole loan was caused by the political troubles which culminated in the civil war. In September, bids were invited for $10,000,000, and the whole amount offered was speedily taken. It soon became evident, however, that war was inevitable, and a commercial crisis ensued, during which a portion of the bidders forfeited their deposits, and the balance of the loan was withdrawn from the market. Authority was granted by the act of December 17, 1860, for a new issue of Treasury notes, redeemable in one year from date, but not to exceed $10,000,000 at any one time, with interest at such rates as might be offered by the lowest responsible bidders after advertisement. An unsuccessful attempt was made to pledge the receipts from the sale of public lands specifically for their redemption. The whole amount of notes issued under this act was $10,010,900, of which $4,840,000 bore interest at 12 per cent. Additional offers followed, ranging from 15 to 36 per cent., but the Treasury declined to accept them.

"Up to this period of our national existence the obtaining of the money necessary for carrying on the Government and the preservation inviolate of the public credit had been comparatively an easy task. The people of the several States had contributed in proportion to their financial resources; and a strict adherence to the fundamental maxim laid down by Hamilton had been maintained by a judicious system of taxation to an extent amply sufficient to provide for the redemption of all our national securities as they became due. But the time had come when we were no longer a united people, and the means required for defraying the ordinary expenses of the Government were almost immediately curtailed and

jeopardized by the attitude of the States which attempted to secede. The confusion which followed the inauguration of the administration of President Lincoln demonstrated the necessity of providing unusual resources without delay. A system of internal revenue taxation was introduced, and the tariff adjusted with a view to increased revenues from customs. As the Government had not only to exist and pay its way, but also to provide for an army and navy constantly increasing in numbers and equipment, new and extraordinary methods were resorted to for the purpose of securing the money which must be had in order to preserve the integrity of the nation. Among these were the issue of its own circulating medium in the form of United States notes[37] and circulating notes,[38] for the redemption of which the faith of the nation was solemnly pledged. New loans were authorized to an amount never before known in our history, and the success of our armies was assured by the determination manifested by the people themselves to sustain the Government at all hazards. A brief review of the loan transactions during the period covered by the war is all that can be attempted within the limited space afforded this article. The first war loan may be considered as having been negotiated under the authority of an act approved February 8, 1861. The credit of the Government at this time was very low, and a loan of $18,415,000, having twenty years to run, with 6 per cent. interest, could only be negotiated at a discount of $2,019,776.10, or at an average rate of $89.03 per one hundred dollars. From this time to June 30, 1865, Government securities of various descriptions were issued under authority of law to the amount of $3,888,686,575, including the several issues of bonds, Treasury notes,

seven-thirties, legal tenders and fractional currency. The whole amount issued under the same authority to June 30, 1880, was $7,137,646,836, divided as follows:

Six per cent. bonds	$1,130,279,000
Five per cent. bonds	196,118,300
Temporary loan certificates	969,992,250
Seven thirty notes	716,099,247
Treasury notes and certificates of indebtedness	1,074,713,132
Old demand notes, legal tenders, coin certificates and fractional currency	3,050,444,907
Total	$7,137,646,836

"This increase may be readily accounted for by the continued issue of legal tenders, compound interest notes, fractional currency and coin certificates, together with a large amount of bonds issued in order to raise the money necessary to pay for military supplies, and other forms of indebtedness growing out of the war. The rebellion was practically at an end in May, 1865, yet the large amount of money required for immediate use in the payment and disbandment of our enormous armies necessitated the still further negotiation of loans under the several acts of Congress then in force, and it was not until after the 31st of August, 1865, that our national debt began to decrease. At that time the total indebtedness, exclusive of the "old funded and unfunded debt" of the Revolution, and of cash in the Treasury, amounted to $2,844,646,626.56. The

course of our financial legislation since that date has been constantly toward a reduction of the interest, as well as the principal of the public debt.

"By an act approved March 3, 1865, a loan of $600,000,000 was authorized upon similar terms as had been granted for previous loans, with the exception that nothing authorized by this act should be made a legal tender, or be issued in smaller denominations than fifty dollars. The rate of interest was limited to 6 per cent. in coin, or 7.3 per cent. in currency, the bonds issued to be redeemable in not less than five, nor more than forty, years. Authority was also given for the conversion of Treasury notes or other interest-bearing obligations into bonds of this loan. An amendment to this act was passed April 12, 1866, authorizing the Secretary of the Treasury, at his discretion, to receive any Treasury notes or other obligations issued under any act of Congress, whether bearing interest or not, in exchange for any description of bonds authorized by the original act; and also to dispose of any such bonds, either in the United States or elsewhere, to such an amount, in such manner, and at such rates as he might deem advisable, for lawful money, Treasury notes, certificates of indebtedness, certificates of deposit, or other representatives of value, which had been or might be issued under any act of Congress; the proceeds to be used only for retiring Treasury notes or other national obligations, provided the public debt was not increased thereby. As this was the first important measure presented to Congress since the close of the war tending to place our securities upon a firm basis, the action of Congress in relation to it was looked forward to with a great deal of interest. The discussion took a wide range, in which the whole financial administration of the Government

during the war was reviewed at length. After a long and exciting debate the bill finally passed, and was approved by the President. Under the authority of these two acts, 6 per cent, bonds to the amount of $958,483,550 have been issued to date. These bonds were disposed of at an aggregate premium of $21,522,074, and under the acts of July 14, 1870, and January 20, 1871, the same bonds to the amount of $725,582,400 have been refunded into other bonds bearing a lower rate of interest. The success of these several loans was remarkable, every exertion being used to provide for their general distribution among the people.

"In 1867 the first issue of 6 per cent. bonds, known as five-twenties, authorized by the act of Feb. 25, 1862, became redeemable, and the question of refunding them and other issues at a lower rate of interest had been discussed by the Secretary of the Treasury in his annual reports, but the agitation of the question as to the kinds of money in which the various obligations of the Government should be paid, had so excited the apprehension of investors as to prevent the execution of any refunding scheme.

"The act to strengthen the public credit was passed March 18, 1869, and its effect was such as secured to the public the strongest assurances that the interest and principal of the public debt outstanding at that time would be paid in coin, according to the terms of the bonds issued, without any abatement.

"On the 12th of January, 1870, a bill authorizing the refunding and consolidation of the national debt was introduced in the Senate, and extensively debated in both Houses for several months, during which the financial system pursued by the Government during the war was freely reviewed. The adoption of the proposed measure resulted in an

entire revolution of the refunding system, under which the public debt of the United States at that time was provided for, by the transmission of a large amount of debt to a succeeding generation. The effect of this attempt at refunding the major portion of the public debt was far more successful than any similar effort on the part of any Government, so far as known.

“The act authorizing refunding certificates convertible into 4 per cent. bonds, approved February 26, 1879, was merely intended for the benefit of parties of limited means, and was simply a continuation of the refunding scheme authorized by previous legislation.

“The period covered precludes any attempt toward reviewing the operation by which the immediate predecessor of the present Secretary reduced the interest on some six hundred millions of 5 and 6 per cent. bonds to 3½ per cent. It is safe to say, however, that under the administration of the present Secretary there will be no deviation from the original law laid down by Hamilton.”

James A. Garfield.

James A. Garfield and Chester A. Arthur were publicly inaugurated President and Vice-President of the United States March 4, 1881.

President Garfield in his inaugural address promised full and equal protection of the Constitution and the laws for the negro, advocated universal education as a safeguard of suffrage, and recommended such an adjustment of our monetary system “that the purchasing power of every coined dollar will be exactly equal to its debt-paying power in all the markets of the world.” The national debt should be refunded at a lower rate of interest, without compelling the withdrawal of the National Bank notes, polygamy should be prohibited, and civil service regulated by law.

An extra session of the Senate was opened March 4. On the 5th, the following cabinet nominations were made and confirmed: Secretary of State, James G. Blaine, of Maine; Secretary of the Treasury, William Windom, of Minnesota; Secretary of the Navy, William H. Hunt, of Louisiana; Secretary of War, Robert T. Lincoln, of Illinois; Attorney-General, Wayne MacVeagh, of Pennsylvania; Postmaster-General, Thomas L. James, of New York; Secretary of the Interior, Samuel J. Kirkwood, of Iowa.

In this extra session of the Senate Vice-President Arthur had to employ the casting vote on all questions where the parties divided, and he

invariably cast it on the side of the Republicans. The evenness of the parties caused a dead-lock on the question of organization, for when David Davis, of Illinois, voted with the Democrats, the Republicans had not enough even with the Vice-President, and he was not, therefore, called upon to decide a question of that kind. The Republicans desired new and Republican officers; the Democrats desired to retain the old and Democratic ones.

Republican Factions.

President Garfield, March 23d, sent in a large number of nominations, among which was that of William H. Robertson, the leader of the Blaine wing of the Republican party in New York, to be Collector of Customs. He had previously sent in five names for prominent places in New York, at the suggestion of Senator Conkling, who had been invited by President Garfield to name his friends. At this interview it was stated that Garfield casually intimated that he would make no immediate change in the New York Collectorship, and both factions seemed satisfied to allow Gen'l Edwin A. Merritt to retain that place for a time at least. There were loud protests, however, at the first and early selection of the friends of Senator Conkling to five important places, and these protests were heeded by the President. With a view to meet them, and, doubtless, to quiet the spirit of faction rapidly developing between the Grant and anti-Grant elements of the party in New York, the name of Judge Robertson was sent in for the Collectorship.

He had battled against the unit rule at Chicago, disavowed the instructions of his State Convention to vote for Grant, and led the Blaine delegates from that State while Blaine was in the field, and when withdrawn went to Garfield. Senator Conkling now sought to confirm his friends, and hold back his enemy from confirmation; but these tactics induced Garfield to withdraw the nomination of Conkling's friends, and in this way Judge Robertson's name was alone presented for a time. Against this course Vice-President Arthur and Senators Conkling and Platt remonstrated in a letter to the President, but he remained firm. Senator Conkling, under the plea of "the privilege of the Senate,"—a courtesy and custom which leaves to the Senators of a State the right to say who shall be confirmed or rejected from their respective States if of the same party—now sought to defeat Robertson. In this battle he had arrayed against him the influence of his great rival, Mr. Blaine, and it is presumed the whole power of the administration. He lost, and the morning following the secret vote, May 17th, 1881, his own and the resignation of Senator Platt were read. These resignations caused great excitement throughout the entire country. They were prepared without consultation with any one—even Vice-President Arthur, the intimate friend of both, not knowing anything of the movement until the letters were opened at the chair where he presided. Logan and Cameron—Conkling's colleagues in the great Chicago battle—were equally unadvised. The resignations were forwarded to Gov. Cornell, of New York, who, by all permissible delays, sought to have them reconsidered and withdrawn, but both Senators were firm. The Senate confirmed Judge Robertson for Collector, and General Merritt as Consul-General at

London, May 18th, President Garfield having wisely renewed the Conkling list of appointees, most of whom declined under the changed condition of affairs.

These events more widely separated the factions in New York—one wing calling itself “Stalwart,” the other “Half-Breed,” a term of contempt flung at the Independents by Conkling. Elections must follow to fill the vacancies, the New York Legislature being in session. These vacancies gave the Democrats for the time control of the United States Senate, but they thought it unwise to pursue an advantage which would compel them to show their hands for or against one or other of the opposing Republican factions. The extra session of the Senate adjourned May 20th.

The New York Legislature began balloting for successors to Senators Conkling and Platt on the 31st of May. The majority of the Republicans (Independents or “Half-breeds”) supported Chauncey M. Depew as the successor of Platt for the long term, and William A. Wheeler as the successor of Conkling for the short term, a few supporting Cornell. The minority (Stalwarts) renominated Messrs. Conkling and Platt. The Democrats nominated Francis Kernan for the long term, and John C. Jacobs for the short term; and, on his withdrawal, Clarkson N. Potter. The contest lasted until July 22, and resulted in a compromise on Warner A. Miller as Platt’s successor, and Elbridge G. Lapham as Conkling’s successor. In Book VII., our Tabulated History of Politics, we give a correct table of the ballots. These show at a single glance the earnestness and length of the contest.

The factious feelings engendered thereby were carried into the Fall nominations for the Legislature, and as a result the Democrats obtained control,

which in part they subsequently lost by the refusal of the Tammany Democrats to support their nominees for presiding officers. This Democratic division caused a long and tiresome dead-lock in the Legislature of New York. It was broken in the House by a promise on the part of the Democratic candidate for Speaker to favor the Tammany men with a just distribution of the committees—a promise which was not satisfactorily carried out, and as a result the Tammany forces of the Senate joined hands with the Republicans. The Republican State ticket would also have been lost in the Fall of 1881, but for the interposition of President Arthur, who quickly succeeded in uniting the warring factions. This work was so well done, that all save one name on the ticket (Gen'l Husted) succeeded.

The same factious spirit was manifested in Pennsylvania in the election of U. S. Senator in the winter of 1881, the two wings taking the names of "Regulars" and "Independents." The division occurred before the New York battle, and it is traceable not alone to the bitter nominating contest at Chicago, but to the administration of President Hayes and the experiment of civil service reform. Administrations which are not decided and firm upon political issues, invariably divide their parties, and while these divisions are not always to be deplored, and sometimes lead to good results, the fact that undecided administrations divide the parties which they represent, ever remains. The examples are plain: Van Buren's, Tyler's, Fillmore's, Buchanan's, and Hayes'. The latter's indecision was more excusable than that of any of his predecessors. The inexorable firmness of Grant caused the most bitter partisan assaults, and despite all his efforts to sustain the "carpet-bag governments" of the South,

they became unpopular and were rapidly supplanted. As they disappeared, Democratic representation from the South increased, and this increase continued during the administration of Hayes—the greatest gains being at times when he showed the greatest desire to conciliate the South. Yet his administration did the party good, in this, that while at first dividing, it finally cemented through the conviction that experiments of that kind with a proud Southern people were as a rule unavailing. The reopening of the avenues of trade and other natural causes, apparently uncultivated, have accomplished in this direction much more than any political effort.

In Pennsylvania a successor to U. S. Senator Wm. A. Wallace was to be chosen. Henry W. Oliver, Jr., received the nomination of the Republican caucus, the friends of Galusha A. Grow refusing to enter after a count had been made, and declaring in a written paper that they would not participate in any caucus, and would independently manifest their choice in the Legislature. The following is the first vote in joint Convention:

OLIVER.	
Senate	20
House	75
Total	95

GROW.	
Senate	12
House	44

Total	56

BREWSTER.

Senate	
House	1
Total	1

M’VEAGH.

Senate	
House	1
Total	1

WALLACE.

Senate	16
House	77
Total	93

AGNEW.

Senate	1
House	
Total	1

BAIRD.

Senate	
House	1

Total 1

Whole number of votes cast, 248; necessary to a choice, 125.

On the 17th of January the two factions issued opposing addresses. From these we quote the leading ideas, which divided the factions. The “Regulars” said:

“Henry W. Oliver, jr., of Allegheny county, was nominated on the third ballot, receiving 79 of the 95 votes present. Under the rules of all parties known to the present or past history of our country, a majority of those participating should have been sufficient; but such was the desire for party harmony and for absolute fairness, that a majority of all the Republican members of the Senate and House was required to nominate. The effect of this was to give those remaining out a negative voice in the proceedings, the extent of any privilege given them in regular legislative sessions by the Constitution. In no other caucus or convention has the minority ever found such high consideration, and we believe there remains no just cause of complaint against the result. Even captious faultfinding can find no place upon which to hang a sensible objection. Mr. Oliver was, therefore, fairly nominated by the only body to which is delegated the power of nomination and by methods which were more than just, which, from every standpoint, must be regarded as generous; and in view of these things, how can we, your Senators and Representatives, in fairness withhold our support from him in open sessions; rather how can we ever abandon a claim established by the rules regulating the government of all parties, accepted by all as just, and which are in exact harmony with that fundamental principle of our Government which

proclaims the right of the majority to rule? To do otherwise is to confess the injustice and the failure of that principle—something we are not prepared to do. It would blot the titles to our own positions. There is not a Senator or member who does not owe his nomination and election to the same great principle. To profit by its acceptance in our own cases and to deny it to Mr. Oliver would be an exhibition of selfishness too flagrant for our taste. To acknowledge the right to revolt when no unfairness can be truthfully alleged and when more than a majority have in the interest of harmony been required to govern, would be a travesty upon every American notion and upon that sense of manliness which yields when fairly beaten."

The "Independent" address said:

"*First.* We recognize a public sentiment which demands that in the selection of a United States Senator we have regard to that dignity of the office to be filled, its important duties and functions, and the qualifications of the individual with reference thereto. This sentiment is, we understand, that there are other and higher qualifications for this distinguished position than business experience and success, and reckons among these the accomplishments of the scholar, the acquirements of the student, the mature wisdom of experience and a reasonable familiarity with public affairs. It desires that Pennsylvania shall be distinguished among her sister Commonwealths, not only by her populous cities, her prosperous communities, her vast material wealth and diversified industries and resources, but that in the wisdom, sagacity and statesmanship of her representative she shall occupy a corresponding rank and influence. To meet this public expectation and demand we are and have at all times been

willing to subordinate our personal preferences, all local considerations and factional differences, and unite with our colleagues in the selection of a candidate in whom are combined at least some of these important and essential qualifications. It was only when it became apparent that the party caucus was to be used to defeat this popular desire and to coerce a nomination which is conspicuously lacking in the very essentials which were demanded, that we determined to absent ourselves from it. * * *

"*Second*, Having declined to enter the caucus, we adhere to our determination to defeat, if possible, its nominee, but only by the election of a citizen of unquestioned fidelity to the principles of the Republican party. In declaring our independency from the caucus domination we do not forget our allegiance to the party whose chosen representatives we are. The only result of our policy is the transfer of the contest from the caucus to the joint convention of the two houses. There will be afforded an opportunity for the expression of individual preferences and honorable rivalry for an honorable distinction. If the choice shall fall upon one not of approved loyalty and merit, the fault will not be ours."

After a long contest both of the leading candidates withdrew, and quickly the Regulars substituted General James A. Beaver, the Independent Congressman, Thomas M. Bayne. On these names the dead-lock remained unbroken. Without material change the balloting continued till February 17th, when both Republican factions agreed to appoint conference committees of twelve each, with a view to selecting by a three-fourths vote a compromise candidate. The following were the respective committees: For the Independents: Senators Davis,

Bradford; Lee, Venango; Stewart, Franklin; Lawrence, Washington; Representatives Wolfe, Union; Silverthorne, Erie; Mapes, Venango; McKee, Philadelphia; Slack, Allegheny; Stubs, Chester; Niles, Tioga; and Derickson, Crawford. For the Regulars: Senators Greer, Butler; Herr, Dauphin; Smith, Philadelphia; Keefer, Schuylkill; Cooper, Delaware; Representatives Pollock, Philadelphia; Moore, Allegheny; Marshall, Huntingdon; Hill, Indiana; Eshleman. Lancaster; Thomson, Armstrong; and Billingsley, Washington.

The joint convention held daily sessions and balloted without result until February 22d, when John I. Mitchell, of Tioga, Congressman from the 16th district, was unanimously agreed upon as a compromise candidate. He was nominated by a full Republican caucus on the morning of February 23d, and elected on the first ballot in joint convention on that day, the vote standing: Mitchell, 150; Wallace, 92; MacVeagh, 1; Brewster, 1.

The spirit of this contest continued until fall. Senator Davies, a friend of Mr. Grow, was a prominent candidate for the Republican nomination for State Treasurer. He was beaten by General Silas M. Baily, and Davies and his friends cordially made Baily's nomination unanimous. Charles S. Wolfe, himself the winter before a candidate for United States Senator, was dissatisfied. He suddenly raised the Independent flag, in a telegram to the Philadelphia *Press*, and as he announced was "the nominee of a convention of one" for State Treasurer. After a canvass of remarkable energy on the part of Mr. Wolfe, General Baily was elected, without suffering materially from the division. Mr. Wolfe obtained nearly 50,000 votes, but as almost half of them were Democratic, the result was, as stated, not

seriously affected.

The Independents in Pennsylvania, however, were subdivided into two wings, known as the Continental and the Wolfe men—the former having met since the election last fall, (State Senator John Stewart, chairman) and proclaimed themselves willing and determined to abide all Republican nominations fairly made, and to advocate "reform within the party lines." These gentlemen supported Gen. Baily and largely contributed to his success, and as a rule they regard with disfavor equal to that of the Regulars, what is known as the Wolfe movement. These divisions have not extended to other States, nor have they yet assumed the shape of third parties unless Mr. Wolfe's individual canvass can be thus classed. Up to this writing (March 10, 1882,) neither wing has taken issue with President Arthur or his appointments, though there were some temporary indications of this when Attorney General MacVeagh, of Pennsylvania, persisted in having his resignation accepted. President Arthur refused to accept, on the ground that he desired MacVeagh's services in the prosecution of the Star Route cases, and Mr. MacVeagh withdrew for personal and other reasons not yet fully explained. In this game of political fence the position of the President was greatly strengthened.

Singularly enough, in the only two States where factious divisions have been recently manifested in the Republican ranks, they effected almost if not quite as seriously the Democratic party. There can be but one deduction drawn from this, to wit:—That a number in both of the great parties, were for the time at least, weary of their allegiance. It is possible that nothing short of some great issue will restore the old partisan unity, and partisan unity in a Republic,

where there are but two great parties, is not to be deplored if relieved of other than mere political differences. The existence of but two great parties, comparatively free from factions, denotes government health; where divisions are numerous and manifest increasing growth and stubbornness, there is grave danger to Republican institutions. We need not, however, philosophize when Mexico and the South American Republics are so near.

The Caucus.

Both the “Independents” of Pennsylvania and the “Half-Breeds” of New York at first proclaimed their opposition to the caucus system of nominating candidates for U. S. Senators, and the newspapers in their interest wrote as warmly for a time against “King Caucus” as did the dissatisfied Democratic journals in the days of De Witt Clinton. The situation, however, was totally different, and mere declamation could not long withstand the inevitable. In Pennsylvania almost nightly “conferences” were held by the Independents, as indeed they were in New York, though in both States a show of hostility was kept up to nominating in party caucus men who were to be elected by representative, more plainly legislative votes. It was at first claimed that in the Legislature each man ought to act for himself or his constituents, but very shortly it was found that the caucuses of the separate wings were as binding upon the respective wings as they could have been upon the whole. Dead-locks were interminable as long as

this condition of affairs obtained, and hostility to the caucus system was before very long quietly discouraged and finally flatly abandoned, for each struggle was ended by the ratification of a general caucus, and none of them could have been ended without it. The several attempts to find other means to reach a result, only led the participants farther away from the true principle, under republican forms at least, of the right of the majority to rule. In Pennsylvania, when Mr. Oliver withdrew, fifty of his friends assembled and informally named General Beaver, and by this action sought to bind the original 95 friends of Oliver. Their conduct was excused by the plea that they represented a majority of their faction. It failed to bind all of the original number, though some of the Independents were won. The Independents, rather the original 44, bound themselves in writing not to change their course of action unless there was secured the previous concurrence of two-thirds, and this principle was extended to the 56 who supported Mr. Bayne. Then when the joint committee of 24 was agreed upon, it was bound by a rule requiring three-fourths to recommend a candidate. All of these were plain departures from a great principle, and the deeper the contest became, the greater the departure. True, these were but voluntary forms, but they were indefensible, and are only referred to now to show the danger of mad assaults upon great principles when personal and factious aims are at stake. Opposition to the early Congressional caucus was plainly right, since one department of the Government was by voluntary agencies actually controlling another, while the law gave legal forms which could be more properly initiated through voluntary action. The writer believes, and past

contests all confirm the view that the voluntary action can only be safely employed by the power by the law with the right of selection. Thus the people elect township, county and State officers, and it is their right and duty by the best attainable voluntary action to indicate their choice. This is done through the caucus or convention, the latter not differing from the former save in extent and possibly breadth of representation. The same rule applies to all offices elective by the people. It cannot properly apply to appointive offices, and while the attempt to apply it to the election of U. S. Senators shows a strong desire on the part, frequently of the more public-spirited citizens, to exercise a greater share in the selection of these officers than the law directly gives them, yet their representatives can very properly be called upon to act as they would act if they had direct power in the premises, and such action leads them into a party caucus, where the will of the majority of their respective parties can be fairly ascertained, and when ascertained respected. The State Legislatures *appoint* U. S. Senators, and the Representatives and Senators of the States are bound to consider in their selection the good of the entire State. If this comports with the wish of their respective districts, very well; if it does not, their duty is not less plain. Probably the time will never come when the people will elect United States Senators; to do that is to radically change the Federal system, and to practically destroy one of the most important branches of the Government; yet he is not a careful observer who does not note a growing disposition on the part of the people, and largely the people of certain localities, and imaginary political sub-divisions, to control these selections. The same is true of Presidential nominations, where masses of

people deny the right of State Conventions to instruct their delegates-at-large. In many States the people composing either of the great parties now select their own representative delegates to National Conventions, and where their selections are not respected, grave party danger is sure to follow. There is nothing wrong in this, since it points to, and is but paving the way for a more popular selection of Presidents and Vice-Presidents—to an eventual selection of Presidential electors probably by Congressional districts. Yet those to be selected at large must through practical voluntary forms be nominated in that way, and the partisan State Convention is the best method yet devised for this work, and its instructions should be as binding as those of the people upon their representatives. In this government of ours there is voluntary and legal work delegated to the people directly; there is legal work delegated to appointing powers, and an intelligent discrimination should ever be exercised between the two. "Render unto Cæsar those things which are Cæsar's," unless there be a plain desire, backed by a good reason, to promote popular reforms as enduring as the practices and principles which they are intended to support.

Fredrick W. Whitridge, in an able review of the caucus system published[39] in Lalor's *Encyclopædia of Political Science*, says:

"A caucus, in the political vocabulary of the United States, is primarily a private meeting of voters holding similar views, held prior to an election for the purpose of furthering such views at the election. With the development of parties, and the rule of majorities, the caucus or some equivalent has become an indispensable adjunct to party government, and it may now be defined as a meeting

of the majority of the electors belonging to the same party in any political or legislative body held preliminary to a meeting thereof, for the purpose of selecting candidates to be voted for, or for the purpose of determining the course of the party at the meeting of the whole body. The candidates of each party are universally selected by caucus, either directly or indirectly through delegates to conventions chosen in caucuses. In legislative bodies the course of each party is often predetermined with certainty in caucus, and often discussion between parties has been, in consequence, in some degree superseded. The caucus system is, in short, the basis of a complete electoral system which has grown up within each party, side by side with that which is alone contemplated by the laws. This condition has in recent years attracted much attention, and has been bitterly announced as an evil. It was, however, early foreseen. John Adams, in 1814, wrote in the "Tenth Letter on Government:" "They have invented a balance to all balance in their caucuses. We have congressional caucuses, state caucuses, county caucuses, city caucuses, district caucuses, town caucuses, parish caucuses, and Sunday caucuses at church doors, and in these aristocratical caucuses *elections have been decided*." The caucus is a necessary consequence of majority rule. If the majority is to define the policy of a party, there must be some method within each party of ascertaining the mind of the majority, and settling the party programme, before it meets the opposing party at the polls. The Carlton and Reform clubs discharge for the Tories and Liberals many of the functions of a congressional caucus. Meetings of the members of the parties in the *reichstag*, the *corps legislatif* and the chamber of deputies are not unusual, although they have

generally merely been for consultation, and neither in England, France, Germany or Italy, has any such authority been conceded to the wish of the majority of a party as we have rested in the decision of a caucus. What has been called a caucus has been established by the Liberals of Birmingham, England, as to which, see a paper by W. Fraser Rae, in the "International Review" for August, 1880. The origin of the term caucus is obscure. It has been derived from the Algonquin word *Kaw-kaw-wus*—to consult, to speak—but the more probable derivation makes it a corruption of caulkers. In the early politics of Boston, and particularly during the early difficulties between the townsmen and the British troops, the seafaring men and those employed about the ship yards were prominent among the town-people, and there were numerous gatherings which may have very easily come to be called by way of reproach a meeting of caulkers, after the least influential class who attended them, or from the caulking house or caulk house in which they were held. What was at first a derisive description, came to be an appellation, and the gatherings of so-called caulkers became a caucus. John Pickering, in a vocabulary of words and phrases peculiar to the United States (Boston, 1816), gives this derivation of the word, and says several gentlemen mentioned to him that they had heard this derivation. Gordon, writing in 1774, says: "More than fifty years ago Mr. Samuel Adams' father and twenty others, one or two from the north end of the town where all the ship business is carried on, used to meet, make a caucus and lay their plan for introducing certain persons into places of trust and power. When they had settled it they separated, and each used their particular influence within his own circle. He and his friends would furnish

themselves with ballots, including the names of the parties fixed upon, which they distributed on the days of election. By acting in concert, together with a careful and extensive distribution of ballots, they generally carried their elections to their own mind. In like manner it was that Mr. Samuel Adams first became a representative for Boston." (*History of the American Revolution*, vol. i., p. 365.) February, 1763, Adams writes in his diary: "This day I learned that the caucus club meets at certain times in the garret of Tom Dawes, the adjutant of the Boston regiment. He has a large house and he has a movable partition in his garret which he takes down and the whole club meets in his room. There they smoke tobacco until they cannot see one end of the room from another. There they drink flip, I suppose, and there they choose a moderator who puts questions to the vote regularly; and selectmen, assessors, collectors, wardens, fire wards and representatives are regularly chosen in the town. Uncle Fairfield, Story, Ruddock, Adams, Cooper, and a *rudis indigestaques moles* of others, are members. They send committees to wait on the merchants' club, and to propose in the choice of men and measures. Captain Cunningham says, they have often solicited him to go to the caucuses; they have assured him their benefit in his business, etc." (*Adams' Works*, vol. ii., p. 144.) Under the title caucus should be considered the congressional nominating caucus; the caucuses of legislative assemblies; primary elections, still known outside the larger cities as caucuses; the evils which have been attributed to the latter, and the remedies which have been proposed. These will accordingly be mentioned in the order given.

"The democratic system is the result of the reorganization of the various anti-Tammany

democratic factions, brought about, in 1881, by a practically self-appointed committee of 100. Under this system primary elections are to be held annually in each of 678 election districts, at which all democratic electors resident in the respective districts may participate, provided they were registered at the last general election. The persons voting at any primary shall be members of the election district association for the ensuing year, which is to be organized in January of each year. The associations may admit democratic residents in their respective districts, who are not members, to membership, and they have general supervision of the interests of the party within their districts. Primaries are held on not less than four days' public notice, through the newspapers, of the time and place, and at the appointed time the meeting is called to order by the chairman of the election district association, provided twenty persons be present; if that number shall not be present, the meeting may be called to order with a less number, at the end of fifteen minutes. The first business of the meeting is to select a chairman, and all elections of delegates or committeemen shall take place in open meeting. Each person, as he offers to vote, states his name and residence, which may be compared with the registration list at the last election, and each person shall state for whom he votes, or he may hand to the judges an open ballot, having designated thereon the persons for whom he votes, and for what positions. Nominations are all made by conventions of delegates from the districts within which the candidate to be chosen is to be voted for. There is an assembly district committee in each assembly district, composed of one delegate for each 100 votes or fraction thereof, from each election district within

the assembly district. There is also a county committee composed of delegates from each of the assembly district committees. The function of these committees is generally to look after the interests of the parties within their respective spheres. This system is too new for its workings to be as yet fairly criticised. It may prove a really popular system, or it may prove only an inchoate form of the other systems. At present it can only be said that the first primaries under it were participated in by 27,000 electors.

"The evils of the caucus and primary election systems lie in the stringent obligation which is attached to the will of a formal majority; in the fact that the process of ascertaining what the will of the majority is, has been surrounded with so many restrictions that the actual majority of votes are disfranchised, and take no part in that process, so that the formal majority is in consequence no longer the majority in fact, although it continues to demand recognition of its decisions as such.

"The separation between the organization and the party, between those who nominate and those who elect, is the sum of the evils of the too highly organized caucus system. It has its roots in the notion that the majority is right, because it is the majority, which is the popular view thus expressed by Hammond: 'I think that when political friends consent to go into caucus for the nomination of officers, every member of such caucus is bound in honor to support and carry into effect its determination. If you suspect that determination will be so preposterous that you cannot in conscience support it, then you ought on no account to become one of its members. To try your chance in a caucus, and then, because your wishes are not gratified, to

attempt to defeat the result of the deliberation of your friends, strikes me as a palpable violation of honor and good faith. You caucus for no other possible purpose than under the implied argument that the opinion and wishes of the minority shall be yielded to the opinions of the majority, and the sole object of caucusing is to ascertain what is the will of the majority. I repeat that unless you intend to carry into effect the wishes of the majority, however contrary to your own, you have no business at a caucus.' (*Political History of New York*, vol. i., p. 192). —In accordance with this theory, the will of the majority becomes obligatory as soon as it is made known, and one cannot assist at a caucus in order to ascertain the will of the majority, without thereby being bound to follow it; and the theory is so deeply rooted that, under the caucus and primary election system, it has been extended to cases in which the majorities are such only in form.

"The remedies as well as the evils of the caucus and nominating system have been made the subject of general discussion in connection with civil service reform. It is claimed that that reform, by giving to public officers the same tenure of their positions which is enjoyed by the employes of a corporation or a private business house, or during the continuance of efficiency or good behaviour, would abolish or greatly diminish the evils of the caucus system by depriving public officers of the illegitimate incentive to maintain it under which they now act. Other more speculative remedies have been suggested. It is proposed, on the one hand, to very greatly diminish the number of elective officers, and, in order to do away with the predetermination of elections, to restrict the political action of the people in their own persons to districts so small that they can meet

together and act as one body, and that in all other affairs than those of these small districts the people should act by delegates. The theory here seems to be to get rid of the necessity for election and nominating machinery. (See '*A True Republic*,' by Albert Strickney, New York, 1879; and a series of articles in *Scribner's Monthly* for 1881, by the same writer). On the other hand, it is proposed to greatly increase the number of elections, by taking the whole primary system under the protection of the law.[40] This plan proposes: 1. The direct nomination of candidates by the members of the respective political parties in place of nominations by delegates in conventions. 2. To apply the election laws to primary elections. 3. To provide that both political parties shall participate in the same primary election instead of having a different caucus for each party. 4. To provide for a final election to be held between two candidates, each representative of a party who have been selected by means of the primary election. This plan would undoubtedly do away with the evils of the present caucus system, but it contains no guarantee that a new caucus system would not be erected for the purpose of influencing 'the primary election' in the same manner in which the present primary system now influences the final election. (See however '*The Elective Franchise in the United States*,' New York, 1880, by D. C. McClellan.)—The effective remedy for the evils of the caucus system will probably be found in the sanction of primary elections by law. * * * Bills for this purpose were introduced by the Hon. Erastus Brooks in the New York Legislature in 1881, which provided substantially for the system proposed by Mr. McClellan, but they were left unacted upon, and no legislative attempt to regulate primaries, except by

providing for their being called, and for their procedure, has been made elsewhere. In Ohio what is known as the Baber law provides that where any voluntary political association orders a primary, it must be by a majority vote of the central or controlling committee of such party or association; that the call must be published for at least five days in the newspapers, and state the time and place of the meeting, the authority by which it was called, and the name of the person who is to represent that authority at each poll. The law also provides for challenging voters, for punishment of illegal voting, and for the bribery or intervention of electors or judges. (*Rev. Stat. Ohio*, secs. 2916–2921.) A similar law in Missouri is made applicable to counties only of over 100,000 inhabitants, but by this law it is made optional with the voluntary political association whether it will or not hold its primaries under the law, and if it does, it is provided that the county shall incur no expense in the conduct of such elections. (*Laws of Missouri*, 1815, p. 54.) A similar law also exists in California. (*Laws of California*, 1865–1866, p. 438.) These laws comprise all the existing legislation on the subject, except what is known as the Landis Bill of 1881, which requires primary officers to take an oath, and which punishes fraud."

Assassination of President Garfield.

At 9 o'clock on the morning of Saturday, July 2d, 1881, President Garfield, accompanied by Secretary

Blaine, left the Executive Mansion to take a special train from the Baltimore and Potomac depot for New England, where he intended to visit the college from which he had graduated. Arriving at the depot, he was walking arm-in-arm through the main waiting-room, when Charles J. Guiteau, a persistent applicant for an office, who had some time previously entered through the main door, advanced to the centre of the room, and having reached within a few feet of his victim, fired two shots, one of which took fatal effect. The bullet was of forty-four calibre, and striking the President about four inches to the right of the spinal column, struck the tenth and badly shattered the eleventh rib. The President sank to the floor, and was conveyed to a room where temporary conveniences were attainable, and a couch was improvised. Dr. Bliss made an unsuccessful effort to find the ball. The shock to the President's system was very severe, and at first apprehensions were felt that death would ensue speedily. Two hours after the shooting, the physicians decided to remove him to the Executive Mansion. An army ambulance was procured, and the removal effected. Soon after, vomiting set in, and the patient exhibited a dangerous degree of prostration, which threatened to end speedily in dissolution. This hopeless condition of affairs continued until past midnight, when more favorable symptoms were exhibited. Dr. Bliss was on this Sunday morning designated to take charge of the case, and he called Surgeon-General Barnes, Assistant Surgeon-General Woodward, and Dr. Reyburn as consulting physician. To satisfy the demand of the country, Drs. Agnew, of Philadelphia, and Hamilton, of New York, were also summoned by telegraph, and arrived on a special train over the Pennsylvania Railroad, Sunday afternoon. For several days

immediately succeeding the shooting, the patient suffered great inconvenience and pain in the lower limbs. This created an apprehension that the spinal nerves had been injured, and death was momentarily expected. On the night of July 4th a favorable turn was observed, and the morning of the 5th brought with it a vague but undefined hope that a favorable issue might ensue. Under this comforting conviction, Drs. Agnew and Hamilton, after consultation with the resident medical attendants, returned to their homes; first having published to the country an endorsement of the treatment inaugurated. During July 5th and 6th the patient continued to improve, the pulse and respiration showing a marked approach to the condition of healthfulness, the former being reported on the morning of the 6th at 98, and in the evening it only increased to 104. On the 7th Dr. Bliss became very confident of ultimate triumph over the malady. In previous bulletins meagre hope was given, and the chances for recovery estimated at one in a hundred.

From July 7th to the 16th there was a slight but uninterrupted improvement, and the country began to entertain a confident hope that the patient would recover.

Hope and fear alternated from day to day, amid the most painful excitement. On the 8th of August Drs. Agnew and Hamilton had to perform their second operation to allow a free flow of pus from the wound. This resulted in an important discovery. It was ascertained that the track of the bullet had turned from its downward deflection to a forward course. The operation lasted an hour, and ether was administered, the effect of which was very unfortunate. Nausea succeeded, and vomiting followed every effort to administer nourishment for

some time. However, he soon rallied, and the operation was pronounced successful, and, on the following day, the President, for the first time, wrote his name. On the 10th he signed an important extradition paper, and on the 11th wrote a letter of hopefulness to his aged mother. On the 12th Dr. Hamilton expressed the opinion that the further attendance of himself and Dr. Agnew was unnecessary. The stomach continued weak, however, and on the 15th nausea returned, and the most menacing physical prostration followed the frequent vomiting, and the evening bulletin announced that "the President's condition, on the whole, is less satisfactory."

Next a new complication forced itself upon the attention of the physicians. This was described as "inflammation of the right parotid gland." On August 24th it was decided to make an incision below and forward of the right ear, in order to prevent suppuration. Though this operation was pronounced satisfactory, the patient gradually sank, until August 25th, when all hope seemed to have left those in attendance.

Two days of a dreary watch ensued; on the 27th an improvement inspired new hope. This continued throughout the week, but failed to build up the system. Then it was determined to remove the patient to a more favorable atmosphere. On the 6th of September this design was executed, he having been conveyed in a car arranged for the purpose to Long Branch, where, in a cottage at Elberon, it was hoped vigor would return. At first, indications justified the most sanguine expectations. On the 9th, however, fever returned, and a cough came to harass the wasted sufferer. It was attended with purulent expectoration, and became so troublesome as to

entitle it to be regarded as the leading feature of the case. The surgeons attributed it to the septic condition of the blood. The trouble increased until Saturday, September 10th, when it was thought the end was reached. He rallied, however, and improved rapidly, during the succeeding few days, and on Tuesday, the 13th, was lifted from the bed and placed in a chair at the window. The improvement was not enduring, however, and on Saturday, September 17th, the rigor returned. During the nights and days succeeding, until the final moment, hope rose and fell alternately, and though the patient's spirits fluctuated to justify this change of feeling, the improvement failed to bring with it the strength necessary to meet the strain.

President Garfield died at 10.35 on the night of Sept. 19th, 1881, and our nation mourned, as it had only done once before, when Abraham Lincoln also fell by the hand of an assassin. The assassin Guiteau was tried and convicted, the jury rejecting his plea of insanity.

President Arthur.

Vice-President Arthur, during the long illness of the President, and at the time of his death, deported himself so well that he won the good opinion of nearly all classes of the people, and happily for weeks and months all factious or partisan spirit was hushed by the nation's great calamity. At midnight on the 19th of September the Cabinet telegraphed him from Long Branch to take the oath of office, and

this he very properly did before a local judge. The Government cannot wisely be left without a head for a single day. He was soon afterwards again sworn in at Washington, with the usual ceremonies, and took occasion to make a speech which improved the growing better feeling. The new President requested the Cabinet to hold on until Congress met, and it would have remained intact had Secretary Windom not found it necessary to resume his place in the Senate. The vacancy was offered to ex-Governor Morgan, of New York, who was actually nominated and confirmed before he made up his mind to decline it. Judge Folger now fills the place. The several changes since made will be found in the Tabulated History, Book VII.

It has thus far been the effort of President Arthur to allay whatever of factious bitterness remains in the Republican party. In his own State of New York the terms “Half-Breed” and “Stalwart” are passing into comparative disuse, as are the terms “Regulars” and “Independents” in Pennsylvania.

“Boss Rule.”

The complaint of “Boss Rule” in these States—by which is meant the control of certain leaders—still obtains to some extent. Wayne MacVeagh was the author of this very telling political epithet, and he used it with rare force in his street speeches at Chicago when opposing the nomination of Grant. It was still further cultivated by Rufus E. Shapley, Esq., of Philadelphia, the author of “Solid for Mulhooly,” a

most admirable political satire, which had an immense sale. Its many hits were freely quoted by the Reformers of Philadelphia, who organized under the Committee of One Hundred, a body of merchants who first banded themselves together to promote reforms in the municipal government. This organization, aided by the Democrats, defeated Mayor Wm. S. Stokley for his third term, electing Mr. King, theretofore a very popular Democratic councilman. In return for this support, the Democrats accepted John Hunter, Committee's nominee for Tax Receiver, and the combination succeeded. In the fall of 1881 it failed on the city ticket, but in the spring of 1882 secured material successes in the election of Councilmen, who were nominees of both parties, but aided by the endorsement of the Committee of One Hundred. A similar combination failed as between Brown (Rep.) and Eisenbrown (Dem.) for Magistrate. On this part of the ticket the entire city voted, and the regular Republicans won by about 500 majority.

The following is the declaration of principles of the Citizens' Republican Association of Philadelphia, which, under the banner of Mr. Wolfe, extended its organization to several counties:

I. We adhere to the platform of the National Convention of the Republican party, adopted at Chicago, June 2d, 1880, and we proclaim our unswerving allegiance to the great principles upon which that party was founded, to wit: national supremacy, universal liberty, and governmental probity.

II. The Republican party, during its glorious career, having virtually established its principles of national supremacy and universal liberty as the law of the land, we shall, while keeping a vigilant watch over the maintenance of those principles, regard the third

one, viz.: governmental probity, as the living issue to be struggled for in the future; and as the pure administration of government is essential to the permanence of Republican institutions, we consider this issue as in no way inferior in importance to any other.

III. The only practical method of restoring purity to administration is through the adoption of a system of civil service, under which public officials shall not be the tools of any man or of any clique, subject to dismissal at their behest, or to assessment in their service; nor appointment to office be "patronage" at the disposal of any man to consolidate his power within the party.

IV. It is the abuse of this appointing power which has led to the formation of the "machine," and the subjection of the party to "bosses." Our chosen leader, the late President Garfield, fell a martyr in his contest with the "bosses." We take up the struggle where he left it, and we hereby declare that we will own no allegiance to any "boss," nor be subservient to any "machine;" but that we will do our utmost to liberate the party from the "boss" domination under which it has fallen.

V. Recognizing that political parties are simply instrumentalities for the enforcement of certain recognized principles, we shall endeavor to promote the principles of the Republican party by means of that party, disenthralled and released from the domination of its "bosses." But should we fail in this, we shall have no hesitation in seeking to advance the principles of the party through movements and organizations outside of the party lines.

The idea of the Committee of One Hundred is to war against "boss rule" in municipal affairs. James

McManes has long enjoyed the leadership of the Republican party in Philadelphia, and the reform element has directed its force against his power as a leader, though he joined at Chicago in the MacVeagh war against the form of "boss rule," which was then directed against Grant, Conkling, Logan and Cameron. This episode has really little, if anything, to do with Federal politics, but the facts are briefly recited with a view to explain to the reader the leading force which supported Mr. Wolfe in his independent race in Pennsylvania. Summed up, it is simply one of those local wars against leadership which precede and follow factions.

The factious battles in the Republican party, as we have stated, seem to have spent their force. The assassination of President Garfield gave them a most serious check, for men were then compelled to look back and acknowledge that his plain purpose was to check divisions and heal wounds. Only haste and anger assailed, and doubtless as quickly regretted the assault. President Arthur, with commendable reticence and discretion, is believed to be seeking the same end. He has made few changes, and these reluctantly. His nomination of ex-Senator Conkling to a seat in the Supreme Bench, which, though declined, is generally accepted as an assurance to New Yorkers that the leader hated by one side and loved by the other, should be removed from partisan politics peculiar to his own State, but removed with the dignity and honor becoming his high abilities. It has ever been the policy of wise administrations, as with wise generals, to care for the wounded, and Conkling was surely and sorely wounded in his battle against the confirmation of Robertson and his attempted re-election to the Senate. He accepted the situation with quiet composure, and saw his friend

Arthur unite the ranks which his resignation had sundered. After this there remained little if any cause for further quarrel, and while in writing history it is dangerous to attempt a prophecy, the writer believes that President Arthur will succeed in keeping his party, if not fully united, at least as compact as the opposing Democratic forces.

The Readjusters.

This party was founded in 1878 by Gen'l William Mahone, a noted Brigadier in the rebel army. He is of Scotch-Irish descent, a man of very small stature but most remarkable energy, and acquired wealth in the construction and development of Southern railroads. He sounded the first note of revolt against what he styled the Bourbon rule of Virginia, and being classed as a Democrat, rapidly divided that party on the question of the Virginia debt. His enemies charge that he sought the repudiation of this debt, but in return he not only denied the charge, but said the Bourbons were actually repudiating it by making no provision for its payment, either in appropriations or the levying of taxes needed for the purpose. Doubtless his views on this question have undergone some modification, and that earlier in the struggle the uglier criticisms were partially correct. Certain it is that he and his friends now advocate full payment less the proportion equitably assigned to West Virginia, which separated from the parent State during the war, and in her constitution evaded her responsibility by declaring that the State should

never contract a debt except one created to resist invasion or in a war for the government. This fact shows how keenly alive the West Virginians were to a claim which could very justly be pressed in the event of Virginia being restored to the Union, and this claim Gen'l Mahone has persistently pressed, and latterly urged a funding of the debt of his State at a 3 per cent. rate, on the ground that the State is unable to pay more and that this is in accord with proper rates of interest on the bonds of State governments—a view not altogether fair or sound, since it leaves the creditors powerless to do otherwise than accept. The regular or Bourbon Democrats proclaimed in favor of full payment, and in this respect differed from their party associates as to ante-war debts in most other Southern States.

Gen. Mahone rapidly organized his revolt, and as the Republican party was then in a hopeless minority in Virginia, publicly invited an alliance by the passage of a platform which advocated free schools for the blacks and a full enforcement of the National laws touching their civil rights. The Legislature was won, and on the 16th of December, 1880, Gen'l Mahone was elected to the U. S. Senate to succeed Senator Withers, whose term expired March 4, 1881.

In the Presidential campaign of 1880, the Readjusters supported Gen'l Hancock, but on a separate electoral ticket, while the Republicans supported Garfield on an electoral ticket of their own selection. This division was pursuant to an understanding, and at the time thought advisable by Mahone, who, if his electors won, could go for Hancock or not, as circumstances might suggest; while if he failed the Republicans might profit by the separation. There was, however, a third horn to this dilemma, for the regular Democratic electors were

chosen, but the political complexion of the Legislature was not changed. Prior to the Presidential nominations Mahone's Readjuster Convention had signified their willingness to support Gen'l Grant if he should be nominated at Chicago, and this fact was widely quoted by his friends in their advocacy of Grant's nomination, and in descanting upon his ability to carry Southern States.

The Readjuster movement at first had no other than local designs, but about the time of its organization there was a great desire on the part of the leading Republicans to break the "Solid South," and every possible expedient to that end was suggested. It was solid for the Democratic party, and standing thus could with the aid of New York, Indiana and New Jersey (them all Democratic States) assure the election of a Democratic President.

One of the favorite objects of President Hayes was to break the "Solid South." He first obtained it by conciliatory speeches, which were so conciliatory in fact that they angered radical Republicans, and there were thus threatened division in unexpected quarters. He next tried it through Gen'l Key, whom he made Postmaster-General in the hope that he could resurrect and reorganize the old Whig elements of the South. Key was to attend to Southern postal patronage with this end in view, while Mr. Tener, his able First Assistant, was to distribute Northern or Republican patronage. So far as dividing the South was concerned, the scheme was a flat failure.

The next and most quiet and effectual effort was made by Gen'l Simon Cameron, Ex-Senator from Pennsylvania. He started on a brief Southern tour, ostensibly for health and enjoyment, but really to meet Gen'l Mahone, his leading Readjuster friends,

and the leading Republicans. Conferences were held, and the union of the two forces was made to embrace National objects. This was in the Fall of 1879. Not long thereafter Gen'l Mahone consulted with Senator J. Don. Cameron, who was of course familiar with his father's movements, and he actively devised and carried out schemes to aid the new combination by which the "Solid South" was to be broken. In the great State campaign of 1881, when the Bourbon and anti-Bourbon candidates for Governor, were stumping the State, Gen'l Mahone found that a large portion of his colored friends were handicapped by their inability to pay the taxes imposed upon them by the laws of Virginia, and this threatened defeat. He sought aid from the National administration. President Garfield favored the combination, as did Secretary Windom, but Secretary Blaine withheld his support for several months, finally, however, acceding to the wishes of the President and most of the Cabinet. Administration influences caused the abandonment of a straight-out Republican movement organized by Congressman Jorgensen and others, and a movement which at one time threatened a disastrous division was overcome. The tax question remained, and this was first met by Senator J. Don. Cameron, who while summering at Manhattan Island, was really daily engaged in New York City raising funds for Mahone, with which to pay their taxes. Still, this aid was insufficient, and in the heat of the battle the revenue officers throughout the United States, were asked to contribute. Many of them did so, and on the eve of election all taxes were paid and the result was the election of William E. Cameron (Readjuster) as Governor by about 20,000 majority, with other State officers divided between the old Readjusters and Republicans. The

combination also carried the Legislature.

In that great struggle the Readjusters became known as the anti-Bourbon movement, and efforts are now being made to extend it to other Southern States. It has taken root in South Carolina, Georgia, Tennessee, Arkansas, Mississippi, and more recently in Kentucky, where the Union War Democrats in State Convention as late as March 1, 1882, separated from the Bourbon wing of the party. For a better idea of these two elements in the South, the reader is referred to the recent speeches of Hill and Mahone in the memorable Senate scene directly after the latter took the oath of office, and cast his vote with the Republicans. These speeches will be found in Book III of this volume.

Suppressing Mormonism.

Polygamy, justly denounced as “the true relic of barbarism” while slavery existed, has ever since the settlement of the Mormons in Utah, been one of the vexed questions in American politics. Laws passed for its suppression have proved, thus far, unavailing; troops could not crush it out, or did not at a time when battles were fought and won; United States Courts were powerless where juries could not be found to convict. Latterly a new and promising effort has been made for its suppression. This was begun in the Senate in the session of 1882. On the 16th of February a vote was taken by sections on Senator Edmunds’ bill, which like the law of 1862 is penal in its provisions, but directly aimed against the crime of

polygamy.

President Arthur signed the Edmunds anti-polygamy bill on the 23d of March, 1882.

Delegate Cannon of Utah, was on the floor of the Senate electioneering against the bill, and he pled with some success, for several Democratic Senators made speeches against it. The Republicans were unanimously for the bill, and the Democrats were not solidly against it, though the general tenor of the debate on this side was against it.

Senator Vest (Democrat) of Missouri, said that never in the darkest days of the rule of the Tudors and Stuarts had any measure been advocated which came so near a bill of attainder as this one. It was monstrous to contend that the people of the United States were at the mercy of Congress without any appeal. If this bill passed it would establish a precedent that would come home to plague us for all time to come. The pressure against polygamy to-day might exist to-morrow against any church, institution or class in this broad land, and when the crested waves of prejudice and passion mounted high they would be told that the Congress of the United States had trampled upon the Constitution. In conclusion, he said: “I am prepared for the abuse and calumny that will follow any man who dares to criticise any bill against polygamy, and yet, if my official life had to terminate to-morrow, I would not give my vote for the unconstitutional principles contained in this bill.” Other speeches were made by Messrs. Morgan, Brown, Jones, of Florida, Saulsbury, Call, Pendleton, Sherman, and Lamar, and the debate was closed by Mr. Edmunds in an eloquent fifteen-minutes’ speech, in which he carefully reviewed and controverted the objections urged against the bill of the committee.

He showed great anxiety to have the measure disposed of at once and met a request from the Democratic side for a postponement till other features should be embodied in the bills with the remark that this was the policy that had hitherto proven a hindrance to legislation on this subject and that he was tired of it. In the bill as amended the following section provoked more opposition than any other, although the Senators refrained from making any particular mention of it: “That if any male person in a Territory or other place over which the United States have exclusive jurisdiction hereafter cohabits with more than one woman he shall be deemed guilty of a misdemeanor, and on conviction thereof he shall be punished by a fine of not more than $300 or by imprisonment for not more than six months, or by both said punishments in the discretion of the court.” The bill passed viva voce vote after a re-arrangement of its sections, one of the changes being that not more than three of the commissioners shall be members of the same party. The fact that the yeas and nays were not called, shows that there is no general desire on either side to make the bill a partisan measure.

The Edmunds Bill passed the House March 14, 1882, without material amendment, the Republican majority, refusing to allow the time asked by the Democrats for discussion. The vote was 193 for to only 45 against, all of the negative votes being Democratic save one, that of Jones, Greenbacker from Texas.

The only question was whether the bill, as passed by the Senate, would accomplish that object, and whether certain provisions of this bill did not provide a remedy which was worse than the disease. Many Democrats thought that the precedent of

interfering with the right of suffrage at the polls, when the voter had not been tried and convicted of any crime, was so dangerous that they could not bring themselves to vote for the measure. Among these democrats were Belmont and Hewitt, of New York, and a number of others equally prominent. But they all professed their readiness to vote for any measure which would affect the abolition of polygamy without impairing the fundamental rights of citizens in other parts of the country.

THE TEXT OF THE BILL.

Be it enacted, &c., That section 5,352 of the Revised Statutes of the United States be, and the same is hereby amended so as to read as follows, namely:

"Every person who has a husband or wife living who, in a Territory or other place over which the United States have exclusive jurisdiction, hereafter marries another, whether married or single, and any man who hereafter simultaneously, or on the same day, marries more than one woman; in a Territory or other place over which the United States has exclusive jurisdiction, is guilty of polygamy, and shall be punished by a fine of not more than $500 and by imprisonment for a term of not more than five years; but this section shall not extend to any person by reason of any former marriage whose husband or wife by such marriage shall have been absent for five successive years, and is not known to such person to be living, and is believed by such person to be dead, nor to any person by reason of any former marriage which shall have been dissolved by a valid decree of a competent court, nor to any person by reason of any former marriage which shall

have been pronounced void by a valid decree of a competent court, on the ground of nullity of the marriage contract."

SEC. 2. That the foregoing provisions shall not affect the prosecution or punishment of any offence already committed against the section amended by the first section of this act.

SEC. 3. That if any male person, in a Territory or other place over which the United States have exclusive jurisdiction, hereafter cohabits with more than one woman, he shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than $300, or by imprisonment for not more than six months, or by both said punishments in the discretion of the court.

SEC. 4. That counts for any or all of the offences named in sections 1 and 3 of this act may be joined in the same information or indictment.

SEC. 5. That in any prosecution for bigamy, polygamy or unlawful cohabitation under any statute of the United States, it shall be sufficient cause of challenge to any person drawn or summoned as a juryman or talesman, first, that he is or has been living in the practice of bigamy, polygamy, or unlawful cohabitation with more than one woman, or that he is or has been guilty of an offence punishable by either of the foregoing sections or by section 5352 of the Revised Statutes of the United States or the act of July 1, 1862, entitled "An act to punish and prevent the practice of polygamy in the Territories of the United States and other places, and disapproving and annulling certain acts of the Legislative Assembly of the Territory of Utah;" or, second, that he believes it right for a man to have more than one living and undivorced wife at the

same time, or to live in the practice of cohabiting with more than one woman, and any person appearing or offered as a juror or talesman and challenged on either of the foregoing grounds may be questioned on his oath as to the existence of any such cause of challenge, and other evidence may be introduced bearing upon the question raised by such challenge, and this question shall be tried by the court. But as to the first ground of challenge before mentioned the person challenged shall be bound to answer if he shall say upon his oath that he declines on the ground that his answer may tend to criminate himself, and if he shall answer to said first ground his answer shall not be given in evidence in any criminal prosecution against him for any offense named in sections 1 or 3 of this act, but if he declines to answer on any ground he shall be rejected as incompetent.

SEC. 6. That the President is hereby authorized to grant amnesty to such classes of offenders guilty before the passage of this act of bigamy, polygamy, or unlawful cohabitation before the passage of this act, on such conditions and under such limitations as he shall think proper; but no such amnesty shall have effect unless the conditions thereof shall be complied with.

SEC. 7. That the issue of bigamous or polygamous marriages known as Mormon marriages, in cases in which such marriages have been solemnized according to the ceremonies of the Mormon sect, in any Territory of the United States, and such issue shall have been born before the 1st day of January, A. D. 1883, are hereby legitimated.

SEC. 8. That no polygamist, bigamist, or any person cohabiting with more than one woman, and no woman cohabiting with any of the persons

described as aforesaid in this section, in any Territory or other place over which the United States have exclusive jurisdiction, shall be entitled to vote at any election held in any such Territory or other place, or be eligible for election or appointment to or be entitled to hold any office or place of public trust, honor or emolument in, under, or for such Territory or place, or under the United States.

SEC. 9. That all the registration and election offices of every description in the Territory of Utah are hereby declared vacant, and each and every duty relating to the registration of voters, the conduct of elections, the receiving or rejection of votes, and the canvassing and returning of the same, and the issuing of certificates or other evidence of election in said Territory, shall, until other provision be made by the Legislative Assembly of said Territory as is hereinafter by this section provided, be performed under the existing laws of the United States and of said Territory by proper persons, who shall be appointed to execute such offices and perform such duties by a board of five persons, to be appointed by the President, by and with the advice and consent of the Senate, and not more than three of whom shall be members of one political party, and a majority of whom shall constitute a quorum. The members of said board so appointed by the President shall each receive a salary at the rate of $3,000 per annum, and shall continue in office until the Legislative Assembly of said Territory shall make provision for filling said offices as herein authorized. The secretary of the Territory shall be the secretary of said board, and keep a journal of its proceedings, and attest the action of said board under this section. The canvass and return of all the votes at elections in said Territory for members of the Legislative Assembly

thereof shall also be returned to said board, which shall canvass all such returns and issue certificates of election to those persons who, being eligible for such election, shall appear to have been lawfully elected, which certificate shall be the only evidence of the right of such persons to sit in such Assembly: *Provided*, That said board of five persons shall not exclude any person otherwise eligible to vote from the polls on account of any opinion such person may entertain on the subject of bigamy or polygamy, nor shall they refuse to count any such vote on account of the opinion of the person casting it on the subject of bigamy or polygamy; but each house of such Assembly, after its organization, shall have power to decide upon the elections and qualifications of its members. And at or after the first meeting of said Legislative Assembly whose members shall have been elected and returned according to the provisions of this act, said Legislative Assembly may make such laws, conformable to the organic act of said Territory and not inconsistent with other laws of the United States, as it shall deem proper concerning the filling of the offices in said Territory declared vacant by this act.

John R. McBride writing in the February number (1882) of *The International Review*, gives an interesting and correct view of the obstacles which the Mormons have erected against the enforcement of United States laws in the Territory. It requires acquaintance with these facts to fully comprehend the difficulties in the way of what seems to most minds a very plain and easy task. Mr. McBride says: Their first care on arriving in Utah was to erect a “free and Independent State,” called the “State of Deseret.” It included in its nominal limits, not only all of Utah as it now is, but one-half of California, all

of Nevada, part of Colorado, and a large portion of four other Territories now organized. Brigham Young was elected Governor, and its departments, legislative and judicial, were fully organized and put into operation. Its legislative acts were styled "ordinances," and when Congress, disregarding the State organization, instituted a Territorial Government for Utah, the legislative body chosen by the Mormons adopted the ordinances of the "State of Deseret." Many of these are yet on the statute book of Utah. They show conclusively the domination of the ecclesiastical idea, and how utterly insignificant in comparison was the power of the civil authority. They incorporated the Mormon Church into a body politic and corporate, and by the third section of the act gave it supreme authority over its members in everything temporal and spiritual, and assigned as a reason for so doing that it was because the powers confirmed were in "support of morality and virtue, and were founded on the revelations of the Lord." Under this power to make laws and punish and forgive offenses, to hear and determine between brethren, the civil law was superseded. The decrees of the courts of this church, certified under seal, have been examined by the writer, and he found them exercising a jurisdiction without limit except that of appeal to the President of the church. That the assassinations of apostates, the massacres of the Morrisites at Morris Fort and of the Arkansas emigrants at Mountain Meadows, were all in pursuance of church decrees, more or less formal, no one acquainted with the system doubts. This act of incorporation was passed February 8, 1851, and is found in the latest compilation of Utah statutes. It is proper also to observe that, for many years after the erection of the Territorial Government by Congress,

the “State of Deseret” organization was maintained by the Mormons, and collision was only prevented because Brigham was Governor of both, and found it unnecessary for his purpose to antagonize either. His church organization made both a shadow, while *that* was the substance of all authority. One of the earliest of their legislative acts was to organise a Surveyor-General’s Department,[41] and title to land was declared to be in the persons who held a certificate from that office.[42] Having instituted their own system of government and taken possession of the land, and assumed to distribute that in a system of their own, the next step was to vest certain leading men with the control of the timbers and waters of the country. By a series of acts granting lands, waters and timber to individuals, the twelve apostles became the practical proprietors of the better and more desirable portions of the country. By an ordinance dated October 4, 1851, there was granted to Brigham Young the “sole control of City Creek and Cañon for the sum of five hundred dollars.” By an ordinance dated January 9, 1850, the “waters of North Mill Creek and the waters of the Cañon next north” were granted to Heber C. Kimball. On the same day was granted to George A. Smith the “sole control of the cañons and timber of the east side of the ‘West Mountains’.” On the 18th of January, 1851, the North Cottonwood Cañon was granted exclusively to Williard Richards. On the 15th of January, 1851, the waters of the “main channel” of Mill Creek were donated to Brigham Young. On the 9th of December, 1850, there was granted to Ezra T. Benson the exclusive control of the waters of Twin Springs and Rock Springs, in Tooelle Valley; and on the 14th of January, 1851, to the same person was granted the control of all the cañons of the “West

Mountain" and the timber therein. By the ordinance of September 14, 1850, a "general conference of the Church of Latter Day Saints" was authorized to elect thirteen men to become a corporation, to be called the Emigration Company; and to this company, elected exclusively by the church, was secured and appropriated the two islands in Salt Lake known as Antelope and Stansberry Islands, to be under the exclusive control of President Brigham Young. These examples are given to show that the right of the United States to the lands of Utah met no recognition by these people. They appropriated them, not only in a way to make the people slaves, but indicated their claim of sovereignty as superior to any. Young, Smith, Benson and Kimball were apostles. Richards was Brigham Young's counselor. By an act of December 28, 1855, there was granted to the "University of the State of Deseret" a tract of land amounting to about five hundred acres, inside the city limits of Salt Lake City, without any reservation to the occupants whatever; and everywhere was the authority of the United States over the country and its soil and people utterly ignored.

Not satisfied with making the grants referred to, the Legislative Assembly entered upon a system of municipal incorporations, by which the fertile lands of the Territory were withdrawn from the operation of the preëmptive laws of Congress; and thus while *they* occupied these without title, non-Mormons were unable to make settlement on them, and they were thus engrossed to Mormon use. From a report made by the Commissioner of the General Land Office to the United States Senate,[43] it appears that the municipal corporations covered over 400,000 acres of the public lands, and over 600 square miles of territory. These lands[44] are not subject to either the

Homestead or Preëmption laws, and thus the non-Mormon settler was prevented from attempting, except in rare instances, to secure any lands in Utah. The spirit which prompted this course is well illustrated by an instance which was the subject of an investigation in the Land Department, and the proofs are found in the document just referred to. George Q. Cannon, the late Mormon delegate in Congress, was called to exercise his duties as an apostle to the Tooelle "Stake" at the city of Grantville. In a discourse on Sunday, the 20th day of July, 1875, Mr. Cannon said:[45] "God has given us (meaning the Mormon people) this land, and, if any outsider shall come in to take land which we claim, a piece *six feet* by *two* is all they are entitled to, and that will last them to all eternity."

By measures and threats like these have the Mormons unlawfully controlled the agricultural lands of the Territory and excluded therefrom the dissenting settler. The attempt of the United States to establish a Surveyor-General's office in Utah in 1855, and to survey the lands in view of disposing of them according to law, was met by such opposition that Mr. Burr, the Surveyor-General, was compelled to fly for life. The monuments of surveys made by his order were destroyed, and the records were supposed to have met a like fate, but were afterwards restored by Brigham Young to the Government. The report of his experience by Mr. Burr was instrumental in causing troops to be sent in 1857 to assert the authority of the Government. When this army, consisting of regular troops, was on the way to Utah, Brigham Young, as Governor, issued a proclamation, dated September 15, 1857, declaring martial law and ordering the people of the Territory to hold themselves in readiness to march to repel the

invaders, and on the 29th of September following addressed the commander of United States forces an order forbidding him to enter the Territory, and directing him to retire from it by the same route he had come. Further evidence of the Mormon claim that they were independent is perhaps unnecessary. The treasonable character of the local organization is manifest. It is this organization that controls, not only the people who belong to it, but the 30,000 non-Mormons who now reside in Utah.

Every member of the territorial Legislature is a Mormon. Every county officer is a Mormon. Every territorial officer is a Mormon, except such as are appointive. The schools provided by law and supported by taxation are Mormon. The teachers are Mormon, and the sectarian catechism affirming the revelations of Joseph Smith is regularly taught therein. The municipal corporations are under the control of Mormons. In the hands of this bigoted class all the material interests of the Territory are left, subject only to such checks as a Federal Governor and a Federal judiciary can impose. From beyond the sea they import some thousands of ignorant converts annually, and, while the non-Mormons are increasing, they are overwhelmed by the muddy tide of fanaticism shipped in upon them. The suffrage has been bestowed upon all classes by a statute so general that the ballot-box is filled with a mass of votes which repels the free citizen from the exercise of that right. If a Gentile is chosen to the Legislature (two or three such instances have occurred), he is not admitted to the seat, although the act of Congress (June 23, 1874) requires the Territory to pay all the expenses of the enforcement of the laws of the Territory, and of the care of persons convicted of offenses against the laws of the

Territory. Provision is made for jurors' fees in criminal cases only, and none is made for the care of criminals.[46] While Congress pays the legislative expenses, amounting to $20,000 per session, the Legislature defiantly refuses to comply with the laws which its members are sworn to support. And the same body, though failing to protect the marriage bond by any law whatever requiring any solemnities for entering it, provided a divorce act which practically allowed marriages to be annulled at will.[47] Neither seduction, adultery nor incest find penalty or recognition in its legal code. The purity of home is destroyed by the beastly practice of plural marriage, and the brows of innocent children are branded with the stain of bastardy to gratify the lust which cares naught for its victims. Twenty-eight of the thirty-six members of the present Legislature of Utah are reported as having from two to seven wives each. While the Government of the United States is paying these men their mileage and *per diem* as law-makers in Utah, those guilty of the same offense outside of Utah are leading the lives of felons in convict cells. For eight years a Mormon delegate has sat in the capitol at Washington having four living wives in his harem in Utah, and at the same time, under the shadow of that capitol, lingers in a felon's prison a man who had been guilty of marrying a woman while another wife was still living.

For thirty years have the Mormons been trusted to correct these evils and put themselves in harmony with the balance of civilized mankind. This they have refused to do. Planting themselves in the heart of the continent, they have persistently defied the laws of the land, the laws of modern society, and the teachings of a common humanity. They degrade woman to the office of a breeding animal, and, after

depriving her of all property rights in her husband's estate,[48] all control of her children,[49] they, with ostentation, bestow upon her the ballot in a way that makes it a nullity if contested, and compels her to use it to perpetuate her own degradation if she avails herself of it.

No power has been given to the Mormon Hierarchy that has not been abused. The right of representation in the legislative councils has been violated in the apportionment of members so as to disfranchise the non-Mormon class.[50] The system of revenue and taxation was for twenty-five years a system of confiscation and extortion.[51] The courts were so organized and controlled that they were but the organs of the church oppressions and ministers of its vengeance.[52] The legal profession was abolished by a statute that prohibited a lawyer from recovering on any contract for service, and allowed every person to appear as an attorney in any court.[53] The attorney was compelled to present "all the facts in the case," whether for or against his client, and a refusal to disclose the confidential communications of the latter subjected the attorney to fine and imprisonment.[54] No law book except the statutes of Utah and of the United States, "when applicable," was permitted to be read in any court by an attorney, and the citation of a decision of the Supreme Court of the United States, or even a quotation from the Bible, in the trial of any cause, subjected a lawyer to fine and imprisonment.[55]

The practitioners of medicine were equally assailed by legislation. The use of the most important remedies known to modern medical science, including all anæsthetics, was prohibited except under conditions which made their use impossible, "and if death followed" the administration of these

remedies, the person administering them was declared guilty of manslaughter or murder.[56] The Legislative Assembly is but an organized conspiracy against the national law, and an obstacle in the way of the advancement of its own people. For sixteen years it refused to lay its enactments before Congress, and they were only obtained by a joint resolution demanding them. Once in armed rebellion against the authority of the nation, the Mormons have always secretly struggled for, as they have openly prophesied, its entire overthrow. Standing thus in the pathway of the material growth and development of the Territory, a disgrace to the balance of the country, with no redeeming virtue to plead for further indulgence, this travesty of a local government demands radical and speedy reform.

The South American Question.

If it was not shrewdly surmised before it is now known that had President Garfield lived he intended to make his administration brilliant at home and abroad—a view confirmed by the policy conceived by Secretary Blaine and sanctioned, it must be presumed, by President Garfield. This policy looked to closer commercial and political relations with all of the Republics on this Hemisphere, as developed in the following quotations from a correspondence, the publication of which lacks completeness because of delays in transmitting all of it to Congress.

Ex-Secretary Blaine on the 3d of January sent the following letter to President Arthur:

"The suggestion of a congress of all the American nations to assemble in the city of Washington for the purpose of agreeing on such a basis of arbitration for international troubles as would remove all possibility of war in the Western hemisphere was warmly approved by your predecessor. The assassination of July 2 prevented his issuing the invitations to the American States. After your accession to the Presidency I acquainted you with the project and submitted to you a draft for such an invitation. You received the suggestion with the most appreciative consideration, and after carefully examining the form of the invitation directed that it be sent. It was accordingly dispatched in November to the independent governments of America North and South, including all, from the Empire of Brazil to the smallest republic. In a communication addressed by the present Secretary of State on January 9, to Mr. Trescot and recently sent to the Senate I was greatly surprised to find a proposition looking to the annulment of these invitations, and I was still more surprised when I read the reasons assigned. If I correctly apprehend the meaning of his words it is that we might offend some European powers if we should hold in the United States a congress of the "selected nationalities" of America.

"This is certainly a new position for the United States to assume, and one which I earnestly beg you will not permit this government to occupy. The European powers assemble in congress whenever an object seems to them of sufficient importance to justify it. I have never heard of their consulting the government of the United States in regard to the propriety of their so assembling, nor have I ever known of their inviting an American representative to be present. Nor would there, in my judgment, be any good reason for their so doing. Two Presidents of the United States in the year 1881 adjudged it to be expedient that the American powers should meet in congress for the sole purpose of agreeing upon some basis for arbitration of differences that may arise between them and for the prevention, as far as possible, of war in the future. If that movement is now to be arrested for fear that it may give offense in Europe, the

voluntary humiliation of this government could not be more complete, unless we should press the European governments for the privilege of holding the congress. I cannot conceive how the United States could be placed in a less enviable position than would be secured by sending in November a cordial invitation to all the American governments to meet in Washington for the sole purpose of concerting measures of peace and in January recalling the invitation for fear that it might create "jealousy and ill will" on the part of monarchical governments in Europe. It would be difficult to devise a more effective mode for making enemies of the American Government and it would certainly not add to our prestige in the European world. Nor can I see, Mr. President, how European governments should feel "jealousy and ill will" towards the United States because of an effort on our own part to assure lasting peace between the nations of America, unless, indeed, it be to the interest of European power that American nations should at intervals fall into war and bring reproach on republican government. But from that very circumstance I see an additional and powerful motive for the American Governments to be at peace among themselves.

"The United States is indeed at peace with all the world, as Mr. Frelinghuysen well says, but there are and have been serious troubles between other American nations. Peru, Chili and Bolivia have been for more than two years engaged in a desperate conflict. It was the fortunate intervention of the United States last spring that averted war between Chili and the Argentine Republic. Guatemala is at this moment asking the United States to interpose its good offices with Mexico to keep off war. These important facts were all communicated in your late message to Congress. It is the existence or the menace of these wars that influenced President Garfield, and as I supposed influenced yourself, to desire a friendly conference of all the nations of America to devise methods of permanent peace and consequent prosperity for all. Shall the United States now turn back, hold aloof and refuse to exert its great moral power for the advantage of its weaker

neighbors?

If you have not formally and finally recalled the invitations to the Peace Congress, Mr. President, I beg you to consider well the effect of so doing. The invitation was not mine. It was yours. I performed only the part of the Secretary—to advise and to draft. You spoke in the name of the United States to each of the independent nations of America. To revoke that invitation for any cause would be embarrassing; to revoke it for the avowed fear of "jealousy and ill will" on the part of European powers would appeal as little to American pride as to American hospitality. Those you have invited may decline, and having now cause to doubt their welcome will, perhaps, do so. This would break up the congress, but it would not touch our dignity.

"Beyond the philanthropic and Christian ends to be obtained by an American conference devoted to peace and good will among men, we might well hope for material advantages, as the result of a better understanding and closer friendship with the nation of America. At present the condition of trade between the United States and its American neighbors is unsatisfactory to us, and even deplorable. According to the official statistics of our own Treasury Department, the balance against us in that trade last year was $120,000,000—a sum greater than the yearly product of all the gold and silver mines in the United States. This vast balance was paid by us in foreign exchange, and a very large proportion of it went to England, where shipments of cotton, provisions and breadstuffs supplied the money. If anything should change or check the balance in our favor in European trade our commercial exchanges with Spanish America would drain us of our reserve of gold at a rate exceeding $100,000,000 per annum, and would probably precipitate a suspension of specie payment in this country. Such a result at home might be worse than a little jealousy and ill-will abroad. I do not say, Mr. President, that the holding of a peace congress will necessarily change the currents of trade, but it will bring us into kindly relations with all the American nations; it will promote the reign of peace and law and order; it will increase production and consumption and

will stimulate the demand for articles which American manufacturers can furnish with profit. It will at all events be a friendly and auspicious beginning in the direction of American influence and American trade in a large field which we have hitherto greatly neglected and which has been practically monopolized by our commercial rivals in Europe.

As Mr. Frelinghuysen's dispatch, foreshadowing the abandonment of the peace congress, has been made public, I deem it a matter of propriety and justice to give this letter to the press.

JAS. G. BLAINE.

The above well presents the Blaine view of the proposition to have a Congress of the Republics of America at Washington, and under the patronage of this government, with a view to settle all difficulties by arbitration, to promote trade, and it is presumed to form alliances ready to suit a new and advanced application of the Monroe doctrine.

The following is the letter proposing a conference of North and South American Republics sent to the U. S. Ministers in Central and South America:

SIR: The attitude of the United States with respect to the question of general peace on the American Continent is well known through its persistent efforts for years past to avert the evils of warfare, or, these efforts failing, to bring positive conflicts to an end through pacific counsels or the advocacy of impartial arbitration. This attitude has been consistently maintained, and always with such fairness as to leave no room for imputing to our Government any motive except the humane and disinterested one of saving the kindred States of the American Continent from the burdens of war. The position of the United States, as the leading power of the new world, might well give to its Government a claim to authoritative utterance for the purpose of quieting discord among its neighbors, with all of whom the most friendly relations exist. Nevertheless the

good offices of this Government are not, and have not at any time, been tendered with a show of dictation or compulsion, but only as exhibiting the solicitous good will of a common friend.

THE CENTRAL AND SOUTH AMERICAN STATES.

For some years past a growing disposition has been manifested by certain States of Central and South America to refer disputes affecting grave questions of international relationship and boundaries to arbitration rather than to the sword. It has been on several occasions a source of profound satisfaction to the Government of the United States to see that this country is in a large measure looked to by all the American powers as their friend and mediator. The just and impartial counsel of the President in such cases, has never been withheld, and his efforts have been rewarded by the prevention of sanguinary strife or angry contentions between peoples whom we regard as brethren. The existence of this growing tendency convinces the President that the time is ripe for a proposal that shall enlist the good will and active co-operation of all the States of the Western Hemisphere both North and South, in the interest of humanity and for the common weal of nations.

He conceives that none of the Governments of America can be less alive than our own to the dangers and horrors of a state of war, and especially of war between kinsmen. He is sure that none of the chiefs of Government on the Continent can be less sensitive than he is to the sacred duty of making every endeavor to do away with the chances of fratricidal strife, and he looks with hopeful confidence to such active assistance from them as will serve to show the broadness of our common humanity, the strength of the ties which bind us all together as a great and harmonious system of American Commonwealths.

A GENERAL CONGRESS PROPOSED.

Impressed by these views, the President extends to all the independent countries of North and South America an earnest invitation to participate in a general Congress, to be held in the city of Washington, on the 22d of November, 1882, for the purpose of considering and discussing the methods of preventing war between the nations of America. He desires that the attention of the Congress shall be strictly confined to this one great object; and its sole aim shall be to seek a way of permanently averting the horrors of a cruel and bloody contest between countries oftenest of one blood and speech, or the even worse calamity of internal commotion and civil strife; that it shall regard the burdensome and far-reaching consequences of such a struggle, the legacies of exhausted finances, of oppressive debt, of onerous taxation, of ruined cities, of paralyzed industries, of devastated fields, of ruthless conscriptions, of the slaughter of men, of the grief of the widow and orphan, of embittered resentments that long survive those who provoked them and heavily afflict the innocent generations that come after.

THE MISSION OF THE CONGRESS.

The President is especially desirous to have it understood that in putting forth this invitation the United States does not assume the position of counseling or attempting, through the voice of the Congress, to counsel any determinate solution of existing questions which may now divide any of the countries. Such questions cannot properly come before the Congress. Its mission is higher. It is to provide for the interests of all in the future, not to settle the individual differences of the present. For this reason especially the President has indicated a day for the assembling of the Congress so far in the future as to leave good ground for the hope that by the time named the present situation on the South Pacific coast will be happily terminated, and that those engaged in the contest may take peaceable part in the discussion and solution of the general question affecting in an equal degree the well-being of all.

It seems also desirable to disclaim in advance any purpose on the part of the United States to prejudge the issues to be presented to the Congress. It is far from the intent of this Government to appear before the Congress as in any sense the protector of its neighbors or the predestined and necessary arbitrator of their disputes. The United States will enter into the deliberations of the Congress on the same footing as other powers represented, and with the loyal determination to approach any proposed solution, not merely in its own interest, or with a view to asserting its own power, but as a single member among many co-ordinate and co-equal States. So far as the influence of this Government may be potential, it will be exerted in the direction of conciliating whatever conflicting interests of blood, or government, or historical tradition that may necessarily come together in response to a call embracing such vast and diverse elements.

INSTRUCTIONS TO THE MINISTERS.

You will present these views to the Minister of Foreign Affairs of Costa Rica, enlarging, if need be, in such terms as will readily occur to you upon the great mission which it is within the power of the proposed Congress to accomplish in the interest of humanity, and the firm purpose of the United States of America to maintain a position of the most absolute and impartial friendship toward all. You will, therefore, in the name of the President of the United States, tender to his Excellency, the President of ——, a formal invitation to send two commissioners to the Congress, provided with such powers and instructions on behalf of their Government as will enable them to consider the questions brought before that body within the limit of submission contemplated by this invitation.

The United States, as well as the other powers, will in like manner be represented by two commissioners, so that equality and impartiality will be amply secured in the proceedings of the Congress.

In delivering this invitation through the Minister of

Foreign Affairs, you will read this despatch to him and leave with him a copy, intimating that an answer is desired by this Government as promptly as the just consideration of so important a proposition will permit.

I am, sir, your obedient servant,

JAMES G. BLAINE.

Minister Logan's Reply.

The following is an abstract of the reply of Minister Logan to the above.

"From a full review of the situation, as heretofore detailed to you, I am not clear as to being able to obtain the genuine co-operation of all the States of Central America in the proposed congress.—Each, I have no doubt, will ultimately agree to send the specified number of commissioners and assume, outwardly, an appearance of sincere co-operation, but, as you will perceive from your knowledge of the posture of affairs, all hope of effecting a union of these States except upon a basis the leaders will never permit—that of a free choice of the whole people—will be at an end. The obligation to keep the peace, imposed by the congress, will bind the United States as well as all others, and thus prevent any efforts to bring about the desired union other than those based upon a simple tender of good offices—this means until the years shall bring about a radical change—must be as inefficient in the future as in the past. The situation, as it appears to me, is a difficult one. As a means of restraining the aggressive tendency of Mexico in the direction of Central

America, the congress would be attended by the happiest results, should a full agreement be reached. But as the Central American States are now in a chaotic condition, politically considered, with their future status wholly undefined, and as a final settlement can only be reached, as it now appears, through the operation of military forces, the hope of a Federal union in Central America would be crushed, at least in the immediate present. Wiser heads than my own may devise a method to harmonize these difficulties when the congress is actually in session, but it must be constantly remembered that so far as the Central American commissioners are concerned they will represent the interests and positive mandates of their respective government chiefs in the strictest and most absolute sense. While all will probably send commissioners, through motives of expediency, they may possibly be instructed to secretly defeat the ends of the convention. I make these suggestions that you may have the whole field under view.

"I may mention in this connection that I have received information that up to the tenth of the present month only two members of the proposed convention at Panama had arrived and that it was considered as having failed."

Contemporaneous with these movements or suggestions was another on the part of Mr. Blaine to secure from England a modification or abrogation of the Clayton-Bulwer treaty, with the object of giving to the United States, rather to the Republics of North and South America, full supervision of the Isthmus and Panama Canal when constructed. This branch of the correspondence was sent to the Senate on the 17th of February. Lord Granville, in his despatch of January 7th to Minister West in reference to the

Clayton-Bulwer Treaty controversy, denies any analogy between the cases of the Panama and Suez Canals. He cordially concurs in Mr. Blaine's statement in regard to the unexampled development of the Pacific Coast, but denies that it was unexpected.

He says the declaration of President Monroe anterior to the treaty show that he and his Cabinet had a clear prevision of the great future of that region. The development of the interests of the British possessions also continued, though possibly less rapidly. The Government are of the opinion that the canal, as a water way between the two great oceans and Europe and Eastern Asia, is a work which concerns not only the American Continent, but the whole civilized world. With all deference to the considerations which prompted Mr. Blaine he cannot believe that his proposals will be even beneficial in themselves. He can conceive a no more melancholy spectacle than competition between nations in the construction of fortifications to command the canal. He cannot believe that any South American States would like to admit a foreign power to erect fortifications on its territory, when the claim to do so is accompanied by the declaration that the canal is to be regarded as a part of the American coast line. It is difficult to believe, he says, that the territory between it and the United States could retain its present independence. Lord Granville believes that an invitation to all the maritime states to participate in an agreement based on the stipulations of the Convention of 1850, would make the Convention adequate for the purposes for which it was designed. Her Majesty's Government would gladly see the United States take the initiative towards such a convention, and will be prepared to endorse and

support such action in any way, provided it does not conflict with the Clayton-Bulwer treaty.

Lord Granville, in a subsequent despatch, draws attention to the fact that Mr. Blaine, in using the argument that the treaty has been a source of continual difficulties, omits to state that the questions in dispute which related to points occupied by the British in Central America were removed in 1860 by the voluntary action of Great Britain in certain treaties concluded with Honduras and Nicaragua, the settlement being recognized as perfectly satisfactory by President Buchanan. Lord Granville says, further, that during this controversy America disclaimed any desire to have the exclusive control of the canal.

The Earl contends that in cases where the details of an international agreement have given rise to difficulties and discussions to such an extent as to cause the contracting parties at one time to contemplate its abrogation or modification as one of several possible alternatives, and where it has yet been found preferable to arrive at a solution as to those details rather than to sacrifice the general bases of the engagement, it must surely be allowed that such a fact, far from being an argument against that engagement, is an argument distinctly in its favor. It is equally plain that either of the contracting parties which had abandoned its own contention for the purpose of preserving the agreement in its entirety would have reason to complain if the differences which had been settled by its concessions were afterwards urged as a reason for essentially modifying those other provisions which it had made this sacrifice to maintain. In order to strengthen these arguments, the Earl reviews the correspondence, quotes the historical points made by

Mr. Blaine and in many instances introduces additional data as contradicting the inferences drawn by Mr. Blaine and supporting his own position.

The point on which Mr. Blaine laid particular stress in his despatch to Earl Granville, is the objection made by the government of the United States to any concerted action of the European powers for the purpose of guarantying the neutrality of the Isthmus canal or determining the conditions of its use.

CHILI AND PERU.

The entire question is complicated by the war between Chili and Peru, the latter owning immense guano deposits in which American citizens have become financially interested. These sought the friendly intervention of our government to prevent Chili, the conquering Republic, from appropriating these deposits as part of her war indemnity. The Landreau, an original French claim, is said to represent $125,000,000, and the holders were prior to and during the war pressing it upon Calderon, the Peruvian President, for settlement; the Cochet claim, another of the same class, represented $1,000,000,000. Doubtless these claims are speculative and largely fraudulent, and shrewd agents are interested in their collection and preservation. A still more preposterous and speculative movement was fathered by one Shipherd, who opened a correspondence with Minister Hurlburt, and with other parties for the establishment of the Credit Industriel, which was to pay the $20,000,000 money indemnity demanded of Peru by Chili, and to be reimbursed by the Peruvian

nitrates and guano deposits.

THE SCANDAL.

All of these things surround the question with scandals which probably fail to truthfully reach any prominent officer of our government, but which have nevertheless attracted the attention of Congress to such an extent that the following action has been already taken:

On February 24th Mr. Bayard offered in the Senate a resolution reciting that whereas publication has been widely made by the public press of certain alleged public commercial contracts between certain companies and copartnerships of individuals relative to the exports of guano and nitrates from Peru, in which the mediation by the Government of the United States between the Governments of Peru, Bolivia and Chili is declared to be a condition for the effectuation and continuance of the said contracts; therefore be it resolved, that the Committee on Foreign Relations be instructed to inquire whether any promise or stipulation by which the intervention by the United States in the controversies existing between Chili and Peru or Chili and Bolivia has been expressly or impliedly given by any person or persons officially connected with the Government of the United States, or whether the influence of the Government of the United States has been in any way exerted, promised or intimated in connection with, or in relation to the said contracts by any one officially connected with the Government of the United States, and whether any one officially connected with the Government of the United States is interested, directly or indirectly, with any such

alleged contracts in which the mediation as aforesaid of the United States is recited to be a condition, and that the said committee have power to send for persons and paper and make report of their proceedings in the premises to the Senate at the earliest possible day.

Mr. Edmunds said he had drafted a resolution covering all the branches of "that most unfortunate affair" to which reference was now made, and in view of the ill policy of any action which would commit the Senate to inquiries about declaring foreign matters in advance of a careful investigation by a committee, he now made the suggestion that he would have made as to his own resolution, if he had offered it, namely, that the subject be referred to the Committee on Foreign Relations. He intimated that the proposition prepared by himself would be considered by the committee as a suggestion bearing upon the pending resolution.

Mr. Bayard acquiesced in the reference with the remark that anything that tended to bring the matter more fully before the country was satisfactory to him.

The resolution accordingly went to the Committee on Foreign Relations.

In the House Mr. Kasson, of Iowa, offered a resolution reciting that whereas, it is alleged, in connection with the Chili Peruvian correspondence recently and officially published on the call of the two Houses of Congress, that one or more Ministers Plenipotentiary of the United States were either personally interested or improperly connected with a business transaction in which the intervention of this Government was requested or expected and whereas, it is alleged that certain papers in relation to the

same subject have been improperly lost or removed from the files of the State Department, that therefore the Committee on Foreign Affairs be instructed to inquire into said allegations and ascertain the facts relating thereto, and report the same with such recommendations as they may deem proper, and they shall have power to send for persons and papers. The resolution was adopted.

THE CLAIMS.

The inner history of what is known as the Peruvian Company reads more like a tale from the Arabian Nights than a plain statement of facts. The following is gleaned from the prospectus of the company, of which only a limited number of copies was printed. According to a note on the cover of these "they are for the strictly private use of the gentlemen into whose hands they are immediately placed."

The prospects of the corporation are based entirely upon the claims of Cochet and Landreau, two French chemists, residents of Peru. In the year 1833, the Peruvian government, by published decree, promised to every discoverer of valuable deposits upon the public domain a premium of one-third of the discovery as an incentive to the development of great natural resources vaguely known to exist. In the beginning of 1830, Alexandre Cochet, who was a man of superior information, occupied himself in the laborious work of manufacturing nitrate of soda in a small *oficina* in Peru, and being possessed with quick intelligence and a careful observer he soon came to understand that the valuable properties contained in the guano—an article only known to native cultivators of the soil—would be eminently useful as

a restorative to the exhausted lands of the old continent. With this idea he made himself completely master of the mode of application adopted by the Indians and small farmers in the province where he resided, and after a careful investigation of the chemical effects produced on the land by the proper application of the regenerating agent, he proceeded in the year 1840 to the capital (Lima) in order to interest some of his friends in this new enterprise. Not without great persuasion and much hesitation, he induced his countryman, Mr. Achilles Allier, to take up the hazardous speculation and join with him in his discovery. He succeeded, however, and toward the end of the same year the firm of Quiroz & Allier obtained a concession for six years from the government of Peru for the exportation of all the guano existing in the afterwards famous islands of Chinchi for the sum of sixty thousand dollars. In consequence of the refusal of that firm to admit Cochet, the discoverer, to a participation in the profits growing out of this contract a series of lawsuits resulted and a paper war ensued in which Cochet was baffled. In vain he called the attention of the government to the nature and value of this discovery; he was told that he was a “visionary.” In vain he demonstrated that the nation possessed hundreds of millions of dollars in the grand deposits: this only confirmed the opinion of the Council of State that he was a madman. In vain he attempted to prove that one cargo of guano was equal to fourteen cargoes of grain; the Council of State coolly told him that guano was an article known to the Spaniards, and of no value: that Commissioner Humbolt had referred to it, and that they could not accept his theory respecting its superior properties, its value and its probable use in foreign agriculture at a period

when no new discovery could be made relative to an article so long and of so evident small value.

At length a new light began to dawn on the lethargic understanding of the officials in power, and as rumors continued to arrive from Europe confirming the asseverations of Cochet, and announcing the sale of guano at from $90 to $120 per ton, a degree of haste was suddenly evinced to secure once more to the public treasury this new and unexpected source of wealth; and at one blow the contract with Quiroz & Allier, which had previously been extended, was reduced to one year. Their claims were cancelled by the payment of ten thousand tons of guano which Congress decreed them. There still remained to be settled the just and acknowledged indebtedness for benefits conferred on the country by Cochet, benefits which could not be denied as wealth and prosperity rolled in on the government and on the people. But few, if any, troubled themselves about the question to whom they were indebted for so much good fortune, nor had time to pay particular attention to Cochet's claims. Finally, however, Congress was led to declare Cochet the true discoverer of the value, uses and application of guano for European agriculture, and a grant of 5,000 tons was made in his favor September 30th, 1849, but was never paid him. After passing a period of years in hopeless expectancy—from 1840 to 1851—his impoverished circumstances made it necessary for him to endeavor to procure, through the influence of his own government, that measure of support in favor of his claims which would insure him a competency in his old age.

He resolved upon returning to France, after having spent the best part of his life in the service of a country whose cities had risen from desolation to

splendor under the sole magic of his touch—a touch that had in it for Peru all the fabled power of the long-sought "philosopher's stone." In 1853 Cochet returned to France, but he was then already exhausted by enthusiastic explorations in a deadly climate and never rallied. He lingered in poverty for eleven painful years and died in Paris in an almshouse in 1864, entitled to an estate worth $500,000,000—the richest man in the history of the world—and was buried by the city in the Potters' Field; his wonderful history well illustrating that truth is stranger than fiction.

THE LANDREAU CLAIM.

About the year 1844 Jean Theophile Landreau, also a French citizen, in partnership with his brother, John C. Landreau, a naturalized American citizen, upon the faith of the promised premium of 33⅓ per cent. entered upon a series of extended systematic and scientific explorations with a view to ascertaining whether the deposits of guano particularly pointed out by Cochet constituted the entire guano deposit of Peru, and with money furnished by his partner, John, Theophile prosecuted his searches with remarkable energy and with great success for twelve years, identifying beds not before known to the value of not less than $400,000,000. Well aware, however, of the manner in which his fellow-countryman had been neglected by an unprincipled people, he had the discretion to keep his own counsel and to extort from the Peruvian authorities an absolute agreement in advance before he revealed his treasure. This agreement was, indeed, for a royalty of less than one sixth the amount

promised, but the most solemn assurances were given that the lessened amount would be promptly and cheerfully paid, its total would give the brothers each a large fortune, and payments were to begin at once. The solemn agreement having been concluded and duly certified, the precious deposits having been pointed out and taken possession of by the profligate government, the brothers were at first put off with plausible pretexts of delay, and when these grew monotonous the government calmly issued a decree recognizing the discoveries, accepting the treasure, and annulling the contract, with a suggestion that a more suitable agreement might be arranged in the future.

It will be seen that these two men, Cochet and Landreau, have been acknowledged by the Peruvian government as claimants. No attempt has ever been made to deny the indebtedness. The very decree of repudiation reaffirmed the obligation, and all the courts refused to pronounce against the plaintiffs. Both of these claims came into the possession of Mr. Peter W. Hevenor, of Philadelphia. Cochet left one son whom Mr. Hevenor found in poverty in Lima and advanced money to push his father's claim of $500,000,000 against the government. After $50,000 were spent young Cochet's backer was surprised to learn of the Laudreaus and their claim. Not wishing to antagonize them, he advanced them money, and in a short time owned nearly all the fifteen interests in the Landreau claim of $125,000,000.

To the Peruvian Company Mr. Hevenor has transferred his titles, and on the basis of these that corporation maintains that eventually it will realize not less than $1,200,000,000, computed as follows:

The amount of guano already taken out of the Cochet Islands—including the Chinchas—will be

shown by the Peruvian Custom House records, and will aggregate, it is said, not far from $1,200,000,000 worth. The discoverer's one-third of this would be $400,000,000, and interest upon this amount at six per cent. say for an equalized average of twenty years—would be $480,000,000 more. The amount remaining in these islands is not positively known, and is probably not more than $200,000,000 worth; and in the Landreau deposits say $300,000,000 more. The Chilean plenipotentiary recently announced that his government are about opening very rich deposits on the Lobos Islands—which are included in this group. It is probably within safe limits, says the Peruvian Company's prospectus, to say that, including interest to accrue before the claim can be fully liquidated, its owners will realize no less than $1,200,000,000.

THE COUNTRIES INVOLVED.

In South America there are ten independent governments; and the three Guianas which are dependencies on European powers. Of the independent governments Brazil is an empire, having an area of 3,609,160 square miles and 11,058,000 inhabitants. The other nine are republics. In giving area and population we use the most complete statistics at our command, but they are not strictly reliable, nor as late as we could have wished. The area and the population of the republics are: Venezuela, 426,712 square miles and 2,200,000 inhabitants; United States of Colombia, 475,000 square miles and 2,900,000 inhabitants; Peru, 580,000 square miles and 2,500,000 inhabitants; Ecuador, 208,000 square miles and 1,300,000

inhabitants; Bolivia, 842,730 square miles and 1,987,352 inhabitants; Chili, 200,000 square miles and 2,084,960 inhabitants; Argentine Republic, 1,323,560 square miles and 1,887,000 inhabitants; Paraguay, 73,000 square miles and 1,337,439 inhabitants; Uruguay, 66,716 square miles and 240,000 inhabitants, or a total in the nine republics of 3,789,220 square miles and 16,436,751 inhabitants. The aggregate area of the nine republics exceeds that of Brazil 180,060 square miles, and the total population exceeds that of Brazil 5,069,552. Brazil, being an empire, is not comprehended in the Blaine proposal—she rather stands as a strong barrier against it. Mexico and Guatemala are included, but are on this continent, and their character and resources better understood by our people. In the South American countries generally the Spanish language is spoken. The educated classes are of nearly pure Spanish extraction. The laboring classes are of mixed Spanish and aboriginal blood, or of pure aboriginal ancestry. The characteristics of the Continent are emphatically Spanish. The area and population we have already given. The territory is nearly equally divided between the republics and the empire, the former having a greater area of only 180,060 square miles; but the nine republics have an aggregate population of 5,059,522 more than Brazil. The United States has an area of 3,634,797 square miles, including Alaska; but excluding Alaska, it has 3,056,797 square miles. The area of Brazil is greater than that of the United States, excluding Alaska, by 552,363 square miles, and the aggregate area of the nine republics is greater by 732,423 square miles. This comparison of the area of the nine republics and of Brazil with that of this nation gives a definite idea of their magnitude. Geographically, these republics

occupy the northern, western and southern portions of South America, and are contiguous. The aggregate exports and imports of South America, according to the last available data, were $529,300,000; those of Brazil, $168,930,000; of the nine republics, $360,360,000.

These resolutions will bring out voluminous correspondence, but we have given the reader sufficient to reach a fair understanding of the subject. Whatever of scandal may be connected with it, like the Star Route cases, it should await official investigation and condemnation. Last of all should history condemn any one in advance of official inquiry. None of the governments invited to the Congress had accepted formally, and in view of obstacles thrown in the way by the present administration, it is not probable they will.

Accepting the proposition of Mr. Blaine as stated in his letter to President Arthur, as conveying his true desire and meaning, it is due to the truth to say that it comprehends more than the Monroe doctrine, the text of which is given in President Monroe's own words in this volume. While he contended against foreign intervention with the Republics on this Hemisphere, he never asserted the right of our government to participate in or seek the control either of the internal, commercial or foreign policy of any of the Republics of America, by arbitration or otherwise. So that Mr. Blaine is the author of an advance upon the Monroe doctrine, and what seems at this time a radical advance. What it may be when the United States seeks to "spread itself" by an aggressive foreign policy, and by aggrandizement of new avenues of trade, possibly new acquisitions of territory, is another question. It is a policy brilliant beyond any examples in our history, and a new

departure from the teachings of Washington, who advised absolute non-intervention in foreign affairs. The new doctrine might thrive and acquire great popularity under an administration friendly to it; but President Arthur has already intimated his hostility, and it is now beyond enforcement during his administration. The views of Congress also seem to be adverse as far as the debates have gone into the question, though it has some warm friends who may revive it under more favorable auspices.

The Star Route Scandal.

Directly after Mr. James assumed the position of Postmaster-General in the Cabinet of President Garfield, he discovered a great amount of extravagance and probably fraud in the conduct of the mail service known as the Star Routes, authorized by act of Congress to further extend the mail facilities and promote the more rapid carriage of the mails. These routes proved to be very popular in the West and Southwest, and the growing demand for mail facilities in these sections would even in a legitimate way, if not closely watched, lead to unusual cost and extravagance; but it is alleged that a ring was formed headed by General Brady, one of the Assistant Postmaster-Generals under General Key, by which routes were established with the sole view of defrauding the Government—that false bonds were given and enormous and fraudulent sums paid for little or no service. This scandal was at its height at the time of the assassination of President Garfield,

at which time Postmaster-General James, Attorney-General MacVeagh and other officials were rapidly preparing for the prosecution of all charged with the fraud. Upon the succession of President Arthur he openly insisted upon the fullest prosecution, and declined to receive the resignation of Mr. MacVeagh from the Cabinet because of a stated fear that the prosecution would suffer by his withdrawal. Mr. MacVeagh, however, withdrew from the Cabinet, believing that the new President should not by any circumstance be prevented from the official association of friends of his own selection; and at this writing Attorney-General Brewster is pushing the prosecutions.

On the 24th of March, 1882, the Grand Jury sitting at Washington presented indictments for conspiracy in connection with the Star Route mail service against the following named persons: Thomas J. Brady, J. W. Dorsey, Henry M. Vail, John W. Dorsey, John R. Miner, John M. Peck, M. C. Rerdell, J. L. Sanderson, Wm. H. Turner. Also against Alvin O. Buck, Wm. S. Barringer and Albert E. Boone, and against Kate M. Armstrong for perjury. The indictment against Brady, Dorsey and others, which is very voluminous, recites the existence, on March 10, 1879, of the Post Office Department, Postmaster-General and three assistants, and a Sixth Auditor's office and Contract office and division.

"To the latter was subject," the indictment continues, "the arrangement of the mail service of the United States and the letting out of the same on contract." It then describes the duties of the inspecting division. On March 10, 1879, the grand jurors represent, Thomas J. Brady was the lawful Second Assistant Postmaster-General engaged in the performance of the duties of that office. William H.

Turner was a clerk in the Second Assistant Postmaster-General's office, and attended to the business of the contract division relating to the mail service over several post routes in California, Colorado, Oregon, Nebraska, and the Territories. On the 16th of March, 1879, the indictment represents Thomas J. Brady as having made eight contracts with John W. Dorsey to carry the mails from July 1, 1878, to June 30, 1882, from Vermillion, in Dakota Territory, to Sioux Falls and back, on a fourteen hour time schedule, for $398 each year; on route from White River to Rawlins, Colorado, once a week of 108 hours' time, for $1,700 a year; on route from Garland, Colorado, to Parrott City, once a week, on a schedule of 168 hours' time, for $2,745; on route from Ouray, Colorado, to Los Pinos, once a week, in 12 hours' time, for $348; on route from Silverton, Colorado, to Parrott City, twice a week, on 36 hours' time, for $1,488; on route from Mineral Park, in Arizona Territory, to Pioche and back, once a week, in 84 hours' time, $2,982; on route from Tres Almos to Clifton and back, once a week, of 84 hours' time, for $1,568.

It further sets forth that the Second Assistant Postmaster-General entered into five contracts with John R. Miner on June 13, 1878, on routes in Dakota Territory and Colorado, and on March 15, 1879, with John M. Peck, over eight post routes. In the space of sixty days after the making of these contracts they were in full force. On March 10, 1879, John W. Dorsey, John R. Miner, and John M. Peck, with Stephen W. Dorsey and Henry M. Vaile, M. C. Rerdell and J. L. Sanderson, mutually interested in these contracts and money, to be paid by the United States to the three parties above named, did unlawfully and maliciously combine and conspire to fraudulently

write, sign, and cause to be written and signed, a large number of fraudulent letters and communications and false and fraudulent petitions and applications to the Postmaster-General for additional service and increase of expenditure on the routes, which were purported to be signed by the people and inhabitants in the neighborhood of the routes, which were filed with the papers in the office of the Second Assistant Postmaster-General. Further that these parties swore falsely in describing the number of men and animals required to perform the mail service over the routes and States as greater than was necessary.

These false oaths were placed on file in the Second Assistant Postmaster-General's office; and by means of Wm. H. Turner falsely making and writing and endorsing these papers, with brief and untrue statements as to their contents, and by Turner preparing fraudulent written orders for allowances to be made to these contractors and signed by Thomas J. Brady fraudulently, and for the benefit and gain of all the parties named in this bill, the service was increased over these routes; and that Brady knew it was not lawfully needed and required. That he caused the order for increasing to be certified to and filed in the Sixth Auditor's office for fraudulent additional compensation. That Mr. Brady gave orders to extend the service so as to include other and different stations than those mentioned in the contract, that he and others might have the benefits and profits of it: that he refused to impose fines on these contracts for failures and delinquencies, but allowed them additional pay for the service over these routes. During the continuance of these contracts the parties acquired unto themselves several large and excessive sums of money, the

property of the United States, fraudulently and unlawfully ordered to be paid them by Mr. Brady.

These are certainly formidable indictments. Others are pending against persons in Philadelphia and other cities, who are charged with complicity in these Star Route frauds, in giving straw bonds, &c. The Star Route service still continues, the Post Office Department under the law having sent out several thousand notifications this year to contractors, informing them of the official acceptance of their proposals, and some of these contractors are the same named above as under indictment. This well exemplifies the maxim of the law relative to innocence until guilt be shown.

The Coming States.

Bills are pending before Congress for the admission of Dakota, Wyoming, New Mexico and Washington Territories. The Bill for the admission of Dakota divides the old Territory, and provides that the new State shall consist of the territory included within the following boundaries: Commencing at a point on the west line of the State of Minnesota where the forty-sixth degree of north latitude intersects the same; thence south along the west boundary lines of the States of Minnesota and Iowa to the point of intersection with the northern boundary line of the State of Nebraska; thence westwardly along the northern boundary line of the State of Nebraska to the twenty-seventh meridian of longitude west from Washington; thence north along the said twenty-

seventh degree of longitude to the forty-sixth degree of north latitude; to the place of beginning. The bill provides for a convention of one hundred and twenty delegates, to be chosen by the legal voters, who shall adopt the United States Constitution and then proceed to form a State Constitution and government. Until the next census the State shall be entitled to one representative, who, with the Governor and other officials, shall be elected upon a day named by the Constitutional Convention. The report sets apart lands for school purposes, and gives the State five per centum of the proceeds of all sales of public lands within its limits subsequent to its admission as a State, excluding all mineral lands from being thus set apart for school purposes. It provides that portion of the Territory not included in the proposed new State shall continue as a Territory under the name of the Territory of North Dakota.

The proposition to divide comes from Senator McMillan, and if Congress sustains the division, the portion admitted would contain 100,000 inhabitants, the entire estimated population being 175,000—a number in excess of twenty of the present States when admitted, exclusive of the original thirteen; while the division, which shows 100,000 inhabitants, is still in excess of sixteen States when admitted.

Nevada, with less than 65,000 population, was admitted before the close Presidential election of 1876, and it may be said that her majority of 1,075, in a total poll of 19,691 votes, decided the Presidential result in favor of Hayes, and these votes counteracted the plurality of nearly 300,000 received by Mr. Tilden elsewhere. This fact well illustrates the power of States, as States, and however small, in controlling the affairs of the country. It also accounts for the jealousy with which closely balanced political

parties watch the incoming States.

Population is but one of the considerations entering into the question of admitting territories, State sovereignty does not rest upon population, as in the make up of the U. S. Senate neither population, size, nor resources are taken into account. Rhode Island, the smallest of all the States, and New York, the great Empire State, with over 5,000,000 of inhabitants, stand upon an equality in the conservative branch of the Government. It is in the House of Representatives that the population is considered. Such is the jealousy of the larger States of their representation in the U. S. Senate, that few new ones would be admitted without long and continuous knocking if it were not for partisan interests, and yet where a fair number of people demand State Government there is no just cause for denial. Yet all questions of population, natural division, area and resources should be given their proper weight.

The area of the combined territories—Utah, Washington, New Mexico, Dakota, Arizona, Montana, Idaho, Wyoming and Indian is about 900,000 square miles. We exclude Alaska, which has not been surveyed.

Indian Territory and Utah are for some years to come excluded from admission—the one being reserved to the occupancy of the Indians, while the other is by her peculiar institution of polygamy, generally thrown out of all calculation. And yet it may be found that polygamy can best be made amenable to the laws by the compulsory admission of Utah as a State—an idea entertained by not a few who have given consideration to the question. Alaska may also be counted out for many years to come. There are but 30,000 inhabitants, few of these

permanent, and Congress is now considering a petition for the establishment of a territorial government there.

Next to Dakota, New Mexico justly claims admission. The lands comprised within its original area were acquired from Mexico, at the conclusion of the war with that country, by the treaty of Guadalupe Hidalgo in 1848, and by act of September 9, 1850, a Territorial government was organized. By treaty of December 30, 1853, the region south of the Gila river—the Gadsden purchase, so called—was ceded by Mexico, and by act of August 4, 1854, added to the Territory, which at that time included within its limits the present Territory of Arizona. Its prayer for admission was brought to the serious attention of Congress in 1874. The bill was presented in an able speech by Mr. Elkins, then delegate from the Territory, and had the warm support of many members. A bill to admit was also introduced in the Senate, and passed that body February 25, 1875, by a vote of thirty-two to eleven, two of the present members of that body, Messrs. Ingalls and Windom, being among its supporters. The matter of admission came up for final action in the House at the same session, just prior to adjournment, and a motion to suspend the rules, in order to put it upon its final passage, was lost by a vote of one hundred and fifty-four to eighty-seven, and the earnest efforts to secure the admission of New Mexico were thus defeated. A bill for its admission is now again before Congress, and it is a matter of interest to note the representations as to the condition of the Territory then made, and the facts as they now exist. It has, according to the census of 1880, a population of 119,565. It had in 1870 a population of 91,874. It was claimed by the more moderate advocates of the

bill that its population then numbered 135,000 (15,435 more than at present), while others placed it as high as 145,000. Of this population, 45,000 were said to be of American and European descent. It was stated by Senator Hoar, one of the opponents of the bill, that, out of an illiterate population of 52,220, by far the larger part were native inhabitants of Mexican or Spanish origin, who could not speak the English language. This statement seems to be in large degree confirmed by the census of 1880, which shows a total native white population of 108,721, of whom, as nearly as can be ascertained, upward of 80 per cent. are not only illiterates of Mexican and Spanish extraction, but as in 1870, speaking a foreign language. The vote for Mr. Elkins, Territorial Delegate in 1875, was reported as being about 17,000. The total vote in 1878 was 18,806, and in 1880, 20,397, showing a comparatively insignificant increase from 1875 to 1880.

The Territory of Washington was constituted out of Oregon, and organized as a Territory by act of March 2, 1853. Its population by the census of 1880 was 75,116, an increase from 23,955 in 1870. Of this total, 59,313 are of native and 15,803 of foreign nativity. Its total white population in the census year was 67,119; Chinese, 3,186; Indian, 4,105; colored, 326, and its total present population is probably not far from 95,000. Its yield of precious metals in 1880, and for the entire period since its development, while showing resources full of promise, has been much less than that of any other of the organized Territories. Its total vote for Territorial Delegate in 1880, while exceeding that of the Territories of Arizona, Idaho, and Wyoming, was but 15,823.

The Territory of Arizona, organized out of a portion of New Mexico, and provided with a

territorial government in 1863, contains about 5,000,000 acres less than the Territory of New Mexico, or an acreage exceeded by that of only five States and Territories. Its total population in 1870 was 9,658, and in 1880, 40,440, 35,160 of whom were whites. Of its total population in the census year, 24,391 were of native and 16,049 of foreign birth, the number of Indians, Chinese, and colored being 5,000.

Idaho was originally a part of Oregon, from which it was separated and provided with a territorial government by the act of March 3, 1863. It embraces in its area a little more than 55,000,000 acres, and had in 1880 a total population of 32,610, being an increase from 14,999 in 1870. Of this population, 22,636 are of native and 9,974 of foreign birth; 29,013 of the total inhabitants are white, 3,379 Chinese and 218 Indians and colored.

The Territory of Montana, organized by act of May 26, 1864, contains an acreage larger than that of any other Territory save Dakota. While it seems to be inferior in cereal producing capacity, in its area of valuable grazing lands it equals, if it does not excel, Idaho. The chief prosperity of the Territory, and that which promises for it a future of growing importance, lies in its extraordinary mineral wealth, the productions of its mines in the year 1880 having been nearly twice that of any other Territory, with a corresponding excess in its total production, which had reached, on June 30, 1880, the enormous total of over $53,000,000. Its mining industries represent in the aggregate very large invested capital, and the increasing products, with the development of new mines, are attracting constant additions to its population, which in 1880 showed an increase, as compared with 1870, of over 90 per cent. For

particulars see census tables in tabulated history.

Wyoming was constituted out of the Territory of Dakota, and provided with territorial government July 25, 1868. Lying between Colorado and Montana, and adjoining Dakota and Nebraska on the east, it partakes of the natural characteristics of these States and Territories, having a fair portion of land suitable for cultivation, a large area suitable for grazing purposes, and a wealth in mineral resources whose development, although of recent beginning, has already resulted in an encouraging yield in precious metals. It is the fifth in area.

Henry Randall Waite, in an able article in the March number of the International Review (1882,) closes with these interesting paragraphs:

“It will be thus seen that eleven States organized from Territories, when authorized to form State governments, and the same number when admitted to the Union, had free populations of less than 60,000, and that of the slave States included in this number, seven in all, not one had the required number of free inhabitants, either when authorized to take the first steps toward admission or when finally admitted; and that both of these steps were taken by two of the latter States with a total population, free and slave, below the required number. Why so many States have been authorized to form State governments, and have been subsequently admitted to the Union with populations so far below the requirements of the ordinance of 1787, and the accepted rules for subsequent action may be briefly explained as follows: 1st, by the ground for the use of a wide discretion afforded in the provisions of the ordinance of 1787, for the admission of States, when deemed expedient, before their population should equal the required number;

and 2d. by the equally wide discretion given by the Constitution in the words, 'New States may be admitted by Congress into this Union,' the only provision of the Constitution bearing specifically upon this subject. Efforts have been made at various times to secure the strict enforcement of the original rules, with the modification resulting from the increase in the population of the Union, which provided that the number of free inhabitants in a Territory seeking admission should equal the number established as the basis of representation in the apportionment of Representatives in Congress, as determined by the preceding census. How little success the efforts made in this direction have met, may be seen by a comparison of the number of inhabitants forming the basis of representation, as established by the different censuses, and the free population of the Territories admitted at corresponding periods.

"At this late date, it is hardly to be expected that rules so long disregarded will be made applicable to the admission of the States to be organized from the existing Territories. There is, nevertheless, a growing disposition on the part of Congress to look with disfavor upon the formation of States whose population, and the development of whose resources, render the expediency of their admission questionable; and an increasing doubt as to the propriety of so dividing the existing Territories as to multiply to an unnecessary extent the number of States, with the attendant increase in the number of Representatives in the National Legislature.

"To recapitulate the facts as to the present condition of the Territories with reference to their admission as States, it may be said that only Dakota, Utah, New Mexico and Washington are in possession

of the necessary population according to the rule requiring 60,000; that only the three first named conform to the rule demanding a population equal to the present basis of representation; that only Dakota, Utah and Washington give evidence of that intelligence on the part of their inhabitants which is essential to the proper exercise, under favorable conditions, of the extended rights of citizenship, and of that progress in the development of their resources which makes self-government essential, safe, or in any way desirable; and that only Dakota can be said, unquestionably, to possess all of the requirements which, by the dictates of a sound policy, should be demanded of a Territory at this time seeking admission to the Union.

"Whatever the response to the Territorial messengers now waiting at the doors of Congress, a few years, at most, will bring an answer to their prayers. The stars of a dozen proud and prosperous States will soon be added to those already blazoned upon the blue field of the Union, and the term Territory, save as applied to the frozen regions of Alaska, will disappear from the map of the United States."

The Chinese Question.

Since 1877 the agitation of the prohibition of Chinese immigration in California and other States and Territories on the Pacific slope has been very great. This led to many scenes of violence and in some instances bloodshed, when one Dennis Kearney

led the Workingmen's party in San Francisco. On this issue an agitator and preacher named Kalloch was elected Mayor. The issue was carried to the Legislature, and in the vote on a constitutional amendment it was found that not only the labor but nearly all classes in California were opposed to the Chinese. The constitutional amendment did not meet the sanction of the higher courts. A bill was introduced into Congress restricting Chinese immigrants to fifteen on each vessel. This passed both branches, but was vetoed by President Hayes on the ground that it was in violation of the spirit of treaty stipulations. At the sessions of 1881–82 a new and more radical measure was introduced. This prohibits immigration to Chinese or Coolie laborers for twenty years. The discussion in the U. S. Senate began on the 28th of February, 1882, in a speech of unusual strength by Senator John F. Miller, the author of the Bill. From this we freely quote, not alone to show the later views entertained by the people of the Pacific slope, but to give from the lips of one who knows the leading facts in the history of the agitation.

Abstracts from the Text of Senator Miller's Speech.

On his Bill to Prohibit Chinese Immigration.

In the Senate, Feb. 28th, 1882, Mr. Miller said:

"This measure is not a surprise to the Senate, nor a new revelation to the country. It has been before Congress more than once, if not in the precise form in which it is now presented, in substance the same, and it has passed the ordeal of analytical debate and received the affirmative vote of both Houses. Except for the Executive veto it would have been long ago the law of the land. It is again presented, not only under circumstances as imperative in their demands for its enactment, but with every objection of the veto removed and every argument made against its approval swept away. It is an interesting fact in the history of this measure, that the action which has cleared its way of the impediments which were made the reasons for the veto, was inaugurated and consummated with splendid persistence and energy by the same administration whose executive interposed the veto against it. Without stopping to inquire into the motive of the Hayes administration in this proceeding, whether its action was in obedience to a conviction that the measure was in itself right and expedient, or to a public sentiment, so strong and universal as to demand the utmost vigor in the diplomacy necessary for the removal of all impediments to its progress, it must be apparent that the result of this diplomatic action has been to add a new phase to the question in respect of the adoption of the measure itself.

"In order to fully appreciate this fact it may be proper to indulge in historical reminiscence for a moment. For many years complaints had been made against the introduction into the United States of the

peculiar people who come from China, and the Congress, after careful consideration of the subject, so far appreciated the evil complained of as to pass a bill to interdict it.

"The Executive Department had, prior to that action, with diplomatic finesse, approached the imperial throne of China, with intent, as was said, to ascertain whether such an interdiction of coolie importation, or immigration so called, into the United States would be regarded as a breach of friendly relations with China, and had been informed by the diplomat, to whom the delicate task had been committed, that such interdiction would not be favorably regarded by the Chinese Government. Hence, when Congress, with surprising audacity, passed the bill of interdiction the Executive, believing in the truth of the information given him, thought it prudent and expedient to veto the bill, but immediately, in pursuance of authority granted by Congress, he appointed three commissioners to negotiate a treaty by which the consent of China should be given to the interdiction proposed by Congress. These commissioners appeared before the Government of China upon this special mission, and presented the request of the Government of the United States affirmatively, positively, and authoritatively made, and after the usual diplomatic ceremonies, representations, misrepresentations, avowals, and concealments, the treaty was made, the concession granted, and the interdiction agreed upon. This treaty was presented here and ratified by the Senate, with what unanimity Senators know, and which the rules of the Senate forbid me to describe.

"The new phase of this question, which we may as well consider in the outset, suggests the spectacle which this nation should present if Congress were to

vote this or a similar measure down. A great nation cannot afford inconsistency in action, nor betray a vacillating, staggering, inconstant policy in its intercourse with other nations. No really great people will present themselves before the world through their government as a nation irresolute, fickle, feeble, or petulant; one day eagerly demanding of its neighbor an agreement or concession, which on the next it nervously repudiates or casts aside. Can we make a solemn request of China, through the pomp of an extraordinary embassy and the ceremony of diplomatic negotiation, and with prudent dispatch exchange ratifications of the treaty granting our request, and within less than half a year after such exchange is made cast aside the concession and, with childish irresolution, ignore the whole proceeding? Can we afford to make such a confession of American imbecility to any oriental power? The adoption of this or some such measure becomes necessary, it seems to me, to the intelligent and consistent execution of a policy adopted by this Government under the sanction of a treaty with another great nation.

"If the Executive department, the Senate, and the House of Representatives have all understood and appreciated their own action in respect of this measure; if in the negotiation and ratification of the new treaty with China, the Executive and the Senate did not act without thought, in blind, inconsiderate recklessness—and we know they did not—if the Congress of the United States in the passage of the fifteen passenger bill had the faintest conception of what it was doing—and we know it had—then the policy of this Government in respect of so-called Chinese immigration has been authoritatively settled.

"This proposition is submitted with the greater

confidence because the action I have described was in obedience to, and in harmony with, a public sentiment which seems to have permeated the whole country. For the evidence of the existence of such a sentiment, it is only necessary to produce the declarations upon this subject of the two great historical parties of the country, deliberately made by their national conventions of 1880. One of these (the Democratic convention) declared that there shall be—

"'No more Chinese immigration except for travel, education, and foreign commerce, and therein carefully guarded.'

"The other (the Republican) convention declared that—

"'Since the authority to regulate immigration and intercourse between the United States and foreign nations rests with Congress, or with the United States and its treaty-making power, the Republican party, regarding the unrestricted immigration of the Chinese as an evil of great magnitude, invokes the exercise of these powers to restrain and limit the immigration by the enactment of such just, humane, and reasonable provisions as will produce that result.'

"These are the declarations of the two great political parties, in whose ranks are enrolled nearly all the voters of the United States; and whoever voted at the last Presidential election voted for the adoption of the principles and policy expressed by those declarations, whether he voted with the one or the other of the two great parties. Both candidates for the Presidency were pledged to the adoption and execution of the policy of restriction thus declared by their respective parties, and the candidate who was

successful at the polls, in his letter of acceptance, not only gave expression to the sentiment of his party and the country, but with a clearness and conciseness which distinguished all his utterances upon great public questions, gave the reasons for that public sentiment." He said:

"'The recent movement of the Chinese to our Pacific Coast partakes but little of the qualities of an immigration, either in its purposes or results. It is too much like an importation to be welcomed without restriction; too much like an invasion to be looked upon without solicitude. We cannot consent to allow any form of servile labor to be introduced among us under the guise of immigration.'

"In this connection it is proper also to consider the probable effect of a failure or refusal of Congress to pass this bill, upon the introduction of Chinese coolies into the United States in the future. An adverse vote upon such a measure, is an invitation to the Chinese to come. It would be interpreted to mean that the Government of the United States had reversed its policy, and is now in favor of the unrestricted importation of Chinese; that it looks with favor upon the Chinese invasion now in progress. It is a fact well known that the hostility to the influx of Chinese upon the Pacific coast displayed by the people of California has operated as a restriction, and has discouraged the importation of Chinese to such a degree that it is probable that there are not a tenth part the number of Chinese in the country there would have been had this determined hostility never been shown. Despite the inhospitality, not to say resistance, of the California people to the Chinese, sometimes while waiting for the action of the General Government difficult to

restrain within the bounds of peaceable assertion, they have poured through the Golden Gate in constantly increased numbers during the past year, the total number of arrivals at San Francisco alone during 1881 being 18,561. Nearly two months have elapsed since the 1st of January, and there have arrived, as the newspapers show, about four thousand more.

"The defeat of this measure now is a shout of welcome across the Pacific Ocean to a myriad host of these strange people to come and occupy the land, and it is a rebuke to the American citizens, who have so long stood guard upon the western shore of this continent, and who, seeing the danger, have with a fortitude and forbearance most admirable, raised and maintained the only barrier against a stealthy, strategic, but peaceful invasion as destructive in its results and more potent for evil, than an invasion by an army with banners. An adverse vote now, is to commission under the broad seal of the United States, all the speculators in human labor, all the importers of human muscle, all the traffickers in human flesh, to ply their infamous trade without impediment under the protection of the American flag, and empty the teeming, seething slave pens of China upon the soil of California! I forbear further speculation upon the results likely to flow from such a vote, for it presents pictures to the mind which one would not willingly contemplate.

"These considerations which I have presented ought to be, it seems to me, decisive of the action of the Senate upon this measure; and I should regard the argument as closed did I not know, that there still remain those who do not consider the question as settled, and who insist upon further inquiry into the reasons for a policy of restriction, as applied to

the Chinese. I am not one of those who would place the consideration of consistency or mere appearances above consideration of right or justice; but since no change has taken place in our relations with China, nor in our domestic concerns which renders a reversal of the action of the government proper or necessary, I insist that if the measure of restriction was right and good policy when Congress passed the fifteenth passenger bill, and when the late treaty with China was negotiated and ratified, it is right and expedient now.

"This measure had its origin in California. It has been pressed with great vigor by the Representatives of the Pacific coast in Congress, for many years. It has not been urged with wild vehement declamation by thoughtless men, at the behest of an ignorant unthinking, prejudiced constituency. It has been supported by incontrovertible fact and passionless reasoning and enforced by the logic of events. Behind these Representatives was an intelligent, conscientious public sentiment—universal in a constituency as honest, generous, intelligent, courageous, and humane as any in the Republic.

"It had been said that the advocates of Chinese restriction were to be found only among the vicious, unlettered foreign element of California society. To show the fact in respect of this contention, the Legislature of California in 1878 provided for a vote of the people upon the question of Chinese immigration (so called) to be had at the general election of 1879. The vote was legally taken, without excitement, and the response was general. When the ballots were counted, there were found to be 883 votes for Chinese immigration and 154,638 against it. A similar vote was taken in Nevada and resulted as follows: 183 votes for Chinese immigration and

17,259 votes against. It has been said that a count of noses is an ineffectual and illusory method of settling great questions, but this vote of these two States settled the contention intended to be settled; and demonstrated that the people of all others in the United States who know most of the Chinese evil, and who are most competent to judge of the necessity for restriction are practically unanimous in the support of this measure.

"It is to be supposed that this vote of California was the effect of an hysterical spasm, which had suddenly seized the minds of 154,000 voters, representing the sentiment of 800,000 people. For nearly thirty years this people had witnessed the effect of coolie importation. For more than a quarter of a century these voters had met face to face, considered, weighed, and discussed the great question upon which they were at last called upon, in the most solemn and deliberate manner, to express an opinion. I do not cite this extraordinary vote as a conclusive argument in favor of Chinese restriction; but I present it as an important fact suggestive of argument. It may be that the people who have been brought face to face with the Chinese invasion are all wrong, and that those who have seen nothing of it, who have but heard something of it, are more competent (being disinterested) to judge of its possible, probable, and actual effects, than those who have had twenty or thirty years of actual continuous experience and contact with the Chinese colony in America; and it may be that the Chinese question is to be settled upon considerations other than those practical common sense reasons and principles which form the basis of political science.

"It has sometimes happened in dealing with great questions of governmental policy that sentiment, or a

sort of emotional inspiration, has seized the minds of those engaged in the solution of great problems, by which they have been lifted up into the ethereal heights of moral abstraction. I trust that while we attempt the path of inquiry in this instance we shall keep our feet firmly upon the earth. This question relates to this planet and the temporal government of some of its inhabitants; it is of the earth earthly; it involves principles of economic, social, and political science, rather than a question of morals; it is a question of national policy, and should be subjected to philosophical analysis. Moreover, the question is of to-day. The conditions of the world of mankind at the present moment are those with which we have to deal. If mankind existed now in one grand co-operative society, in one universal union, under one system of laws, in a vast homogeneous brotherhood, serenely beatified, innocent of all selfish aims and unholy desires, with one visible temporal ruler, whose judgments should be justice and whose sway should be eternal, then there would be no propriety in this measure.

"But the millennium has not yet begun, and man exists now, as he has existed always—in the economy of Providence—in societies called nations, separated by the peculiarities if not the antipathies of race. In truth the history of mankind is for the most part descriptive of racial conflicts and the struggles between nations for existence. By a perfectly natural process these nations have evolved distinct civilizations, as diverse in their characteristics as the races of men from which they have sprung. These may be properly grouped into two grand divisions, the civilization of the East and the civilization of the West. These two great and diverse civilizations have finally met on the American shore of the Pacific

Ocean.

"During the late depression in business affairs, which existed for three or four years in California, while thousands of white men and women were walking the streets, begging and pleading for an opportunity to give their honest labor for any wages, the great steamers made their regular arrivals from China, and discharged at the wharves of San Francisco their accustomed cargoes of Chinese who were conveyed through the city to the distributing dens of the Six Companies, and within three or four days after arrival every Chinaman was in his place at work, and the white people unemployed still went about the streets. This continued until the white laboring men rose in their desperation and threatened the existence of the Chinese colony when the influx was temporarily checked; but now since business has revived, and the pressure is removed, the Chinese come in vastly increased numbers, the excess of arrivals over departures averaging about one thousand per month at San Francisco alone. The importers of Chinese had no difficulty in securing openings for their cargoes now, and when transportation from California to the Eastern States is cheapened, as it soon will be, they will extend their operations into the Middle and Eastern States, unless prevented by law, for wherever there is a white man or woman at work for wages, whether at the shoe bench, in the factory, or on the farm, there is an opening for a Chinaman. No matter how low the wages may be, the Chinaman can afford to work for still lower wages, and if the competition is free, he will take the white man's place.

"At this point we are met by the query from a certain class of political economists, 'What of it? Suppose the Chinese work for lower wages than

white men, is it not advantageous to the country to employ them?' The first answer to such question is, that by this process white men are supplanted by Chinese. It is a substitution of Chinese and their civilization for white men and Anglo-Saxon civilization. This involves considerations higher than mere economic theories. If the Chinese are as desirable as citizens, if they are in all the essential elements of manhood the peers or the superiors of the Caucasian; if they will protect American interests, foster American institutions, and become the patriotic defenders of republican government; if their civilization does not antagonize ours nor contaminate it; if they are free, independent men, fit for liberty and self-government as European immigrants generally are, then we may begin argument upon the question whether it is better or worse, wise or unwise, to permit white men, American citizens, or men of kindred races to be supplanted and the Chinese to be substituted in their places. Until all this and more can be shown the advocates of Chinese importation or immigration have no base upon which to even begin to build argument.

"The statistics of the manufacture of cigars in San Francisco are still more suggestive. This business was formerly carried on exclusively by white people, many hundreds finding steady and lucrative employment in that trade. I have here the certified statement from the office of the collector of internal revenue at San Francisco, showing the number of white people and Chinese, relatively, employed on the 1st of November last in the manufacture of cigars. The statement is as follows:

Number of white men employed	493
Number of white women employed	170
Total whites	663
Number of Chinese employed	5 182

"The facts of this statement were carefully ascertained by three deputy collectors. The San Francisco Assembly of Trades certify that there are 8,265 Chinese employed in laundries. It is a well-known fact that white women who formerly did this work have been quite driven out of that employment. The same authority certifies that the number of Chinese now employed in the manufacture of clothing in San Francisco, is 7,510, and the number of whites so employed is 1,000. In many industries the Chinese have entirely supplanted the white laborers, and thousands of our white people have quit California and sought immunity from this grinding competition in other and better-favored regions."

"If you would 'secure the blessings of liberty to ourselves and our posterity,' there must be some place reserved in which, and upon which, posterity can exist. What will the blessings of liberty be worth to posterity if you give up the country to the Chinese? If China is to be the breeding-ground for peopling this country, what chance of American posterity? We of this age hold this land in trust for our race and kindred. We hold republican government and free institutions in trust for American posterity. That trust ought not to be betrayed. If the Chinese should invade the Pacific coast with arms in their hands, what a magnificent

spectacle of martial resistance would be presented to a startled world! The mere intimation of an attempt to make conquest of our western shore by force would rouse the nation to a frenzy of enthusiasm in its defense. For years a peaceful, sly, strategic conquest has been in progress, and American statesmanship has been almost silent, until the people have demanded action.

"The land which is being overrun by the oriental invader is the fairest portion of our heritage. It is the land of the vine and the fig tree; the home of the orange, the olive, and the pomegranate. Its winter is a perpetual spring, and its summer is a golden harvest. There the northern pine peacefully sways against the southern palm; the tender azalea and the hardy rose mingle their sweet perfume, and the tropic vine encircles the sturdy oak. Its valleys are rich and glorious with luscious fruits and waving grain, and its lofty

> Mountains like giants stand,
> To sentinel the enchanted land.

"I would see its fertile plains, its sequestered vales, its vine-clad hills, its deep blue canons, its furrowed mountain-sides, dotted all over with American homes —the homes of a free, happy people, resonant with the sweet voices of flaxen-haired children, and ringing with the joyous laughter of maiden fair—

> Soft as her clime, and sunny as her skies—

like the homes of New England; yet brighter and better far shall be the homes which are to be builded in that wonderland by the sunset sea, the homes of a race from which shall spring

> The flower of men,

To serve as model for the mighty world,
And be the fair beginning of a time."

Reply of Senator Geo. P. Hoar.

Senator Hoar, of Massachusetts, replied to Senator Miller, and presented the supposed view of the Eastern States in a masterly manner. The speech covered twenty-eight pamphlet pages, and was referred to by the newspaper as an effort equal to some of the best by Charles Sumner. We make liberal extracts from the text, as follows:

"Mr. PRESIDENT: A hundred years ago the American people founded a nation upon the moral law. They overthrew by force the authority of their sovereign, and separated themselves from the country which had planted them, alleging as their justification to mankind certain propositions which they held to be self-evident.

"They declared—and that declaration is the one foremost action of human history—that all men equally derive from their Creator the right to the pursuit of happiness; that equality in the right to that pursuit is the fundamental rule of the divine justice in its application to mankind; that its security is the end for which governments are formed, and its destruction good cause why governments should be overthrown. For a hundred years this principle has been held in honor. Under its beneficent operation we have grown almost twenty-fold. Thirteen States have become thirty-eight; three million have become fifty million; wealth and comfort and education and

art have flourished in still larger proportion. Every twenty years there is added to the valuation of this country a wealth enough to buy the whole German Empire, with its buildings and its ships and its invested property. This has been the magnet that has drawn immigration hither. The human stream, hemmed in by banks invisible but impassable, does not turn toward Mexico, which can feed and clothe a world, or South America, which can feed and clothe a hundred worlds, but seeks only that belt of States where it finds this law in operation. The marvels of comfort and happiness it has wrought for us scarcely surpass what it has done for other countries. The immigrant sends back the message to those he has left behind. There is scarcely a nation in Europe west of Russia which has not felt the force of our example and whose institutions are not more or less slowly approximating to our own.

"Every new State as it takes its place in the great family binds this declaration as a frontlet upon its forehead. Twenty-four of the States, including California herself, declare it in the very opening sentence of their constitutions. The insertion of the phrase 'the pursuit of happiness,' in the enumeration of the natural rights for securing which government is ordained, and the denial of which constitutes just cause for its overthrow, was intended as an explicit affirmation that the right of every human being who obeys the equal laws to go everywhere on the surface of the earth that his welfare may require is beyond the rightful control of government. It is a birthright derived immediately from him who 'made of one blood all nations of men for to dwell on all the face of the earth, and hath determined the times before appointed and the bounds of their habitation.' He made, so our fathers held, of one blood all the

nations of men. He gave them the whole face of the earth whereon to dwell. He reserved for himself by his agents heat and cold, and climate, and soil, and water, and land to determine the bounds of their habitation. It has long been the fashion in some quarters, when honor, justice, good faith, human rights are appealed to, and especially when the truths declared in the opening sentences of the Declaration of Independence are invoked as guides in legislation to stigmatize those who make the appeal as sentimentalists, incapable of dealing with practical affairs. It would be easy to demonstrate the falsehood of this notion. The men who erected the structure of this Government were good, practical builders and knew well the quality of the corner-stone when they laid it. When they put forth for the consideration of their contemporaries and of posterity the declaration which they thought a decent respect for the opinions of mankind required of them, they weighed carefully the fundamental proposition on which their immortal argument rested. Lord Chatham's famous sentence will bear repeating again:

When your lordships look at the papers transmitted to us from America, when you consider their decency, firmness, and wisdom, you cannot but respect their cause and wish to make it your own. For myself I must declare and avow that in all my reading and observation—and it has been my favorite study, I have read Thucydides, and have studied and admired the master states of the world—that for solidity of reasoning, force of sagacity, and wisdom of conclusion, under such a complication of difficult circumstances, no nation or body of men can stand in preference to the general Congress assembled at Philadelphia.

The doctrine that the pursuit of happiness is an inalienable right with which men are endowed by their Creator, asserted by as religious a people as ever lived at the most religious period of their history, propounded by as wise, practical, and far-sighted statesmen as ever lived as the vindication for the most momentous public act of their generation, was intended to commit the American people in the most solemn manner to the assertion that the right to change their homes at their pleasure is a natural right of all men. The doctrine that free institutions are a monopoly of the favored races, the doctrine that oppressed people may sever their old allegiance at will, but have no right to find a new one, that the bird may fly but may never light, is of quite recent origin.

California herself owing her place in our Union to the first victory of freedom in the great contest with African slavery, is pledged to repudiate this modern heresy, not only by her baptismal vows, but by her share in the enactment of the statute of 1868. Her constitution read thus until she took Dennis Kearney for her lawgiver:

We, the people of California, grateful to Almighty God for our freedom, in order to secure its blessings, do establish this constitution.

DECLARATION OF RIGHTS.

SECTION 1. All men are by nature free and independent, and have certain inalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing, and defending property, and pursuing and obtaining safety and happiness.

SEC. 17. Foreigners who are or who may hereafter become bona fide residents of this State, shall enjoy the same rights in respect to the possession, enjoyment, and inheritance of property, as native-born citizens.

In the Revised Statutes, section 1999, Congress in the most solemn manner declare that the right of expatriation is beyond the lawful control of government:

SEC. 1999. Whereas the right of expatriation is a natural and inherent right of all people, indispensable to the enjoyment of the rights of life, liberty, and the pursuit of happiness; and

Whereas in the recognition of this principle this Government has freely received emigrants from all nations, and invested them with the rights of citizenship.

This is a re-enactment, in part, of the statute of 1868, of which Mr. Conness, then a California Senator, of Irish birth, was, if not the author, the chief advocate.

The California Senator called up the bill day after day. The bill originally provided that the President might order the arrest and detention in custody of "any subject or citizen of such foreign government" as should arrest and detain any naturalized citizen of the United States under the claim that he still remained subject to his allegiance to his native sovereign. This gave rise to debate.

But there was no controversy about the part of the bill which I have read. The preamble is as follows:

Whereas the right of expatriation is a natural and inherent right of all people, indispensable to the enjoyment of the rights of life, liberty, and the pursuit of happiness, for the protection of which the

Government of the United States was established; and whereas in the recognition of this principle this Government has freely received emigrants from all nations and vested them with the rights of citizenship, &c.

Mr. Howard declares that—

The absolute right of expatriation is the great leading American principle.

Mr. Morton says:

That a man's right to withdraw from his native country and make his home in another, and thus cut himself off from all connection with his native country, is a part of his natural liberty, and without that his liberty is defective. We claim that the right to liberty is a natural, inherent, God-given right, and his liberty is imperfect unless it carries with it the right of expatriation.

The bill containing the preamble above recited passed the Senate by a vote of 39 to 5.

The United States of America and the Emperor of China cordially recognize the inherent and inalienable right of man to change his home and allegiance, and also the mutual advantage of the free migration and emigration of their citizens and subjects respectively from the one country to the other for purposes of curiosity, of trade, or as permanent residents.

"The bill which passed Congress two years ago and was vetoed by President Hayes, the treaty of 1881, and the bill now before the Senate, have the same origin and are parts of the same measure. Two years ago it was proposed to exclude Chinese laborers from our borders, in express disregard of our solemn treaty obligations. This measure was arrested by President Hayes. The treaty of 1881 extorted from

unwilling China her consent that we might regulate, limit, or suspend the coming of Chinese laborers into this country—a consent of which it is proposed by this bill to take advantage. This is entitled “A bill to enforce treaty stipulations with China.”

“It seems necessary in discussing the statute briefly to review the history of the treaty. First let me say that the title of this bill is deceptive. There is no stipulation of the treaty which the bill enforces. The bill where it is not inconsistent with the compact only avails itself of a privilege which that concedes. China only relaxed the Burlingame treaty so far as to permit us to ‘regulate, limit, or suspend the coming or residence’ of Chinese laborers, ‘but not absolutely to prohibit it.’ The treaty expressly declares ‘such limitation or suspension shall be reasonable.’ But here is proposed a statute which for twenty years, under the severest penalties, absolutely inhibits the coming of Chinese laborers to this country. The treaty pledges us not absolutely to prohibit it. The bill is intended absolutely to prohibit it.

“The second article of the treaty is this:

“Chinese subjects, whether proceeding to the United States as traders, students, or merchants, or from curiosity, together with their body and household servants, and Chinese laborers, who are now in the United States, shall be allowed to go and come of their own free will and accord, and shall be accorded all the rights, privileges, immunities, and exemptions which are accorded to the citizens and subjects of the most favored nations.

“Yet it is difficult to believe that the complex and cumbrous passport system provided in the last twelve sections of the bill was not intended as an evasion of this agreement. Upon what other nation,

favored or not, is such a burden imposed? This is the execution of a promise that they may come and go ‘of their own free will.’

“What has happened within thirteen years that the great Republic should strike its flag? What change has come over us that we should eat the bravest and the truest words we ever spoke? From 1858 to 1880 there was added to the population of the country 42,000 Chinese.

“I give a table from the census of 1880 showing the Chinese population of each State:

Statement showing the Chinese population in each State and Territory, according to the United States censuses of 1870 and of 1880.

Alabama		4
Alaska		
Arizona	20	1,630
Arkansas	98	134
California	49,310	75,025
Colorado	7	610
Connecticut	2	124
Dakota		238
Delaware		1
District of Columbia	3	13
Florida		18
Georgia	1	17
Idaho	4,274	3,378
Illinois	1	210
Indiana		33
Iowa	3	47

Kansas		19
Kentucky	1	10
Louisiana	71	481
Maine	1	9
Maryland	2	5
Massachusetts	97	237
Michigan	2	27
Minnesota		53
Mississippi	16	52
Missouri	3	94
Montana	1,949	1,764
Nebraska		18
Nevada	3,152	5,420
New Hampshire		14
New Jersey	15	176
New Mexico		55
New York	29	924
North Carolina		
Ohio	1	114
Oregon	3,330	9,513
Pennsylvania	14	160
Rhode Island		27
South Carolina	1	9
Tennessee		26
Texas	25	141
Utah	445	501
Vermont		
Virginia	4	6
Washington	234	3,182
West Virginia		14

Wisconsin		16
Wyoming	143	914
Total	63,254	105,463

"By the census of 1880 the number of Chinese in this country was 105,000—one five-hundredth part of the whole population. The Chinese are the most easily governed race in the world. Yet every Chinaman in America has four hundred and ninety-nine Americans to control him.

The immigration was also constantly decreasing for the last half of the decade. The Bureau of Statistics gives the numbers as follows, (for the first eight years the figures are those of the entire Asiatic immigration:)

The number of immigrants from Asia, as reported by the United States Bureau of Statistics is as follows, namely:

1871	7,236
1872	7,825
1873	20,326
1874	13,857
1875	16,498
1876	22,943
1877	10,640
1878	9,014
Total	108,339

And from China for the year ended June 30—

1879	9,604	
1880	5,802	
Total		15,406
Grand Total		123,745

"See also, Mr. President, how this class of immigrants, diminishing in itself, diminishes still more in its proportion to the rapidly increasing numbers who come from other lands. Against 22,943 Asiatic immigrants in 1876, there are but 5,802 in 1880. In 1878 there were 9,014 from Asia, in a total of 153,207, or one in seventeen of the entire immigration; and this includes all persons who entered the port of San Francisco to go to any South American country. In 1879 there were 9,604 from China in a total of 250,565, or one in twenty-six. In 1880 there were 5,802 from China in a total immigration of 593,359, or one in one hundred and two. The whole Chinese population, then, when the census of 1880 was taken, was but one in five hundred of our people. The whole Chinese immigration was but one in one hundred and two of the total immigration; while the total annual immigration quadrupled from 1878 to 1880, the Chinese was in 1880 little more than one-half what it was in 1878, and one-fourth what it was in 1876.

"The number of immigrants of all nations was 720,045 in 1881. Of these 20,711 were Chinese. There is no record in the Bureau of Statistics of the number who departed within the year. But a very high anti-Chinese authority places it above 10,000. Perhaps the expectation that the hostile legislation under the treaty would not affect persons who

entered before it took effect stimulated somewhat their coming. But the addition to the Chinese population was less than one seventy-second of the whole immigration. All the Chinese in the country do not exceed the population of its sixteenth city. All the Chinese in California hardly surpass the number which is easily governed in Shanghai by a police of one hundred men. There are as many pure blooded Gypsies wandering about the country as there are Chinese in California. What an insult to American intelligence to ask leave of China to keep out her people, because this little handful of almond-eyed Asiatics threaten to destroy our boasted civilization. We go boasting of our democracy, and our superiority, and our strength. The flag bears the stars of hope to all nations. A hundred thousand Chinese land in California and everything is changed. God has not made of one blood all the nations any longer. The self-evident truth becomes a self-evident lie. The golden rule does not apply to the natives of the continent where it was first uttered. The United States surrender to China, the Republic to the despot, America to Asia, Jesus to Joss.

"There is another most remarkable example of this prejudice of race which has happily almost died out here, which has come down from the dark ages and which survives with unabated ferocity in Eastern Europe. I mean the hatred of the Jew. The persecution of the Hebrew has never, so far as I know, taken the form of an affront to labor. In every other particular the reproaches which for ten centuries have been leveled at him are reproduced to do service against the Chinese. The Hebrew, so it was said, was not a Christian. He did not affiliate or assimilate into the nations where he dwelt. He was an unclean thing, a dog, to whom the crime of the

crucifixion of his Saviour was never to be forgiven. The Chinese quarter of San Francisco had its type in every city of Europe. If the Jew ventured from his hiding-place he was stoned. His wealth made him the prey of the rapacity of the noble, and his poverty and weakness the victim of the rabble. Yet how has this Oriental conquered Christendom by the sublimity of his patience? The great poet of New England, who sits by every American fireside a beloved and perpetual guest, in that masterpiece of his art, the Jewish Cemetery at Newport, has described the degradation and the triumph of these persecuted children of God.

How came they here? What burst of Christian hate,
What persecution, merciless and blind,
Drove o'er the sea—that desert desolate—
These Ishmaels and Hagars of mankind?
They lived in narrow streets and lanes obscure,
Ghetto and Judenstrass, in mirk and mire;
Taught in the school of patience to endure
The life of anguish and the death of fire.

. . . . .

Anathema maranatha! was the cry
That rang from town to town, from street to street;
At every gate the accursed Mordecai
Was mocked and jeered, and spurned by Christian feet.

Pride and humiliation hand in hand
Walked with them through the world where'er they went;
Trampled and beaten were they as the sand,
And yet unshaken as the continent.

Forty years ago—
Says Lord Beaconsfield, that great Jew who held

England in the hollow of his hand, and who played on her aristocracy as on an organ, who made himself the master of an alien nation, its ruler, its oracle, and through it, and in despite of it, for a time the master of Europe—

Forty years ago—not a longer period than the children of Israel were wandering in the desert—the two most dishonored races in Europe were the Attic and the Hebrew. The world has probably by this discovered that it is impossible to destroy the Jews. The attempt to extirpate them has been made under the most favorable auspices and on the largest scale; the most considerable means that man could command have been pertinaciously applied to this object for the longest period of recorded time. Egyptian Pharaohs, Assyrian kings, Roman emperors, Scandinavian crusaders, Gothic princes, and holy inquisitors, have alike devoted their energies to the fulfillment of this common purpose. Expatriation, exile, captivity, confiscation, torture on the most ingenious and massacre on the most extensive scale, a curious system of degrading customs and debasing laws which would have broken the heart of any other people, have been tried, and in vain.

"Lord Beaconsfield admits that the Jews contribute more than their proportion to the aggregate of the vile; that the lowest class of Jews are obdurate, malignant, odious, and revolting. And yet this race of dogs, as it has been often termed in scorn, furnishes Europe to-day its masters in finance and oratory and statesmanship and art and music. Rachel, Mozart, Mendelssohn, Disraeli, Rothschild, Benjamin, Heine, are but samples of the intellectual power of a race which to-day controls the finance and the press of Europe.

"I do not controvert the evidence which is relied

upon to show that there are great abuses, great dangers, great offenses, which have grown out of the coming of this people. Much of the evil I believe might be cured by State and municipal authority. Congress may rightfully be called upon to go to the limit of the just exercise of the powers of government in rendering its aid.

"We should have capable and vigilant consular officers in the Asiatic ports from which these immigrants come, without whose certificate they should not be received on board ship, and who should see to it that no person except those of good character and no person whose labor is not his own property be allowed to come over. Especially should the trade in human labor under all disguises be suppressed. Filthy habits of living must surely be within the control of municipal regulation. Every State may by legislation or by municipal ordinance in its towns and cities prescribe the dimension of dwellings and limit the number who may occupy the same tenement.

"But it is urged—and this in my judgment is the greatest argument for the bill—that the introduction of the labor of the Chinese reduces the wages of the American laborer. 'We are ruined by Chinese cheap labor' is a cry not limited to the class to whose representative the brilliant humorist of California first ascribed it. I am not in favor of lowering any where the wages of any American labor, skilled or unskilled. On the contrary, I believe the maintenance and the increase of the purchasing power of the wages of the American working man should be the one principal object of our legislation. The share in the product of agriculture or manufacture which goes to labor should, and I believe will, steadily increase. For that, and for that only, exists our

protective system. The acquisition of wealth, national or individual, is to be desired only for that. The statement of the accomplished Senator from California on this point meets my heartiest concurrence. I have no sympathy with any men, if such there be, who favor high protection and cheap labor.

"But I believe that the Chinese, to whom the terms of the California Senator attribute skill enough to displace the American in every field requiring intellectual vigor, will learn very soon to insist on his full share of the product of his work. But whether that be true or not, the wealth he creates will make better and not worse the condition of every higher class of labor. There may be trouble or failure in adjusting new relations. But sooner or later every new class of industrious and productive laborers elevates the class it displaces. The dread of an injury to our labor from the Chinese rests on the same fallacy that opposed the introduction of labor-saving machinery, and which opposed the coming of the Irishman and the German and the Swede. Within my memory in New England all the lower places in factories, all places of domestic service, were filled by the sons and daughters of American farmers. The Irishmen came over to take their places; but the American farmer's son and daughter did not suffer; they were only elevated to a higher plane. In the increased wealth of the community their share is much greater. The Irishman rose from the bog or the hovel of his native land to the comfort of a New England home, and placed his children in a New England school. The Yankee rises from the loom and the spinning-jenny to be the teacher, the skilled laborer in the machine shop, the inventor, the merchant, or the opulent landholder and farmer of

the West."

A letter from F. A. Bee, Chinese Consul, approving the management of the estate, accompanied the report of the referee:

"Mr. President, I will not detain the Senate by reading the abundant testimony, of which this is but the sample, of the possession by the people of this race of the possibility of a development of every quality of intellect, art, character, which fits them for citizenship, for republicanism, for Christianity.

"Humanity, capable of infinite depths of degradation, is capable also of infinite heights of excellence. The Chinese, like all other races, has given us its examples of both. To rescue humanity from this degradation is, we are taught to believe, the great object of God's moral government on earth. It is not by injustice, exclusion, caste, but by reverence for the individual soul that we can aid in this consummation. It is not by Chinese policies that China is to be civilized. I believe that the immortal truths of the Declaration of Independence came from the same source with the Golden Rule and the Sermon on the Mount. We can trust Him who promulgated these laws to keep the country safe that obeys them. The laws of the universe have their own sanction. They will not fail. The power that causes the compass to point to the north, that dismisses the star on its pathway through the skies, promising that in a thousand years it shall return again true to its hour and keep His word, will vindicate His own moral law. As surely as the path on which our fathers entered a hundred years ago led to safety, to strength, to glory, so surely will the path on which we now propose to enter ring us to shame, to

weakness, and to peril."

On the 3d of March the debate was renewed. Senator Farley protested that unless Chinese immigration is prohibited it will be impossible to protect the Chinese on the Pacific coast. The feeling against them now is such that restraint is difficult, as the people, forced out of employment by them, and irritated by their constantly increasing numbers, are not in a condition to submit to the deprivations they suffer by the presence of a Chinese population imported as slaves and absorbing to their own benefit the labor of the country. A remark of Mr. Farley about the Chinese led Mr. Hoar to ask if they were not the inventors of the printing press and of gunpowder. To this question Mr. Jones, of Nevada, made a brief speech, which was considered remarkable, principally because it was one of the very few speeches of any length that he has made since he became a Senator. Instead of agreeing with Mr. Hoar that the Chinese had invented the printing press and gunpowder, he said that information he had received led him to believe that the Chinese were not entitled to the credit of either of these inventions. On the contrary, they had stolen them from Aryans or Caucasians who wandered into the kingdom. Mr. Hoar smiled incredulously and made a remark to the effect that he had never heard of those Aryans or Caucasians before.

Continuing his remarks, Mr. Farley expressed his belief that should the Mongolian population increase and the Chinese come in contact with the Africans, the contact would result in demoralization and bloodshed which the laws could not prevent. Pig-tailed Chinamen would take the place everywhere of the working girl unless Congress extended its protection to California and her white people, who

had by their votes demanded a prohibition of Chinese immigration. Mr. Maxey, interpreting the Constitution in such a way as to bring out of it an argument against Chinese immigration, said he found nothing in it to justify the conclusion that the framers of it intended to bring into this country all nations and races. The only people the fathers had in view as citizens were those of the Caucasian race, and they contemplated naturalization only for such, for they had distinctly set forth that the heritage of freedom was to be for their posterity. Nobody would pretend to express the opinion that it was expected that the American people should become mixed up with all sorts of races and call the result "our posterity." While the American people had, in consequence of their Anglo-Saxon origin, been able to withstand the contact with the African, the Africans would never stand before the Chinese. Mr. Maxey opposed the Chinese because they do not come here to be citizens, because the lower classes of Chinese alone are immigrants, and because by contact they poison the minds of the less intelligent.

Mr. Saulsbury had something to say in favor of the bill, and Mr. Garland, who voted against the last bill because the treaty had not been modified, expressed his belief that the Government could exercise properly all the powers proposed to be bestowed by this bill. Some time was consumed by Mr. Ingalls in advocacy of an amendment offered by him, proposing to limit the suspension of immigration to 10 instead of 20 years. Mr. Miller and Mr. Bayard opposed the amendment, Mr. Bayard taking the ground that Congress ought not to disregard the substantially unanimous wish of the people of California, as expressed at the polls, for absolute prohibition. The debate was interrupted by a motion

for an executive session, and the bill went over until Monday, to be taken up then as the unfinished business.

On March 6th a vote was ordered on Senator Ingalls' amendment. It was defeated on a tie vote—yeas 23, nays 23.

The vote in detail is as follows:

Yeas—Messrs. Aldrich, Allison, Blair, Brown, Cockrell, Conger, Davis of Illinois, Dawes, Edmunds, Frye, Harris, Hoar, Ingalls, Jackson, Lapham, McDill, McMillan, Mitchell, Morrell, Saunders, Sewell, Sherman and Teller—23.

Nays—Messrs. Bayard, Beck, Call, Cameron of Wisconsin, Coke, Fair, Farley, Garland, George, Hale, Hampton, Hill of Colorado, Jonas, Jones of Nevada, McPherson, Marcy, Miller of California, Miller of New York, Morgan, Ransom, Slater, Vest and Walker —23.

Pairs were announced between Davis, of West Virginia, Saulsbury, Butler, Johnson, Kellogg, Jones, of Florida, and Grover, against the amendment, and Messrs. Windom, Ferry, Hawley, Platt, Pugh, Rollins and Van Wyck in the affirmative. Mr. Camden was also paired.

Mr. Edmunds, partially in reply to Mr. Hoar argued that the right to decide what constitutes the moral law was one inherent in the Government, and by analogy the right to regulate the character of the people who shall come into it belonged to a Government. This depended upon national polity and the fact as to most of the ancient republics that they did not possess homogeneity was the cause of their fall. As to the Swiss Republic, it was untrue that it was not homogeneous. The difference there was not one of race but of different varieties of the same

race, all of which are analogous and consistent with each other. It would not be contended that it is an advantage to a republic that its citizens should be made of diverse races, with diverse views and diverse obligations as to what the common prosperity of all required. Therefore there was no foundation for the charge of a violation of moral and public law in our making a distinction as to the foreigners we admit. He challenged Mr. Hoar to produce an authority on national law which denied the right of one nation to declare what people of other nations should come among them. John Hancock and Samuel Adams, not unworthy citizens of Massachusetts, joined in asserting in the Declaration of Independence the right of the colonies to establish for themselves, not for other peoples, a Government of their own, not the Government of somebody else. The declaration asserted the family or consolidated right of a people within any Territory to determine the conditions upon which they would go on, and this included the matter of receiving the people from other shores into their family. This idea was followed in the Constitution by requiring naturalization. The Chinaman may be with us, but he is not of us. One of the conditions of his naturalization is that he must be friendly to the institutions and intrinsic polity of our Government. Upon the theory of the Massachusetts Senators, that there is a universal oneness of one human being with every other human being on the globe, this traditional and fundamental principle was entirely ignored. Such a theory as applied to Government was contrary to all human experience, to all discussion, and to every step of the founders of our Government. He said that Mr. Sumner, the predecessor of Mr. Hoar, was the author of the law on the coolie traffic,

which imposes fines and penalties more severe than those in this bill upon any master of an American vessel carrying a Chinaman who is a servant. The present bill followed that legislation. Mr. Edmunds added that he would vote against the bill if the twenty-year clause was retained, but would maintain the soundness of principle he had enunciated.

Mr. Hoar argued in reply that the right of expatriation carried with it the right to a home for the citizen in the country to which he comes, and that the bill violated not only this but the principles of the Fourteenth and Fifteenth Amendments which made citizenship the birthright of every one born on our soil, and prohibited an abridgement of the suffrage because of race, color, etc.

Mr. Ingalls moved an amendment postponing the time at which the act shall take effect until sixty days after information of its passage has been communicated to China.

After remarks by Messrs. Dawes, Teller and Bayard, at the suggestion of Mr. Brown Mr. Ingalls modified his amendment by providing that the act shall not go into effect until ninety days after its passage, and the amendment was adopted.

On motion of Mr. Bayard, amendments were adopted making the second section read as follows: “That any master of any vessel of whatever nationality, who shall knowingly on such vessel bring within the jurisdiction of the United States and permit to be landed any Chinese laborer,” &c.

Mr. Hoar moved to amend by adding the following: “Provided, that this bill shall not apply to any skilled laborer who shall establish that he comes to this country without any contract beyond which his labor is the property of any person besides

himself."

Mr. Farley suggested that all the Chinese would claim to be skilled laborers.

Mr. Hoar replied that it would test whether the bill struck at coolies or at skilled labor.

The amendment was rejected—Yeas, 17; nays, 27.

Mr. Call moved to strike out the section which forfeits the vessel for the offense of the master. Lost.

Mr. Hoar moved to amend by inserting: "Provided that any laborer who shall receive a certificate from the U.S. Consul at the port where he shall embark that he is an artisan coming to this country at his own expense and of his own will, shall not be affected by this bill." Lost—yeas 19, nays 24.

On motion of Mr. Miller, of California, the provision directing the removal of any Chinese unlawfully found in a Customs Collection district by the Collector, was amended to direct that he shall be removed to the place from whence he came.

On motion of Mr. Brown an amendment was adopted providing that the mark of a Chinese immigrant, duly attested by a witness, may be taken as his signature upon the certificate of resignation or registration issued to him.

The question then recurred on the amendment offered by Mr. Farley that hereafter no State Court or United States Court shall admit Chinese to citizenship.

Mr. Hawley, of Conn., on the following day spoke against what he denounced as "a bill of iniquities."

On the 9th of March what proved a long and interesting debate was closed, the leading speech being made by Senator Jones (Rep.) of Nevada, in favor of the bill. After showing the disastrous effects

of the influx of the Chinese upon the Pacific coast and answering some of the arguments of the opponents of restriction, Mr. Jones said that he had noticed that most of those favoring Chinese immigration were advocates of a high tariff to protect American labor. But, judging from indications, it is not the American laborer, but the lordly manufacturing capitalist who is to be protected as against the European capitalist, and who is to sell everything he has to sell in an American market, one in which other capitalists cannot compete with him, while he buys that which he has to buy—the labor of men—in the most open market. He demands for the latter free trade in its broadest sense, and would have not only free trade in bringing in laborers of our own race, but the Chinese, the most skilful and cunning laborers of the world. The laborer, however, is to buy from his capitalist master in a protective market, but that which he himself has to sell, his labor, and which he must sell every day (for he cannot wait, like the capitalist, for better times or travel here and there to dispose of it), he must sell in the openest market of the world. When the artisans of this country shall be made to understand that the market in which they sell the only thing they have to sell is an open one they will demand, as one of the conditions of their existence, that they shall have an open market in which to buy what they want. As the Senator from Massachusetts (Mr. Dawes) said he wanted the people to know that the bill was a blow struck at labor, Mr. Jones said he reiterated the assertion with the qualification that it was not a blow at our own, but at underpaid pauper labor. That cheap labor produces national wealth is a fallacy, as shown by the home condition of the 350,000,000 of Chinamen.

"Was the bringing of the little brown man a sort of counter balance to the trades unions of this country? If he may be brought here, why may not the products of his toil come in? Now, when the laborer is allowed to get that share from his labor that civilization has decided he shall have, the little brown man is introduced. He (Mr. Jones) believed in protection, and had no prejudice against the capitalist, but he would have capital and labor equally protected. Enlarging upon the consideration that the intelligence or creative genius of a country in overcoming obstacles, not its material resources, constitutes its wealth, and that the low wages of the Chinese, while benefiting individual employers, would ultimately impoverish the country by removing the stimulant to create labor-saving machinery and like inventions. Mr. Jones spoke of what he called the dearth of intellectual activity in the South in every department but one, that of politics.

"This was because of the presence of a servile race there. The absence of Southern names in the Patent Office is an illustration. We would not welcome the Africans here. Their presence was not a blessing to us, but an impediment in our way. The relations of the white and colored races of the South were now no nearer adjustment than they were years ago. He would prophesy that the African race would never be permitted to dominate any State of the South. The experiment to that end had been a dismal failure, and a failure not because we have not tried to make it succeed, but because laws away above human laws have placed the one race superior to and far above the other. The votes of the ignorant class might preponderate, but intellect, not numbers, is the superior force in this world. We clothed the African

in the Union blue and the belief that he was one day to be free was the candle-light in his soul, but it is one thing to aspire to be free and another thing to have the intelligence and sterling qualities of character that can maintain free government. Mr. Jones here expressed his belief that, if left alone to maintain a government, the negro would gradually retrograde and go back to the methods of his ancestors. This, he added, may be heresy, but I believe it to be the truth. If, when the first ship-load of African slaves came to this country the belief had spread that they would be the cause of political agitation, a civil war, and the future had been foreseen, would they have been allowed to land?

"How much of this country would now be worth preserving if the North had been covered by Africans as is South Carolina to-day, in view of their non-assimilative character? The wisest policy would have been to exclude them at the outset. So we say of the Chinese to-day, he exclaimed, and for greater reason, because their skill makes them more formidable competitors than the negro. Subtle and adept in manipulation, the Chinaman can be put into almost any kind of a factory. His race is as obnoxious to us and as impossible for us to assimilate with as was the negro race. His race has outlived every other because it is homogeneous, and for that reason alone. It has imposed its religion and peculiarities upon its conquerors and still lived. If the immigration is not checked now, when it is within manageable limits, it will be too late to check it. What do we find in the condition of the Indian or the African to induce us to admit another race into our midst? It is because the Pacific coast favor our own civilization, not that of another race, that they discourage the coming of these people. They believe in the homogeneity of our

race, and that upon this depends the progress of our institutions and everything on which we build our hopes.

Mr. MORILL, (Rep.) of Vt., said he appreciated the necessity of restricting Chinese immigration, but desired that the bill should strictly conform to treaty requirements and be so perfected that questions arising under it might enable it to pass the ordeal of judicial scrutiny.

Mr. SHERMAN, (Rep.) of Ohio, referring to the passport system, said the bill adopted some of the most offensive features of European despotism. He was averse to hot haste in applying a policy foreign to the habits of our people, and regarded the measure as too sweeping in many of its provisions and as reversing our immigration policy.

After remarks by Messrs. Ingalls, Farley, Maxey, Brown and Teller, the amendment of Mr. Farley, which provides that hereafter no court shall admit Chinese to citizenship, was adopted—yeas 25, nays 22.

The following is the vote:

YEAS—Messrs. Bayard, Beck, Call, Cameron of Wisconsin, Cockrell, Coke, Fair, Farley, Garland, George, Gorman, Harris, Jackson, Jonas, Jones of Nevada, Maxey, Morgan, Pugh, Ransom, Slater, Teller, Vance, Vest, Voorhees and Walker—25.

NAYS—Messrs. Aldrich, Allison, Blair, Brown, Conger, Davis of Illinois, Dawes, Edmunds, Frye, Hale, Hill of Colorado, Hoar, Ingalls, Lapham, McDill, McMillan, Miller of New York, Mitchell, Morrill, Plumb, Saunders and Sawyer—22.

Mr. Grover's amendment construing the words "Chinese laborers," wherever used in the act, to mean both skilled and unskilled laborers and Chinese

employed in mining prevailed by the same vote—yeas 25, nays 22.

Mr. BROWN, (Dem.) of Ga., moved to strike out the requirement for the production of passports by the permitted classes whenever demanded by the United States authorities. Carried on a *viva voce* vote, the Chair (Mr. Davis, of Illinois) creating no little merriment by announcing, "The nays are loud but there are not many of them."

MR. INGALLS' AMENDMENT.

Upon the bill being reported to the Senate from the Committee of the Whole Mr. INGALLS again moved to limit the suspension of the coming of Chinese laborers to ten years.

Mr. JONES, of Nevada, said this limit would hardly have the effect of allaying agitation on the subject as the discussion would be resumed in two or three years, and ten years, he feared, would not even be a long enough period to enable Congress intelligently to base upon it any future policy.

Mr. MILLER, of California, also urged that the shorter period would not measurably relieve the business interest of the Pacific slope, inasmuch as the white immigrants, who were so much desired, would not come there if they believed the Chinese were to be again admitted in ten years. Being interrupted by Mr. Hoar, he asserted that that Senator and other republican leaders, as also the last republican nominee for President, had heretofore given the people of the Pacific slope good reason to believe that they would secure to them the relief they sought by the bill.

Mr. HOAR, (Rep.) of Mass., briefly replied.

The amendment was lost—yeas 20, nays 21.

The vote is as follows:

YEAS—Messrs. Aldrich, Allison, Blair, Brown, Conger, Davis of Illinois, Dawes, Edmunds, Frye, Hale, Hoar, Ingalls, Lapham, McDill, McMillan, Mahone, Morrill, Plumb, Sawyer and Teller—20.

NAYS—Messrs. Bayard, Beck, Call, Cameron of Wisconsin, Coke, Fair, Farley, Garland, George, Gorman, Jackson, Jonas, Jones of Nevada, Miller of California, Miller of New York, Morgan, Ransom, Slater, Yance, Voorhees and Walker—21.

Messrs. Butler, Camden, McPherson, Johnston, Davis of West Virginia, Pendleton and Ransom were paired with Messrs. Hawley, Anthony, Sewell, Platt, Van Wyck, Windom and Sherman.

Messrs. Hampton, Pugh, Vest, Rollins and Jones of Florida were paired with absentees.

PASSAGE OF THE BILL.

The question recurred on the final passage of the bill, and Mr. EDMUNDS closed the debate. He would vote against the bill as it now stood, because he believed it to be an infraction of good faith as pledged by the last treaty; because he believed it injurious to the welfare of the people of the United States, and particularly the people on the Pacific coast, by preventing the development of our great trade with China.

The vote was then taken and the bill was passed—yeas 29, nays 15.

The following is the vote in detail:—

YEAS—Messrs. Bayard, Beck, Call, Cameron of Wisconsin, Cockrell, Coke, Fair, Farley, Garland,

George, Gorman, Hale, Harris, Hill of Colorado, Jackson, Jonas, Jones of Nevada, Miller of California, Miller of New York, Morgan, Pugh, Ransom, Sawyer, Teller, Vance, Vest, Voorhees and Walker—29.

NAYS—Messrs. Aldrich, Allison, Blair, Brown, Conger, Davis of Illinois, Dawes, Edmunds, Frye, Hoar, Ingalls, Lapham, McDill, McMillan and Morrill —15.

Pairs were announced of Messrs. Camden, Davis of West Virginia, Grover, Hampton, Butler, McPherson, Johnston, Jones of Florida and Pendleton in favor of the bill, with Messrs. Anthony, Windom, Van Wyck, Mitchell, Hawley, Sewell, Platt, Rollins and Sherman against it.

Mr. FRYE, (Rep.) of Me., in casting his vote, stated that he was paired with Mr. Hill, of Georgia, on all political questions, but that he did not consider this a political question, and besides, had express permission from Senator Hill to vote upon it.

Mr. MITCHELL, (Rep.) of Pa., in announcing his pair with Mr. Hampton stated that had it not been for that fact he would vote against the bill, regarding it as un-American and inconsistent with the principles which had obtained in the government.

The title of the bill was amended so as to read, “An act to execute certain treaty stipulations relating to Chinese,” though Mr. Hoar suggested that “execute” ought to be stricken out and “violate” inserted.

The Senate then, at twenty minutes to six, adjourned until to-morrow.

PROVISIONS OF THE BILL.

The Chinese Immigration bill as passed provides

that from and after the expiration of ninety days after the passage of this act and until the expiration of twenty years after its passage the coming of Chinese laborers to the United States shall be suspended, and prescribes a penalty of imprisonment not exceeding one year and a fine of not more than $500 against the master of any vessel who brings any Chinese laborer to this country during that period. It further provides that the classes of Chinese excepted by the treaty from such prohibition—such as merchants, teachers, students, travelers, diplomatic agents and Chinese laborers who were in the United States on the 17th of November, 1880—shall be required, as a condition for their admission, to procure passports from the government of China personally identifying them and showing that they individually belong to one of the permitted classes, which passports must have been indorsed by the diplomatic representative of the United States in China or by the United States Consul at the port of departure. It also provides elaborate machinery for carrying out the purposes of the act, and additional sections prohibit the admission of Chinese to citizenship by any United States or State court and construes the words “Chinese laborers” to mean both skilled and unskilled laborers and Chinese employed in mining.

The sentiment in favor of the passage of this bill has certainly greatly increased since the control of the issue has passed to abler hands than those of Kearney and Kalloch, whose conduct intensified the opposition of the East to the measure, which in 1879 was denounced as “violating the conscience of the nation.” Mr. Blaine’s advocacy of the first bill limiting emigrants to fifteen on each vessel, at the time excited much criticism in the Eastern states, and

was there a potent weapon against him in the nominating struggle for the Presidency in 1880; but on the other hand it is believed that it gave him strength in the Pacific States.

Chinese immigration and the attempt to restrict it presents a question of the gravest importance, and was treated as such in the Senate debate. The friends of the bill, under the leadership of Senators Miller and Jones, certainly stood in a better and stronger attitude than ever before.

The anti-Chinese bill passed the House just as it came from the Senate, after a somewhat extended debate, on the 23d of March, 1882. Yeas 167, nays 65, (party lines not being drawn) as follows:

Yeas—Messrs. Aikin, Aldrich, Armfield, Atkins, Bayne, Belford, Belmont, Berry, Bingham, Blackburn, Blanchard, Bliss, Blount, Brewer, Brumm, Buckner, Burrows, of Missouri; Butterworth, Cabell, Caldwell, Calkins, Campbell, Cannon, Casserley, Caswell, Chalmers, Chapman, Clark, Clements, Cobb, Converse, Cook, Cornell, Cox, of New York; Cox, of North Carolina; Covington, Cravens, Culbertson, Curtin, Darrell, Davidson; Davis, of Illinois; Davis, of Missouri; Demotte, Deuster, Dezendorf, Dibble, Dibrell, Dowd, Dugro, Ermentrout, Errett, Farwell, of Illinois; Finley, Flowers, Ford, Forney, Fulkerson, Garrison, Geddes, George, Gibson, Guenther, Gunter, Hammond, of Georgia; Hardy, Harmer, Harris, of New Jersey; Haseltine, Hatch, Hazelton, Heilman, Herndon, Hewitt, of New York; Hill, Hiscock, Hoblitzell, Hoge, Hollman, Horr, Houk, House, Hubbell, Hubbs, Hutchins, Jones, of Texas; Jones, of Arkansas; Jorgenson, Kenna, King, Klotz, Knott, Ladd, Leedom, Lewis, Marsh, Martin, Matson, McClure, McCook, McKenzie, McKinley, McLane, McMillan, Miller, Mills, of Texas; Money, Morey,

Moulton, Murch, Mutchler, O'Neill, Pacheco, Page, Paul, Payson, Pealse, Phelps, Phister, Pound, Randall, Reagan, Rice of Missouri, Richardson, Robertson, Robinson, Rosecrans, Scranton, Shallenberger, Sherwin, Simonton, Singleton, of Mississippi, Smith of Pennsylvania, Smith of Illinois, Smith of New York, Sparks, Spaulding, Spear, Springer, Stockslager, Strait, Talbott, Thomas, Thompson of Kentucky, Tillman, Townsend of Ohio, Townsend of Illinois, Tucker, Turner of Georgia, Turner of Kentucky, Updegraff, of Ohio, Upson, Valentine, Vance, Van Horn, Warner, Washburne, Webber, Welborn, Whitthorne, Williams of Alabama, Willis, Willetts, Wilson, Wise of Pennsylvania, Wise of Virginia, and W. A. Wood of New York—167.

The nays were Messrs. Anderson, Barr, Bragg, Briggs, Brown, Buck, Camp, Candler, Carpenter, Chase, Crapo, Cullen, Dawes, Deering, Dingley, Dunnell, Dwight, Farwell of Iowa, Grant, Hall, Hammond, of New York, Hardenburgh, Harris, of Massachusetts, Haskell, Hawk, Henderson, Hepburn, Hooker, Humphrey, Jacobs, Jones of New Jersey, Joyce, Kasson, Ketchum, Lord, McCoid, Morse, Norcross, Orth, Parker, Ramsey, Rice of Ohio, Rice of Massachusetts, Rich, Richardson of New York, Ritchie, Robinson of Massachusetts, Russel, Ryan, Shultz, Skinner, Scooner, Stone, Taylor, Thompson of Iowa, Tyler, Updegraff of Iowa, Urner, Wadsworth, Wait, Walker, Ward, Watson, White and Williams of Wisconsin—65.

In the House the debate was participated in by Messrs. Richardson, of South Carolina; Wise and Brumm, of Pennsylvania; Joyce, of Vermont; Dunnell, of Minnesota; Orth, of Indiana; Sherwin, of Illinois; Hazelton, of Wisconsin; Pacheco, of California, and Townsend, of Illinois, and others. An

amendment offered by Mr. Butterworth, of Ohio, reducing the period of suspension to fifteen years, was rejected. Messrs. Robinson, of Massachusetts; Curtin, of Pennsylvania, and Cannon, of Illinois, spoke upon the bill, the two latter supporting it. The speech of Ex-Governor Curtin was strong and attracted much attention. Mr. Page closed the debate in favor of the measure. An amendment offered by Mr. Kasson, of Iowa, reducing the time of suspension to ten years, was rejected—yeas 100, nays 131—and the bill was passed exactly as it came from the Senate by a vote of 167 to 65. The House then adjourned.

Our Merchant Marine.

An important current issue is the increase of the Navy and the improvement of the Merchant Marine, and to these questions the National Administration has latterly given attention. The New York *Herald* has given much editorial ability and research to the advocacy of an immediate change for the better in these respects, and in its issue of March 10th, 1882, gave the proceedings of an important meeting of the members of the United States Naval Institute held at Annapolis the day before, on which occasion a prize essay on the subject—"Our Merchant Marine; the Cause of its Decline and the Means to be Taken for its Revival," was read. The subject was chosen nearly a year ago, because it was the belief of the members of the institute that a navy cannot exist without a merchant marine. The naval institute was organized

in 1873 for the advancement of professional and scientific knowledge in the navy. It has on its roll 500 members, principally naval officers, and its proceedings are published quarterly. Rear Admiral C. R. P. Rodgers is president; Captain J. M. Ramsay, vice president; Lieutenant Commander C. M. Thomas, secretary; Lieutenant Murdock, corresponding secretary, and Paymaster R. W. Allen, treasurer. There were eleven competitors for the prize, which is of $100, and a gold medal valued at $50. The judges were Messrs. Hamilton Fish, A. A. Low and J. D. Jones. They awarded the prize to Lieutenant J. D. J. Kelley, U. S. N., whose motto was "Nil Clarius Æquore," and designated Master C. T. Calkins, U. S. N., whose motto was "Mais il faut cultiver notre jardin" as next in the order of merit, and further mentioned the essays of Lieutenant R. Wainwright, United States Navy, whose motto was "Causa latet, vis est notissima," and Lieutenant Commander J. E. Chadwick, United States Navy, whose motto was "Spes Meliora," as worthy of honorable mention, without being entirely agreed as to their comparative merits.

STRIKING PASSAGES FROM THE PRIZE ESSAY.

From Lieut. Kelley's prize essay many valuable facts can be gathered, and such of these as contain information of permanent value we quote:

"So far as commerce influences this country has a vital interest in the carrying trade, let theorists befog the cool air as they may. Every dollar paid for freight imported or exported in American vessels accrues to American labor and capital, and the enterprise is as much a productive industry as the raising of wheat,

the spinning of fibre or the smelting of ore. Had the acquired, the ‘full’ trade of 1860 been maintained without increase $80,000,000 would have been added last year to the national wealth, and the loss from diverted shipbuilding would have swelled the sum to a total of $100,000,000.

“Our surplus products must find foreign markets, and to retain them ships controlled by and employed in exclusively American interests are essential instrumentalities. Whatever tends to stimulate competition and to prevent combination benefits the producer, and as the prices abroad establish values here, the barter we obtain for the despised one tenth of exports—$665,000,000 in 1880—determines the profit or loss of the remainder in the home market. During the last fiscal year 11,500,000 gross tons of grain, oil, cotton, tobacco, precious metals, &c., were exported from the United States, and this exportation increases at the rate of 1,500,000 tons annually; 3,800,000 tons of goods are imported, or in all about 15,000,000 tons constitute the existing commerce of this country.

“If only one-half of the business of carrying our enormous wealth of surplus products could be secured for American ships, our tonnage would be instantly doubled, and we would have a greater fleet engaged in a foreign trade, legitimately our own, than Great Britain has to-day. The United States makes to the ocean carrying trade its most valuable contribution, no other nation giving to commerce so many bulky tons of commodities to be transported those long voyages which in every age have been so eagerly coveted by marine peoples. Of the 17,000 ships which enter and clear at American ports every year, 4,600 seek a cargo empty and but 2,000 sail without obtaining it.

"Ships are profitable abroad and can be made profitable here, and in truth during the last thirty years no other branch of industry has made such progress as the carrying trade. To establish this there are four points of comparison—commerce, railways, shipping tonnage and carrying power of the world, limited to the years between 1850 and 1880:—

	1850.	1880.	*Increase Per Cent.*
Commerce of all nations	$4,280,000,000	$14,405,000,000	240
Railways (miles open)	44,400	222,600	398
Shipping tonnage	6,905,000	18,720,000	171
Carrying tonnage	8,464,000	34,280,060	304

"In 1850, therefore, for every $5,000,000 of international commerce there were fifty-four miles of railway and a maritime carrying power of 9,900 tons; and in 1880 the respective ratios had risen to seventy-seven miles and 12,000 tons; this has saved one-fourth freight and brought producer and consumers into such contact that we no longer hear "of the earth's products being wasted, of wheat rotting in La Mancha, wool being used to mend wads and sheep being burned for fuel in the Argentine Republic." England has mainly profited by this enormous development, the shipping of the United Kingdom earning $300,000,000 yearly, and employing 200,000 seamen, whose industry is

therefore equivalent to £300 per man, as compared with £190 for each of the factory operatives. The freight earned by all flags for sea-borne merchandise is $500,000,000, or about 8 per cent. of the value transported. Hence the toll which all nations pay to England for the carrying trade is equal to 4 per cent. (nearly) of the exported values of the earth's products and manufactures; and pessimists who declare that ship owners are losing money or making small profits must be wrong, for the merchant marine is expanding every year.

"The maximum tonnage of this country at any time registered in the foreign trade was in 1861, and then amounted to 5,539,813 tons; Great Britain in the same year owning 5,895,369 tons, and all the other nations 5,800,767 tons. Between 1855 and 1860 over 1,300,000 American tons in excess of the country's needs were employed by foreigners in trades with which we had no legitimate connection save as carriers. In 1851 our registered steamships had grown from the 16,000 tons of 1848 to 63,920 tons —almost equal to the 65,920 tons of England, and in 1855 this had increased to 115,000 tons and reached a maximum, for in 1862 we had 1,000 tons less. In 1855 we built 388 vessels, in 1856 306 vessels and in 1880 26 vessels—all for the foreign trade. The total tonnage which entered our ports in 1856 from abroad amounted to 4,464,038, of which American built ships constituted 3,194,375 tons, and all others but 1,259,762 tons. In 1880 there entered from abroad 15,240,534 tons, of which 3,128,374 tons were American and 12,112,000 were foreign—that is, in a ratio of seventy-five to twenty-five, or actually 65,901 tons less than when we were twenty-four years younger as a nation. The grain fleet sailing last year from the port of New York numbered 2,897

vessels, of which 1,822 were sailing vessels carrying 59,822,033 bushels, and 1,075 were steamers laden with 42,426,533 bushels, and among all these there were but seventy-four American sailing vessels and not one American steamer.

"While this poison of decay has been eating into our vitals the possibilities of the country in nearly every other industry have reached a plane of development beyond the dreams of the most enthusiastic theorizers. We have spread out in every direction and the promise of the future beggars imaginations attuned even to the key of our present and past development. We have a timber area of 560,000,000 acres, and across our Canadian border there are 900,000,000 more acres; in coal and iron production we are approaching the Old World.

	1842.	**1879.**
Coal—	*Tons.*	*Tons.*
Great Britain	35,000,000	135,000,000
United States	2,000,000	60,000,000
Iron—		
Great Britain	2,250,000	6,300,000
United States	564,000	2,742,000

During these thirty-seven years the relative increase has been in coal 300 to 2,900 per cent., in iron 200 to 400 per cent., and all in our favor. But this is not enough, for England, with a coal area less than either Pennsylvania or Kentucky, has coaling stations in every part of the world and our steamers cannot reach our California ports without the consent of the English producers. Even if electricity

takes the place of steam it must be many years before the coal demand will cease, and to-day, of the 36,000,000 tons of coal required by the steamers of the world, three-fourths of it is obtained from Great Britain.

"It is unnecessary to wire-draw statistics, but it may, as a last word, be interesting to show, with all our development, the nationality and increase of tonnage entering our ports since 1856:—

Country.	*Increase.*	*Decrease.*
England	6,977,163	
Germany	922,903	
Norway and Sweden	1,214,008	
Italy	596,907	
France	208,412	
Spain	164,683	
Austria	226,277	
Belgium	204,872	
Russia	104,009	
United States		65,901

"This," writes Lindsay, "is surely not decadence, but defeat in a far nobler conflict than the wars for maritime supremacy between Rome and Carthage, consisting as it did in the struggle between the skill and industry of the people of two great nations."

We have thus quoted the facts gathered from a source which has been endorsed by the higher naval authorities. Some reader will probably ask, "What relation have these facts to American politics?" We answer that the remedies proposed constitute political questions on which the great parties are

very apt to divide. They have thus divided in the past, and parties have turned “about face” on similar questions. Just now the Democratic party inclines to “free ships” and hostility to subsidies—while the Republican party as a rule favors subsidies. Lieutenant Kelley summarized his proposed remedies in the two words: “free ships.”

Mr. Blaine would solve the problem by bounties, for this purpose enacting a general law that should ignore individuals and enforce a policy. His scheme provides that any man or company of men who will build in an American yard, with American material, by American mechanics, a steamship of 3,000 tons and sail her from any port of the United States to any foreign port, he or they shall receive for a monthly line a mail allowance of $25 per mile per annum for the sailing distance between the two ports; for a semi-monthly line $45 per mile, and for a weekly line $75 per mile. Should the steamer exceed three thousand tons, a small advance on these rates might be allowed; if less, a corresponding reduction, keeping three thousand as the average and standard. Other reformers propose a bounty to be given by the Government to the shipbuilder, so as to make the price of an American vessel the same as that of a foreign bought, equal, but presumably cheaper, ship.

Mr. Blaine represents the growing Republican view, but the actual party views can only be ascertained when bills covering the subject come up for consideration.

Current Politics.

We shall close this written history of the political parties of the United States by a brief statement of the present condition of affairs, as generally remarked by our own people, and by quoting the views of an interesting cotemporaneous English writer.

President Arthur's administration has had many difficulties to contend with. The President himself is the legal successor of a beloved man, cruelly assassinated, whose well-rounded character and high abilities had won the respect even of those who defamed him in the heat of controversy, while they excited the highest admiration of those who shared his political views and thoughts. Stricken down before he had time to formulate a policy, if it was ever his intention to do so, he yet showed a proper appreciation of his high responsibilities, and had from the start won the kindly attention of the country. Gifted with the power of saying just the right thing at the right moment, and saying it with all the grace and beauty of oratory, no President was better calculated to make friends as he moved along, than Garfield. The manifestations of factional feeling which immediately preceded his assassination, but which cannot for a moment be intelligently traced to that cause, made the path of his successor far more difficult than if he had been called to the succession by the operation of natural causes. That he has met these difficulties with rare discretion, all admit, and at this writing partisan interest and dislike are content to "abide a' wee" before beginning an assault. He has sought no changes in the Cabinet, and thus through personal and political considerations seems for the time to have surrendered a Presidential prerogative freely admitted by all who understand the wisdom of

permitting an executive officer to seek the advice of friends of his own selection. Mr. Blaine and Mr. MacVeagh, among the ablest of the late President's Cabinet, were among the most emphatic in insisting upon the earliest possible exercise of this prerogative —the latter upon its immediate exercise. Yet it has been withheld in several particulars, and the Arthur administration has sought to unite, wherever divided (and now divisions are rare), the party which called it into existence, while at the same time it has by careful management sought to check party strife at least for a time, and devoted its attention to the advancement of the material interests of the country. Appointments are fairly distributed among party friends, not divided as between factions; for such a division systematically made would disrupt any party. It would prove but an incentive to faction for the sake of a division of the spoils. No force of politics is or ought to be better understood in America than manufactured disagreements with the view to profitable compromises. Fitness, recognized ability, and adequate political service seem to constitute the reasons for Executive appointments at this time.

The Democratic party, better equipped in the National Legislature than it has been for years—with men like Hill, Bayard, Pendleton, Brown, Voorhees, Lamar and Garland in the Senate—Stephens, Randall, Hewitt, Cox, Johnson in the House—with Tilden, Thurman, Wallace and Hancock in the background—is led with rare ability, and has the advantage of escaping responsibilities incident to a majority party. It has been observed that this party is pursuing the traditional strategy of minorities in our Republic. It has partially refused a further test on the tariff issue, and is seeking a place in advance of the

Republicans on refunding questions—both popular measures, as shown in all recent elections. It claims the virtue of sympathy with the Mormons by questioning the propriety of legal assaults upon the liberty of conscience, while not openly recording itself as a defender of the crime of polygamy. As a solid minority it has at least in the Senate yielded to the appeal of the States on the Pacific slope, and favored the abridgment of Chinese immigration. On this question, however, the Western Republican Senators as a rule were equally active in support of the Miller Bill, so that whatever the result, the issue can no longer be a political one in the Pacific States. The respectable support which the measure has latterly received has cast out of the struggle the Kearneys and Kallochs, and if there be demagoguery on either side, it comes in better dress than ever before.

Doubtless the parties will contest their claims to public support on their respective histories yet a while longer. Party history has served partisan purposes an average of twenty years, when with that history recollections of wars are interwoven, and the last war having been the greatest in our history, the presumption is allowable that it will be freely quoted so long as sectional or other forms of distrust are observable any where. When these recollections fail, new issues will have to be sought or accepted. In the mere search for issues the minority ought always to be the most active; but their wise appropriation, after all, depends upon the wisdom and ability of leadership. It has ever been thus, and ever will be. This is about the only political prophecy the writer is willing to risk—and in risking this he but presents a view common to all Americans who claim to be “posted” in the politics of their country.

What politicians abroad think of our "situation" is well told, though not always accurately, by a distinguished writer in the January (1882) number of "*The London Quarterly Review*." From this we quote some very attractive paragraphs, and at the same time escape the necessity of descriptions and predictions generally believed to be essential in rounding off a political volume, but which are always dangerous in treating of current affairs. Speaking of the conduct of both parties on the question of Civil Service Reform, the writer says:

"What have they done to overthrow the celebrated Jacksonian precept 'to the victors belongs the spoils?' What, in fact, is it possible for them to do under the present system? The political laborer holds that he is worthy of his hire, and if nothing is given to him, nothing will he give in return. There are tens of thousands of offices at the bestowal of every administration, and the persons who have helped to bring that administration into power expect to receive them. 'In Great Britain,' once remarked the American paper which enjoys the largest circulation in the country, 'the ruling classes have it all to themselves, and the poor man rarely or never gets a nibble at the public crib. Here we take our turn. We know that, if our political rivals have the opportunity to-day, we shall have it to-morrow. This is the philosophy of the whole thing compressed into a nutshell.' If President Arthur were to begin to-day to distribute offices to men who were most worthy to receive them, without reference to political services, his own party would rebel, and assuredly his path would not be strewn with roses. He was himself a victim of a gross injustice perpetrated under the name of reform. He filled the important post of Collector of the Port of New York, and filled it to the

entire satisfaction of the mercantile community. President Hayes did not consider General Arthur sufficiently devoted to his interests, and he removed him in favor of a confirmed wire-puller and caucus-monger, and the administration papers had the address to represent this as the outcome of an honest effort to reform the Civil Service. No one really supposed that the New York Custom House was less a political engine than it had been before. The rule of General Arthur had been, in point of fact, singularly free from jobbery and corruption, and not a breath of suspicion was ever attached to his personal character. If he had been less faithful in the discharge of his difficult duties, he would have made fewer enemies. He discovered several gross cases of fraud upon the revenue, and brought the perpetrators to justice; but the culprits were not without influence in the press, and they contrived to make the worse appear the better cause. Their view was taken at second-hand by many of the English journals, and even recently the public here were gravely assured that General Arthur represented all that was base in American politics, and moreover that he was an enemy of England, for he had been elected by the Irish vote. The authors of these foolish calumnies did not perceive that, if their statements had been correct, General Garfield, whom they so much honored, must also have been elected by the Irish vote; for he came to power on the very same 'ticket.' In reality, the Irish vote may be able to accomplish many things in America, but we may safely predict that it will never elect a President. General Arthur had not been many weeks in power, before he was enabled to give a remarkable proof of the injustice that had been done to him in this particular respect. The salute of the English flag at

Yorktown is one of the most graceful incidents recorded in American history, and the order originated solely with the President. A man with higher character or, it may be added, of greater accomplishments and fitness for his office, never sat in the Presidential chair. His first appointments are now admitted to be better than those which were made by his predecessor for the same posts. Senator Frelinghuysen, the new Secretary of State, or Foreign Secretary, is a man of great ability, of most excellent judgment, and of the highest personal character. He stands far beyond the reach of all unworthy influences. Mr. Folger, the Secretary of the Treasury, possesses the confidence of the entire country, and the nomination of the new Attorney-General was received with universal satisfaction. All this little accords with the dark and forbidding descriptions of President Arthur which were placed before the public here on his accession to office. It is surely time that English writers became alive to the danger of accepting without question the distorted views which they find ready to their hands in the most bigoted or most malicious of American journals.

"Democrats and Republicans, then, alike profess to be in favor of a thorough reform in the Civil Service, and at the present moment there is no other very prominent question which could be used as a test for the admission of members into either party. The old issue, which no one could possibly mistake, is gone. How much the public really care for the new one, it would be a difficult point to decide. A Civil Service system, such as that which we have in England, would scarcely be suited to the "poor man," who, as the New York paper says, thinks he has a right occasionally to 'get a nibble at the public crib.' If a man has worked hard to bring his party into power,

he is apt, in the United States, to think that he is entitled to some ‘recognition,’ and neither he nor his friends would be well pleased if they were told that, before anything could be done for him, it would be necessary to examine him in modern languages and mathematics. Moreover, a service such as that which exists in England requires to be worked with a system of pensions; and pensions, it is held in America, are opposed to the Republican idea.[57] If it were not for this objection, it may be presumed that some provision would have been made for more than one of the ex-Presidents, whose circumstances placed them or their families much in need of it. President Monroe spent his last years in wretched circumstances, and died bankrupt. Mrs. Madison ‘knew what it was to want bread.’ A negro servant, who had once been a slave in the family, used furtively to give her ‘small sums’—they must have been very small—out of his own pocket. Mr. Pierce was, we believe, not far removed from indigence; and it has been stated that after Andrew Johnson left the White House, he was reduced to the necessity of following his old trade. General Grant was much more fortunate; and we have recently seen that the American people have subscribed for Mrs. Garfield a sum nearly equal to £70,000. But a pension system for Civil Servants is not likely to be adopted. Permanence in office is another principle which has found no favor with the rank and file of either party in America, although it has sometimes been introduced into party platforms for the sake of producing a good effect. The plan of ‘quick rotation’ is far more attractive to the popular sense. Divide the spoils, and divide them often. It is true that the public indignation is sometimes aroused, when too eager and rapacious a spirit is exhibited. Such a

feeling was displayed in 1873, in consequence of an Act passed by Congress increasing the pay of its own members and certain officers of the Government. Each member of Congress was to receive $7,500 a year, or £1,500. The sum paid before that date, down to 1865, was $5000 a year, or £1000, and 'mileage' free added—that is to say, members were entitled to be paid twenty cents a mile for traveling expenses to and from Washington. This Bill soon became known as the 'Salary Grab' Act, and popular feeling against it was so great that it was repealed in the following Session, and the former pay was restored. As a general rule, however, the 'spoils' system has not been heartily condemned by the nation; if it had been so condemned, it must have fallen long ago.

"President Arthur has been admonished by his English counsellors to take heed that he follows closely in the steps of his predecessor. General Garfield was not long enough in office to give any decided indications of the policy which he intended to pursue; but, so far as he had gone, impartial observers could detect very little difference between his course of conduct in regard to patronage and that of former Presidents. He simply preferred the friends of Mr. Blaine to the friends of Mr. Conkling; but Mr. Blaine is a politician of precisely the same class as Mr. Conkling—both are men intimately versed in all the intricacies of 'primaries,' the 'caucus,' and the general working of the 'machine.' They are precisely the kind of men which American politics, as at present practised and understood, are adapted to produce. Mr. Conkling, however, is of more imperious a disposition than Mr. Blaine; the first disappointment or contradiction turns him from a friend into an enemy. President Garfield removed the Collector of New York—the most lucrative and most

coveted post in the entire Union—and instead of nominating a friend of Mr. Conkling's for the vacancy, he nominated a friend of Mr. Blaine's. Now Mr. Conkling had done much to secure New York State for the Republicans, and thus gave them the victory; and he thought himself entitled to better treatment than he received. But was it in the spirit of true reform to remove the Collector, against whom no complaint had been made, merely for the purpose of creating a vacancy, and then of putting a friend of Mr. Blaine's into it—a friend, moreover, who had been largely instrumental in securing General Garfield's own nomination at Chicago?[58] Is this all that is meant, when the Reform party talk of the great changes which they desire to see carried out? Again, the new President has been fairly warned by his advisers in this country, that he must abolish every abuse, new or old, connected with the distribution of patronage. If he is to execute this commission, not one term of office, nor three terms, will be sufficient for him. Over every appointment there will inevitably arise a dispute; if a totally untried man is chosen, he will be suspected as a wolf coming in sheep's clothing; if a well known partizan is nominated, he will be denounced as a mere tool of the leaders, and there will be another outcry against 'machine politics.' 'One party or other,' said an American journal not long ago, 'must begin the work of administering the Government on business principles,' and the writer admitted that the work would 'cost salt tears to many a politician.' The honor of making this beginning has not yet been sought for with remarkable eagerness by either party; but seems to be deemed necessary to promise that something shall be done, and the Democrats, being out of power, are naturally in the position to

bid the highest. The reform will come, as we have intimated, when the people demand it; it cannot come before, for few, indeed, are the politicians in the United States who venture to trust themselves far in advance of public opinion. And even of that few, there are some who have found out, by hard experience, that there is little honor or profit to be gained by undertaking to act as pioneers.

"It is doubtless a step in advance, that both parties now admit the absolute necessity of devising measures to elevate the character of the public service, to check the progress of corruption, and to introduce a better class of men into the offices which are held under the Government. The necessity of great reforms in these respects has been avowed over and over again by most of the leading journals and influential men in the country. The most radical of the Republicans, and the most conservative of the Democrats, are of one mind on this point. Mr. Wendell Phillips, an old abolitionist and Radical, once publicly declared that Republican government in cities had been a complete failure.[59] An equally good Radical, the late Mr. Horace Greeley, made the following still more candid statement:—'There are probably at no time less than twenty thousand men in this city [New York] who would readily commit a safe murder for a hundred dollars, break open a house for twenty, and take a false oath for five. Most of these are of European birth, though we have also native miscreants who are ready for any crime that will pay.'[60] Strong testimony against the working of the suffrage—and it must have been most unwilling testimony—was given in 1875 by a politician whose long familiarity with caucuses and 'wire-pulling' in every form renders him an undeniable authority. 'Let it be widely proclaimed,' he wrote, 'that the

experience and teachings of a republican form of government prove nothing so alarmingly suggestive of and pregnant with danger as that cheap suffrage involves and entails cheap representation.'[61] Another Republican, of high character, has stated that 'the methods of politics have now become so repulsive, the corruption so open, the intrigues and personal hostilities are so shameless, that it is very difficult to engage in them without a sense of humiliation.'"[62]

Passing to another question, and one worthy of the most intelligent discussion, but which has never yet taken the shape of a political demand or issue in this country, this English writer says:

"Although corruption has been suspected at one time or other in almost every Department of the Government, the Presidential office has hitherto been kept free from its stain. And yet, by an anomaly of the Constitution, the President has sometimes been exposed to suspicion, and still more frequently to injustice and misrepresentation, in consequence of the practical irresponsibility of his Cabinet officers. They are his chief advisers in regard to the distribution of places, as well as in the higher affairs of State, and the discredit of any mismanagement on their part falls upon him. It is true that he chooses them, and may dismiss them, with the concurrence of the Senate; but, when once appointed, they are beyond reach of all effective criticism—for newspaper attacks are easily explained by the suggestion of party malice. They cannot be questioned in Congress, for they are absolutely prohibited from sitting in either House.

For months together it is quite possible for the Cabinet to pursue a course which is in direct opposition to the wishes of the people. This was

seen, among other occasions, in 1873–4, when Mr. Richardson was Secretary of the Treasury, and at a time when his management of the finances caused great dissatisfaction. At last a particularly gross case of negligence, to use no harsher word, known as the 'Sanborn contracts,' caused his retirement; that is to say, the demand for his withdrawal became so persistent and so general, that the President could no longer refuse to listen to it. His objectionable policy might have been pursued till the end of the Presidential term, but for the accidental discovery of a scandal, which exhausted the patience of his friends as well as his enemies. Now had Mr. Richardson been a member of either House, and liable to be subjected to a rigorous cross-questioning as to his proceedings, the mismanagement of which he was accused, and which was carried on in the dark, never could have occurred. Why the founders of the Constitution should have thrown this protection round the persons who happen to fill the chief offices of State, is difficult to conjecture, but the clause is clear:—'No person holding any office under the United States shall be a member of either House during his continuance in office.'[63] Mr. Justice Story declares that this provision 'has been vindicated upon the highest grounds of public authority,' but he also admits that, as applied to the heads of departments, it leads to many evils. He adds a warning which many events of our own time have shown to be not unnecessary:—'if corruption ever eats its way silently into the vitals of this Republic, it will be because the people are unable to bring responsibility home to the Executive through his chosen Ministers. They will be betrayed when their suspicions are most lulled by the Executive, under the guise of an obedience to the will of Congress.'[64]

The inconveniences occasioned to the public service under the present system are very great. There is no official personage in either House to explain the provisions of any Bill, or to give information on pressing matters of public business. Cabinet officers are only brought into communication with the nation when they send in their annual reports, or when a special report is called for by some unusual emergency. Sometimes the President himself goes down to the Capitol to talk over the merits of a Bill with members. The Department which happens to be interested in any particular measure puts it under the charge of some friend of the Administration, and if a member particularly desires any further information respecting it he may, if he thinks proper, go to the Department and ask for it. But Congress and Ministers are never brought face to face. It is possible that American 'Secretaries' may escape some of the inconvenience which English Ministers are at times called upon to undergo; but the most capable and honest of them forfeit many advantages, not the least of which is the opportunity of making the exact nature of their work known to their countrymen, and of meeting party misrepresentations and calumnies in the most effectual way. In like manner, the incapable members of the Cabinet would not be able, under a different system, to shift the burden of responsibility for their blunders upon the President. No President suffered more in reputation for the faults of others than General Grant. It is true that he did not always choose his Secretaries with sufficient care or discrimination, but he was made to bear more than a just proportion of the censure which was provoked by their mistakes. And it was not in General Grant's disposition to defend himself. In ordinary intercourse he was sparing of his words,

and could never be induced to talk about himself, or to make a single speech in defense of any portion of his conduct. The consequence was, that his second term of office was far from being worthy of the man who enjoyed a popularity, just after the war, which Washington himself might have envied, and who is still, and very justly, regarded with respect and gratitude for his memorable services in the field.

"The same sentiment, to which we have referred as specially characteristic of the American people—hostility to all changes in their method of government which are not absolutely essential—will keep the Cabinet surrounded by irresponsible, and sometimes incapable, advisers. Contrary to general supposition, there is no nation in the world so little disposed to look favorably on Radicalism and a restless desire for change, as the Americans. The Constitution itself can only be altered by a long and tedious process, and after every State in the Union has been asked its opinion on the question. There is no hesitation in enforcing the law in case of disorder, as the railroad rioters in Pennsylvania found out a few years ago. The state of affairs, which the English Government has permitted to exist in Ireland for upwards of a year, would not have been tolerated twenty-four hours in the United States. The maintenance of the law first, the discussion of grievances afterwards; such is, and always has been, the policy of every American Government, until the evil day of James Buchanan. The governor of every State is a real ruler, and not a mere ornament, and the President wields a hundredfold more power than has been left to the Sovereign of Great Britain. Both parties as a rule, combine to uphold his authority, and, in the event of any dispute with a foreign Power, all party distinctions disappear as if by magic.

There are no longer Democrats and Republicans, but only Americans. The species of politician, who endeavors to gain a reputation for himself by destroying the reputation of his country was not taken over to America in the 'Mayflower,' and it would be more difficult than ever to establish it on American ground to-day. A man may hold any opinions that may strike his fancy on other subjects, but in reference to the Government, he is expected, while he lives under it, to give it his hearty support, especially as against foreign nations. There was once a faction called the 'Know-Nothings,' the guiding principle of which was inveterate hostility to foreigners; but a party based upon the opposite principle, of hostility to one's own country, has not yet ventured to lift up its head across the Atlantic. That is an invention in politics which England has introduced, and of which she is allowed to enjoy the undisputed monopoly. * * *

"Display and ceremonial were by no means absent from the Government in the beginning of its history. President Washington never went to Congress on public business except in a State coach, drawn by six cream-colored horses. The coach was an object which would excite the admiration of the throng even now in the streets of London. It was built in the shape of a hemisphere, and its panels were adorned with cupids, surrounded with flowers worthy of Florida, and of fruit not to be equalled out of California. The coachman and postillions were arrayed in gorgeous liveries of white and scarlet. The Philadelphia 'Gazette,' a Government organ, regularly gave a supply of Court news for the edification of the citizens. From that the people were allowed to learn as much as it was deemed proper for them to know about the President's movements,

and a fair amount of space was also devoted to Mrs. Washington—who was not referred to as Mrs. Washington, but as 'the amiable consort of our beloved President.' When the President made his appearance at a ball or public reception, a dais was erected for him upon which he might stand apart from the vulgar throng, and the guests or visitors bowed to him in solemn silence. 'Republican simplicity' has only come in later times. In our day, the hack-driver who takes a visitor to a public reception at the White House, is quite free to get off his box, walk in side by side with his fare, and shake hands with the President with as much familiarity as anybody else. Very few persons presumed to offer to shake hands with General Washington. One of his friends, Gouverneur Morris, rashly undertook, for a foolish wager, to go up to him and slap him on the shoulder, saying, 'My dear General, I am happy to see you look so well.' The moment fixed upon arrived, and Mr. Morris, already half-repenting of his wager, went up to the President, placed his hand upon his shoulder, and uttered the prescribed words. 'Washington,' as an eye-witness described the scene, 'withdrew his hand, stepped suddenly back, fixed his eye on Morris for several minutes with an angry frown, until the latter retreated abashed, and sought refuge in the crowd.' No one else ever tried a similar experiment. It is recorded of Washington, that he wished the official title of the President to be 'High Mightiness,'[65] and at one time it was proposed to engrave his portrait upon the national coinage. No royal levies were more punctiliously arranged and ordered than those of the First President. It was Jefferson, the founder of the Democratic party, who introduced Democratic manners into the Republic. He refused to hold weekly receptions, and when he

went to Congress to read his Address, he rode up unattended, tied his horse to a post, and came away with the same disregard for outward show. After his inauguration, he did not even take the trouble to go to Congress with his Message, but sent it by the hands of his Secretary—a custom which has been found so convenient that it has been followed ever since. A clerk now mumbles through the President's Message, while members sit at their desks writing letters, or reading the Message itself, if they do not happen to have made themselves masters of its contents beforehand."

The writer, after discussing monopolies and tariffs, closes with hopes and predictions so moderately and sensibly stated that any one will be safe in adopting them as his own.

"The controversies which have yet to be fought out on these issues [the tariff and corporate power] may sometimes become formidable, but we may hope that the really dangerous questions that once confronted the American people are set at rest for ever. The States once more stand in their proper relation to the Union, and any interference with their self-government is never again likely to be attempted, for the feeling of the whole people would condemn it. It was a highly Conservative system which the framers of the Constitution adopted, when they decided that each State should be entitled to make its own laws, to regulate its own franchise, to raise its own taxes, and settle everything in connection with its own affairs in its own way. The general government has no right whatever to send a single soldier into any State, even to preserve order, until it has been called upon to act by the Governor of that State. The Federal Government, as it has been said by the Supreme Court, is one of enumerated powers; and if

it has ever acted in excess of those powers, it was only when officers in States broke the compact which existed, and took up arms for its destruction. They abandoned their place in the Union, and were held to have thereby forfeited their rights as States. In ordinary times there is ample security against the abuse of power in any direction. If a State government exceeds its authority, the people can at the next election expel the parties who have been guilty of the offense; if Congress trespasses upon the functions of the States, there is the remedy of an appeal to the Supreme Court, the 'final interpreter of the Constitution;' if usurpation should be attempted in spite of these safeguards, there is the final remedy of an appeal to the whole nation under the form of a Constitutional Amendment, which may at any time be adopted with the consent of three-fourths of the States. Only, therefore, as Mr. Justice Story has pointed out, when three-fourths of the States have combined to practice usurpation, is the case 'irremediable under any known forms of the Constitution.' It would be difficult to conceive of any circumstances under which such a combination as this could arise. No form of government ever yet devised has proved to be faultless in its operation; but that of the United States is well adapted to the genius and character of the people, and the very dangers which it has passed through render it more precious in their eyes than it was before it had been tried in the fire. It assures freedom to all who live under it; and it provides for the rigid observance of law, and the due protection of every man in his rights. There is much in the events which are now taking place around us to suggest serious doubts, whether these great and indispensable advantages are afforded by some of the older European systems

of government which we have been accustomed to look upon as better and wiser than the American Constitution."

A final word as to a remaining great issue—that of the tariff. It must ever be a political issue, one which parties cannot wholly avoid. The Democratic party as a mass, yet leans to Free Trade; the Republican party, as a mass, favors Tariffs and high ones, at least plainly protective. Within a year, two great National Conventions were held, one at Chicago and one at New York, both in former times, Free Trade centres, and in these Congress was petitioned either to maintain or improve the existing tariff. As a result we see presented and advocated at the current session the Tariff Commission Bill, decisive action upon which has not been taken at the time we close these pages. The effect of the conventions was to cause the Democratic Congressional caucus to reject the effort of Proctor Knott, to place it in its old attitude of hostility to protection. Many of the members sought and for the time secured an avoidance of the issue. Their ability to maintain this attitude in the face of Mr. Watterson's[66] declaration that the Democratic party must stand or fall on that issue, remains to be seen.

POLITICAL CHANGES IN 1882.

With a view to carry this work through the year 1882 and into part of 1883, very plain reference should be made to the campaign of 1882, which in several important States was fully as disastrous to the

Republican party as any State elections since the advent of that party to national supremacy and power. In 1863 and 1874 the Republican reverses were almost if not quite as general, but in the more important States the adverse majorities were not near so sweeping. Political “tidal waves” had been freely talked of as descriptive of the situation in the earlier years named, but the result of 1882 has been pertinently described by Horatio Seymour as the “groundswell,” and such it seemed, both to the active participants in, and lookers-on, at the struggle.

Political discontent seems to be periodical under all governments, and the periods are probably quite as frequent though less violent under republican as other forms. Certain it is that no political party in our history has long enjoyed uninterrupted success. The National success of the Republicans cannot truthfully be said to have been uninterrupted since the first election of Lincoln, as at times one or the other of the two Houses of Congress have been in the hands of the Democratic party, while since the second Grant administration there has not been a safe working majority of Republicans in either House. Combinations with Greenbackers, Readjusters, and occasionally with dissenting Democrats have had to be employed to preserve majorities in behalf of important measures, and these have not always succeeded, though the general tendency of side-parties has been to support the majority, for the very plain reason that majorities can reward with power upon committees and with patronage.

Efforts were made by the Democrats in the first session of the 47th Congress to reduce existing tariffs, and to repeal the internal revenue taxes. The Republicans met the first movement by establishing a

Tariff Commission, which was appointed by President Arthur, and composed mainly of gentlemen favorable to protective duties. In the year previous (1881) the income from internal taxes was $135,264,385.51, and the cost of collecting $4,327,793.24, or 3.20 per cent. The customs revenues amounted to $198,159,676.02, the cost of collecting the same $6,383,288.10, or 3.22 per cent. There was no general complaint as to the cost of collecting these immense revenues, for this cost was greatly less than in former years, but the surplus on internal taxes (about $146,000,000) was so large that it could not be profitably employed even in the payment of the public debt, and as a natural result all interests called upon to pay the tax (save where there was a monopoly in the product or the manufacture) complained of the burden as wholly unnecessary, and large interests and very many people demanded immediate and absolute repeal. The Republicans sought to meet this demand half way by a bill repealing all the taxes, save those on spirits and tobacco, but the Democrats obstructed and defeated every attempt at partial repeal. The Republicans thought that the moral sentiment of the country would favor the retention of the internal taxes upon spirits and tobacco (the latter having been previously reduced) but if there was any such sentiment it did not manifest itself in the fall elections. On the contrary, every form of discontent, encouraged by these great causes, took shape. While the Tariff Commission, by active and very intelligent work, held out continued hope to the more confident industries, those which had been threatened or injured by the failure of the crops in 1881, and by the assassination of President Garfield, saw only prolonged injury in the probable work of the

Commission, for to meet the close Democratic sentiment and to unite that which it was hoped would be generally friendly, moderate tariff rates had to be fixed; notably upon iron, steel, and many classes of manufactured goods. Manufacturers of the cheaper grades of cotton goods were feeling the pressure of competition from the South—where goods could be made from a natural product close at hand—while those of the North found about the same time that the tastes of their customers had improved, and hence their cheaper grades were no longer in such general demand. There was over-production, as a consequence grave depression, and not all in the business could at once realize the cause of the trouble. Doubt and distrust prevailed, and early in the summer of 1882, and indeed until late in the fall, the country seemed upon the verge of a business panic. At the same time the leading journals of the country seemed to have joined in a crusade against all existing political methods, and against all statutory and political abuses. The cry of “Down with Boss Rule!” was heard in many States, and this rallied to the swelling ranks of discontent all who are naturally fond of pulling down leaders—and the United States Senatorial elections of 1883 quickly showed that the blow was aimed at all leaders, whether they were alleged Bosses or not. Then, too, the forms of discontent which could not take practical shape in the great Presidential contest between Garfield and Hancock, came to the front with cumulative force after the assassination. There is little use in philosophizing and searching for sufficient reasons leading to a fact, when the fact itself must be confessed and when its force has been felt. It is a plain fact that many votes in the fall of 1882 were determined by the nominating struggle

for the Presidency in 1880, by the quarrels which followed Garfield's inauguration, and by the assassination. Indeed, the nation had not recovered from the shock, and many very good people looked with very grave suspicion upon every act of President Arthur after he had succeeded to the chair. The best informed, broadest and most liberal political minds saw in his course an honest effort to heal existing differences in the Republican party, but many acts of recommendation and appointment directed to this end were discounted by the few which could not thus be traced, and suspicion and discontent swelled the chorus of other injuries. The result was the great political changes of 1882. It began in Ohio, the only important and debatable October State remaining at this time. The causes enumerated above (save the assassination and the conflict between the friends of Grant and Blaine) operated with less force in Ohio than any other section—for here leaders had not been held up as "Bosses;" civil service reform had many advocates among them; the people were not by interest specially wedded to high tariff duties, nor were they large payers of internal revenue taxes. But the liquor issue had sprung up in the Legislature the previous winter, the Republicans attempting to levy and collect a tax from all who sold, and to prevent the sale on Sundays. These brief facts make strange reading to the people of other States, where the sale of liquor has generally been licensed, and forbidden on Sundays. Ohio had previously passed a prohibitory constitutional amendment, in itself defective, and as no legislation had been enacted to enforce it, those who wished began to sell as though the right were natural, and in this way became strong enough to resist taxation or license. The

Legislature of 1882, the majority controlled by the Republicans, attempted to pass the Pond liquor tax act, and its issue was joined. The liquor interests organized, secured control of the Democratic State Convention, nominated a ticket pledged to their interests, made a platform which pointed to unrestricted sale, and by active work and the free use of funds, carried the election and reversed the usual majority. Governor Foster, the boldest of the Republican leaders, accepted the issue as presented, and stumped in favor of license and the sanctity of the Sabbath; but the counsels of the Republican leaders were divided, Ex-Secretary Sherman and others enacting the role of "confession and avoidance." The result carried with it a train of Republican disasters. Congressional candidates whom the issue could not legitimately touch, fell before it, probably on the principle that "that which strikes the head injures the entire body." The Democratic State and Legislative tickets succeeded, and the German element, which of all others is most favorable to freedom in the observance of the Sabbath, transferred its vote almost as an entirety from the Republican to the Democratic party.

Ohio emboldened the liquor interests, and in their Conventions and Societies in other States they agreed as a rule to check and, if possible, defeat the advance of the prohibitory amendment idea. This started in Kansas in 1880, under the lead of Gov. St. John, an eloquent temperance advocate. It was passed by an immense majority, and it was hardly in force before conflicting accounts were scattered throughout the country as to its effect. Some of the friends of temperance contended that it improved the public condition; its enemies all asserted that in the larger towns and cities it produced free and irresponsible

instead of licensed sale. The latter seem to have had the best of the argument, if the election result is a truthful witness. Gov. St. John was again the nominee of the Republicans, but while all of the remainder of the State ticket was elected, he fell under a majority which must have been produced by a change of forty thousand votes. Iowa next took up the prohibitory amendment idea, secured its adoption, but the result was injurious to the Republicans in the Fall elections, where the discontent struck at Congressmen, as well as State and Legislative officers.

The same amendment had been proposed in Pennsylvania, a Republican House in 1881 having passed it by almost a solid vote (Democrats freely joining in its support), but a Republican Senate defeated, after it had been loaded down with amendments. New York was coquetting with the same measure, and as a result the liquor interests—well organized and with an abundance of money, as a rule struck at the Republican party in both New York and Pennsylvania, and thus largely aided the groundswell. The same interests aided the election of Genl. B. F. Butler of Massachusetts, but from a different reason. He had, in one of his earlier canvasses, freely advocated the right of the poor to sell equally with those who could pay heavy license fees, and had thus won the major sympathy of the interest. Singularly enough, Massachusetts alone of all the Republican States meeting with defeat in 1882, fails to show in her result reasons which harmonize with those enumerated as making up the elements of discontent. Her people most do favor high tariffs, taxes on liquors and luxuries, civil service reforms, and were supposed to be more free from legal and political abuses than any other.

Massachusetts had, theretofore, been considered to be the most advanced of all the States—in notions, in habit, and in law—yet Butler's victory was relatively more pronounced than that of any Democratic candidate, not excepting that of Cleveland over Folger in New York, the Democratic majority here approaching two hundred thousand. How are we to explain the Massachusetts' result? Gov. Bishop was a high-toned and able gentleman, the type of every reform contended for. There is but one explanation. Massachusetts had had too much of reform; it had come in larger and faster doses than even her progressive people could stand—and an inconsistent discontent took new shape there—that of very plain reaction. This view is confirmed by the subsequent attempt of Gov. Butler to defeat the re-election of Geo. F. Hoar to the U. S. Senate, by a combination of Democrats with dissatisfied Republicans. The movement failed, but it came very near to success, and for days the result was in doubt. Hoar had been a Senator of advanced views, of broad and comprehensive statesmanship, but that communistic sentiment which occasionally crops out in our politics and strikes at all leaders, merely from the pleasure of asserting the right to tear down, assailed him with a vigor almost equal to that which struck Windom of Minnesota, a statesman of twenty-four years' honorable, able and sometimes brilliant service. To prejudice the people of his State against him, a photograph of his Washington residence had been scattered broadcast. The print in the photograph intended to prejudice being a coach with a liveried lackey. It might have been the coach and lackey of a visitor, but the effect was the same where discontent had run into a fever.

Political discontent gave unmistakable

manifestations of its existence in Ohio, Massachusetts, New York (where Ex-Governor Cornell's nomination had been defeated by a forged telegram), Michigan, Nebraska, Kansas, Iowa, Connecticut, California, Colorado, Pennsylvania, and Indiana. The Republican position was well maintained in New Hampshire, Vermont, Rhode Island, Minnesota, Illinois, and Wisconsin. It was greatly improved in Virginia, where Mahone's Republican Readjuster ticket carried the State by nearly ten thousand, and where a United States' Senator and Congressman at large were gained, as well as some of the District Congressmen. The Republicans also improved the situation in North Carolina and Tennessee, though they failed to carry either. They also gained Congressmen in Mississippi and Louisiana, but the Congressional result throughout the country was a sweeping Democratic victory, the 48th Congress, beginning March 4, 1883, showing a Democratic majority of 71 in a total membership of 325.

In Pennsylvania alone of all the Northern States, were the Republican elements of discontent organized, and here they were as well organized as possible under the circumstances. Charles S. Wolfe had the year previous proclaimed what he called his "independence of the Bosses," by declaring himself a candidate for State Treasurer, "nominated in a convention of one." He secured 49,984 votes, and this force was used as the nucleus for the better organized Independent Republican movement of 1882. Through this a State Convention was called which placed a full ticket in the field, and which in many districts nominated separate legislative candidates.

The complaints of the Independent Republicans of

Pennsylvania were very much like those of dissatisfied Republicans in other Northern States where no adverse organizations were set up, and these can best be understood by giving the official papers and correspondence connected with the revolt, and the attempts to conciliate and suppress it by the regular organization. The writer feels a delicacy in appending this data, inasmuch as he was one of the principals in the negotiations, but formulated complaints, methods and principles peculiar to the time can be better understood as presented by organized and official bodies, than where mere opinions of cotemporaneous writers and speakers must otherwise be given. A very careful summary has been made by Col. A. K. McClure, in the Philadelphia *Times Almanac*, and from this we quote the data connected with the—

The Independent Republican Revolt In Pennsylvania.

The following call was issued by Chairman McKee, of the committee which conducted the Wolfe campaign in 1881:

HEADQUARTERS STATE COMMITTEE,

CITIZENS' REPUBLICAN ASSOCIATION, GIRARD HOUSE,

PHILADELPHIA, December 16, 1881.

To the Independent Republicans of Pennsylvania:

You are earnestly requested to send representatives from each county to a State conference, to be held at Philadelphia, Thursday, January 12th, 1882, at 10 o'clock A.M., to take into consideration the wisdom of placing in nomination proper persons for the offices of Governor, Lieutenant-Governor, Secretary of Internal Affairs and Supreme Court Judge, and such other matters as may come before the conference, looking to the overthrow of "boss rule," and the elimination of the pernicious "spoils system," and its kindred evils, from the administration of public affairs. It is of the utmost importance that those fifty thousand unshackled voters who supported the independent candidacy of Hon. Charles S. Wolfe for the office of State Treasurer as a solemn protest against ring domination, together with the scores of thousands of liberty-loving citizens who are ready to join in the next revolt against "bossism," shall be worthily represented at this conference.

I. D. MCKEE, Chairman.

FRANK WILLING LEACH, Secretary.

Pursuant to the above call, two hundred and thirteen delegates, representing thirty-three of the sixty-six counties, met at the Assembly Building, January 12th, 1882, and organized by the election of John J. Pinkerton as chairman, together with a suitable list of vice-presidents and secretaries. After a general interchange of views, a resolution was adopted directing the holding of a State Convention for the nomination of a State ticket, May 24th. An executive committee, with power to arrange for the election of delegates from each Senatorial district, was also appointed, consisting of Messrs. I. D. McKee, of Philadelphia; Wharton Barker, of

Montgomery; John J. Pinkerton, of Chester; F. M. Nichols, of Luzerne; H. S. McNair, of York, and C. W. Miller, of Crawford. Mr. Nichols afterwards declining to act, George E. Mapes, of Venango, was substituted in his place. Before the time arrived for the meeting of the convention of May 24th, several futile efforts were made to heal the breach between the two wings of the Republican party. At a conference of leading Independents held in Philadelphia, April 23d, at which Senator Mitchell was present, a committee was appointed for the purpose of conferring with a similar committee from the regular organization, upon the subject of the party differences. The members of the Peace Conference, on the part of the Independents, were Charles S. Wolfe, I. D. McKee, Francis B. Reeves, J. W. Lee, and Wharton Barker. The committee on the part of the Stalwarts were M. S. Quay, John F. Hartranft, C. L. Magee, Howard J. Reeder, and Thomas Cochran. A preliminary meeting was held at the Continental Hotel, on the evening of April 29th, which adjourned to meet at the same place on the evening of May 1st; at which meeting the following peace propositions were agreed upon:

Resolved, That we recommend the adoption of the following principles and methods by the Republican State Convention of May 10th.

First. That we unequivocally condemn the use of patronage to promote personal political ends, and require that all offices bestowed within the party shall be upon the sole basis of fitness.

Second. That competent and faithful officers should not be removed except for cause.

Third. That the non-elective minor offices should be filled in accordance with rules established by law.

Fourth. That the ascertained popular will shall be

faithfully carried out in State and National Conventions, and by those holding office by the favor of the party.

Fifth. That we condemn compulsory assessments for political purposes, and proscription for failure to respond either to such assessments or to requests for voluntary contributions, and that any policy of political proscription is unjust, and calculated to disturb party harmony.

Sixth. That public office constitutes a high trust to be administered solely for the people, whose interests must be paramount to those of persons or parties, and that it should be invariably conducted with the same efficiency, economy, and integrity as are expected in the execution of private trusts.

Seventh. That the State ticket should be such as by the impartiality of its constitution and the high character and acknowledged fitness of the nominees will justly commend itself to the support of the united Republican party.

Resolved, That we also recommend the adoption of the following permanent rules for the holding of State Conventions, and the conduct of the party:

First. That delegates to State Conventions shall be chosen in the manner in which candidates for the General Assembly are nominated, except in Senatorial districts composed of more than one county, in which conferees for the selection of Senatorial delegates shall be chosen in the manner aforesaid, and the representation of each county shall be based upon its Republican vote cast at the Presidential election next preceding the convention.

Second. Hereafter the State Convention of the Republican party shall be held on the second Wednesday of July, except in the year of the

Presidential election, when it shall be held not more than thirty days previous to the day fixed for the National Convention, and at least sixty days' notice shall be given of the date of the State Convention.

Third. That every person who voted the Republican electoral ticket at the last Presidential election next preceding any State Convention shall be permitted to participate in the election of delegates to State and National Conventions, and we recommend to the county organizations that in their rules they allow the largest freedom in the general participation in the primaries consistent with the preservation of the party organization.

M. S. QUAY,
J. F. HARTRANFT,
THOMAS COCHRAN,
HOWARD J. REEDER,
C. L. MAGEE,

On the part of the Republican State Committee, appointed by Chairman Cooper.

CHARLES S. WOLFE,
I. D. MCKEE,
FRANCIS B. REEVES,
WHARTON BARKER,
J. W. LEE,

On the part of Senator Mitchell's Independent Republican Committee.

The following resolution was adopted by the joint conference:

Resolved, That we disclaim any authority to speak or act for other persons than ourselves, and simply make these suggestions as in our opinion are

essential to the promotion of harmony and unity.

In order, however, that there might be no laying down of arms on the part of the Independents, in the false belief that the peace propositions had ended the contest, without regard to whether they were accepted in good faith, and put in practice by the regular convention, the following call was issued by the Independent Executive Committee:

EXECUTIVE COMMITTEE,
CITIZENS' REPUBLICAN ASSOCIATION OF
PENNSYLVANIA, GIRARD HOUSE.

PHILADELPHIA, May 3d, 1882.

To the Independent Republicans of Pennsylvania:

At a conference of Independent Republicans held in Philadelphia, on January 12th, 1882, the following resolution was adopted, to wit:

Resolved, That a convention be held on the 24th day of May, 1882, for the purpose of placing in nomination a full Independent Republican ticket for the offices to be filled at the general election next November.

In pursuance and by the authority of the above resolution the undersigned, the State Executive Committee appointed at the said conference, request the Independent Republicans of each county of the Commonwealth of Pennsylvania to send delegates to the Independent Convention of May 24th, the basis of representation to be the same as that fixed for Senators and Representatives of the General Assembly of Pennsylvania.

Should the convention of May 10th fail to nominate as its candidates men who in their character, antecedents and affiliations are embodiments of the principles of true Republicanism free from the iniquities of bossism, and of an honest administration of public affairs free from the evils of the spoils system, such nominations, or any such nomination, should be emphatically repudiated by the Independent Convention of May 24th, and by the

Independent Republicans of Pennsylvania in November next.

The simple adoption by the Harrisburg Convention of May 10th of resolutions of plausible platitudes, while confessing the existence of the evils which we have strenuously opposed, and admitting the justice of our position in opposing them, will not satisfy the Independent Republicans of this Commonwealth. We are not battling, for the construction of platforms, but for the overthrow of bossism, and the evils of the spoils system, which animated a despicable assassin to deprive our loved President Garfield of his life, and our country of its friend and peacemaker.

The nomination of slated candidates by machine methods, thereby tending to the perpetuation of boss dominion in our Commonwealth, should never be ratified by the Independent Republicans in convention assembled or at the polls. Upon this very vital point there should be no mistake in the mind of any citizen of this State. The path of duty in this emergency leads forward, and not backward, and forward we should go until bossism and machinism and stalwartism—aye, and Cameronism—are made to give way to pure Republicanism. The people will not submit to temporizing or compromising.

We appeal to the Independent Republicans of Pennsylvania to take immediate steps toward perfecting their organization in each county, and completing the selection of delegates to the Independent State Convention. Use every exertion to secure the choice as delegates of representative, courageous men, who will not falter when the time arrives to act—who will not desert into the ranks of the enemy when the final time of testing comes. Especially see to it that there shall not be chosen as delegates any Pharisaical Independents, who preach reform, yet blindly follow boss leadership at the crack of the master's whip. Act quickly and act discreetly.

A State Campaign Committee of fifty, comprising one member from each Senatorial district, has been formed, and any one desiring to co-operate with us in this

movement against the enemies of the integrity of our State, who shall communicate with us, will be immediately referred to the committeeman representing the district in which he lives. We urgently invite a correspondence from the friends of political independence from all sections of the State.

Again we say to the Independent Republicans of Pennsylvania in the interest of justice and the Commonwealth's honor, leave no stone unturned to vindicate the rights of the people.

I. D. McKee, Chairman.
Wharton Barker.
John J. Pinkerton.
Geo. E. Mapes.
H. S. McNair.
Charles W. Miller.
Frank Willing Leach, Secretary.

In pursuance of the above call, the Independent Convention met, May 24th, in Philadelphia, and deciding that the action of the regular Republican Convention, held at Harrisburg on May 10th, did not give the guarantee of reform demanded by the Independents, proceeded to nominate a ticket and adopt a platform setting forth their views.

Although the break between the two wings of the party was thus made final to all appearances, yet all efforts for a reconciliation were not entirely abandoned. Thos. M. Marshall having declined the nomination for Congressman at Large on the Republican ticket, the convention was reconvened June 21st, for the purpose of filling the vacancy, and while in session, instructed the State Central Committee to use all honorable means to secure harmony between the two sections of the party. Accordingly, the Republican State Committee was called to meet in Philadelphia, July, 13th. At this

meeting the following propositions were submitted to the Independents:

Pursuant to the resolution passed by the Harrisburg Convention of June 21st, and authorizing the Republican State Committee to use all honorable means to promote harmony in the party, the said committee, acting in conjunction with the Republican candidates on the State ticket, respectfully submit to the State Committee and candidates of the Independents the following propositions:

First. The tickets headed by James A. Beaver and John Stewart, respectively, be submitted to a vote of the Republican electors of the State, at primaries, as hereinafter provided for.

Second. The selection of candidates to be voted for by the Republican party in November to be submitted as aforesaid, every Republican elector, constitutionally and legally qualified, to be eligible to nomination.

Third. A State Convention to be held, to be constituted as recommended by the Continental Hotel Conference, whereof Wharton Barker was chairman and Francis B. Reeves secretary, to select candidates to be voted for by the Republican party in November, its choice to be limited to the candidates now in nomination, or unlimited, as the Independent State Committee may prefer.

The primaries or convention referred to in the foregoing propositions to be held on or before the fourth Wednesday of August next, under regulations or apportionment to be made by Daniel Agnew, Hampton L. Carson, and Francis B. Reeves, not in conflict, however, with the acts of Assembly regulating primary elections, and the candidates

receiving the highest popular vote, or the votes of a majority of the members of the convention, to receive the united support of the party.

Resolved, That in the opinion of the Republican State Committee the above propositions fully carry out, in letter and spirit, the resolution passed by the Harrisburg Convention, June 21st, and that we hereby pledge the State Committee to carry out in good faith any one of the foregoing propositions which may be accepted.

Resolved, That the chairman of the Republican State Committee be directed to forward an official copy of the proceedings of this meeting, together with the foregoing propositions, to the Independent State Committee and candidates.

Whereupon, General Reeder, of Northampton, moved to amend by adding a further proposition, as follows.

Fourth. A State Convention, to be constituted as provided for by the new rules adopted by the late Republican State Convention, to select candidates to be voted for by the Republican party in November, provided, if such convention be agreed to, said convention shall be held not later than the fourth Wednesday in August. Which amendment was agreed to, and the preamble and resolutions as amended were agreed to.

This communication was addressed to the chairman of the Independent State Committee, I. D. McKee, who called the Independent Committee to meet July 27th, to consider the propositions. In the meantime the Independent candidates held a conference on the night of July 13th, and four of them addressed the following propositions to the candidates of the Stalwart wing of the party:

PHILADELPHIA, July 13th, 1882.

To General James A. Beaver, Hon. William T. Davies, Hon. John M. Greer, William Henry Rawle, Esq., and Marriott Brosius, Esq.

Gentlemen: By a communication received from the Hon. Thomas V. Cooper, addressed to us as candidates of the Independent Republicans, we are advised of the proceedings of the State Committee, which assembled in this city yesterday.

Without awaiting the action of the Independent State Committee, to which we have referred the communication, and attempting no discussion of the existing differences, or the several methods proposed by which to secure party unity, we beg to say that we do not believe that any of the propositions, if accepted, would produce harmony in the party, but on the contrary, would lead to wider divisions. We therefore suggest that the desired result can be secured by the hearty co-operation of the respective candidates. We have no authority to speak for the great body of voters now giving their support to the Independent Republican ticket, nor can we include them by any action we may take. We are perfectly free, however, to act in our individual capacity, and desire to assure you that we are not only willing, but anxious to co-operate with you in the endeavor to restore peace and harmony to our party. That this can be accomplished beyond all doubt we feel entirely assured, if you, gentlemen, are prepared to yield, with us, all personal considerations, and agree to the following propositions:

First. The withdrawal of both tickets.

Second. The several candidates of these tickets to pledge themselves not to accept any subsequent nomination by the proposed convention.

Under these conditions we will unite with you in urging upon our respective constituencies the adoption of the third proposition submitted by your committee, and conclude the whole controversy by our final withdrawal as candidates. Such withdrawal of both tickets would remove from the canvass all personal as well as political

antagonisms, and leave the party united and unembarrassed.

We trust, gentlemen, that your judgment will approve the method we have suggested, and that, appreciating the importance of concluding the matter with as little delay as possible, you will give us your reply within a week from this date.

Very respectfully, your obedient servants,

JOHN STEWART.
LEVI BIRD DUff.
GEORGE W. MERRICK.
GEORGE JUNKIN.

William McMichael, Independent candidate for Congressman at Large, dissented from the proposition of his colleagues, and addressed the following communication to Chairman Cooper:

PHILADELPHIA, July 13th, 1882.

Hon. Thomas V. Cooper, Chairman, etc.

Dear Sir: Your letter of July 12th is received, addressed to the chairman of the State Committee of the Independent Republicans and their candidates, containing certain propositions of your committee. I decline those propositions, because they involve an abandonment of the cause of the Independent Republicans.

If a new convention, representing all Republicans, had nominated an entirely new ticket, worthy of popular support, and not containing the name of any candidate on either of the present tickets, and sincerely supporting the principles of the Independent Republicans, the necessity for a separate Independent Republican movement would not exist. Your proposition, however, practically proposes to re-nominate General Beaver, and reaffirm the abuse which we oppose.

The convention of Independent Republicans which met in Philadelphia on May 24th, announced principles in

which I believe. It nominated me for Congressman at Large, and I accepted that nomination. It declared boldly against bossism, the spoils system, and all the evils which impair Republican usefulness, and in favor of popular rule, equal rights of all, national unity, maintenance of public credit, protection to labor, and all the great principles of true Republicanism. No other ticket now in the field presents those issues. The people of Pennsylvania can say at the polls, in November, whether they approve of those principles, and will support the cause which represents them. I will not withdraw or retire unless events hereafter shall give assurance that necessary reform in the civil service shall be adopted; assessments made upon office-holders returned, and not hereafter exacted; boss, machine, and spoils methods forever abandoned; and all our public offices, from United States Senator to the most unimportant officials, shall be filled only by honest and capable men, who will represent the people, and not attempt to dictate to or control them.

I shall go on with the fight, asking the support of all my fellow-citizens who believe in the principles of the Independent Republican Convention of May 24th.

Yours truly,

WILLIAM MCMICHAEL.

To these propositions General Beaver and his colleagues replied in the following communication:

PHILADELPHIA, July 15th, 1882.

Hon. Thomas V. Cooper, Chairman Republican State Committee, Philadelphia, Pa.

Sir: We have the honor to acknowledge the receipt through you of a communication addressed to us by the Hon. John Stewart, Colonel Levi Bird Duff, Major G. W. Merrick, and George Junkin, Esq.; in response to certain propositions submitted by the Republican State Committee, representing the Republican party of Pennsylvania, looking to an amicable and honorable adjustment of whatever differences there may be among the various elements of the party. Without accepting any of the propositions

submitted by your committee, this communication asks us, as a condition precedent to any recommendation on the part of the writers thereof, to declare that in the event of the calling of a new convention, we will severally forbid the Republicans of Pennsylvania to call upon us for our services as candidates for the various positions to be filled by the people at the coming election. To say that in the effort to determine whether or not our nomination was the free and unbiased choice of the Republican party we must not be candidates, is simply to try the question at issue. We have no desire to discuss the question in any of its numerous bearings. We have placed ourselves unreservedly in the hands of the Republicans of Pennsylvania. We have pledged ourselves to act concurrently with your committee, and are bound by its action. We therefore respectfully suggest that we have no power or authority to act independently of the committee, or make any declaration at variance with the propositions submitted in accordance with its action. There ought to be and can be no such thing as personal antagonism in this contest. We socially and emphatically disclaim even the remotest approach to a feeling of this kind toward any person. We fraternize with and are ready to support any citizen who loves the cause of pure Republicanism, and with this declaration we submit the whole subject to your deliberate judgment and wise consideration.

JAMES A. BEAVER.
WILLIAM HENRY RAWLE.
MARRIOTT BROSIUS.
W. T. DAVIES.
JOHN M. GREER.

At the meeting of the Independent State Committee, July 27th, the propositions of the Regular Committee were unanimously rejected, and a committee appointed to draft a reply, which was done in the following terms:

Thomas V. Cooper, Esq., Chairman Republican State Committee.

Dear Sir: I am instructed to advise you that the Independent Republican State Committee have considered the four suggestions contained in the minutes of the proceedings of your committee, forwarded to me by you on the 12th instant.

I am directed to say that this committee find that none of the four are methods fitted to obtain a harmonious and honorable unity of the Republican voters of Pennsylvania. All of them are inadequate to that end, for the reason that they afford no guarantee that, being accepted, the principles upon which the Independent Republicans have taken their stand would be treated with respect or put into action. All of them contain the probability that an attempt to unite the Republicans of the State by their means would either result in reviving and strengthening the political dictatorship which we condemn or would permanently distract the Republican body, and insure the future and continued triumph of our common opponent, the Democratic party.

Of the four suggestions, the first, second and fourth are so inadequate as to need no separate discussion: the third, which alone may demand attention, has the fatal defect of not including the withdrawal of that “slated” ticket which was made up many months ago, and long in advance of the Harrisburg Convention, to represent and to maintain the very evils of control and abuses of method to which we stand opposed. This proposition, like the others, supposing it to have been sincerely put forward, clearly shows that you misconceive the cause of the Independent Republican movement, as well as its aims and purposes. You assume that we desire to measure the respective numbers of those who support the Harrisburg ticket and those who find their principles expressed by the Philadelphia Convention. This is a complete and fatal misapprehension. We are organized to promote certain reforms, and not to abandon them in pursuit of votes. Our object is the overthrow of the “boss system” and of the “spoils system.”

In behalf of this we are willing and anxious to join hands with you whenever it is assured that the union will be honestly and earnestly for that purpose. But we cannot

make alliances or agree to compromises that in their face threaten the very object of the movement in which we have engaged. Whether your ticket has the support of many or few, of a majority or a minority of the Republican voters, does not affect in the smallest degree the duty of every citizen to record himself against the abuses which it represents. Had the gentlemen who compose it been willing to withdraw themselves from the field, as they were invited to join in doing, for the common good, by the Independent Republican candidates, this act would have encouraged the hope that a new convention, freely chosen by the people, and unembarrassed by claims of existing candidates, might have brought forth the needed guarantee of party emancipation and public reform.

This service, however, they have declined to render their party; they not only claim and receive your repeated assurances of support, but they permit themselves to be put forward to secure the use of the Independent Republican votes at the same time that they represent the "bossism," the "spoils" methods, and the "machine" management which we are determined no longer to tolerate. The manner in which their candidacy was decreed, the means employed to give it convention formality, the obligations which they incur by it, the political methods with which it identifies them, and the political and personal plans for which their official influence would be required, all join to make it the most imperative public duty not to give them support at this election under any circumstances.

In closing this note, this committee must express its regret, that, having considered it desirable to make overtures to the Independent Republicans, you should have so far misapprehended the facts of the situation. It is our desire to unite the Republican party on the sure ground of principle, in the confidence that we are thus serving it with the highest fidelity, and preserving for the future service of the Commonwealth that vitality of Republicanism which has made the party useful in the past, and which alone confers upon it now the right of continued existence. The only method which promises this result in the approaching

election is that proposed by the Independent Republican candidates in their letter of July 13th, 1882, which was positively rejected by your committee.

On behalf of the Independent Republican State Committee of Pennsylvania,

I. D. McKee, Chairman.

With this communication ended all efforts at conciliation.

The election followed, and the Democratic ticket, headed by Robert E. Pattison of Philadelphia, received an average plurality of 40,000, and the Independent Republican ticket received an average vote of about 43,000–showing that while Independence organized did not do as well in a gubernatorial as it had in a previous off-year, it yet had force enough to defeat the Republican State ticket headed by Gen. James A. Beaver. All of the three several State tickets were composed of able men, and the force of both of the Republican tickets on the hustings excited great interest and excitement; yet the Republican vote, owing to the division, was not out by nearly one hundred thousand, and fifty thousand more Republicans than Democrats remained at home, many of them purposely. In New York, where dissatisfaction had no rallying point, about two hundred thousand Republicans remained at home, some because of anger at the defeat of Gov. Cornell in the State nominating convention—some in protest against the National Administrations, which was accused of the desire for direct endorsement where it presented the name of Hon. Chas. J. Folger, its Secretary of the Treasury, as the home gubernatorial candidate,—others because of some of the many reasons set forth in the bill of complaints

which enumerates the causes of the dissatisfaction within the party.

At this writing the work of Republican repair is going on. Both the Senate and House at Washington are giving active work to the passage of a tariff bill, the repeal of the revenue taxes, and the passage of a two-cent letter postage bill—measures anxiously hastened by the Republicans in order to anticipate friendly and defeat unfriendly attempts on the part of the Democratic House, which comes in with the first session of the 48th Congress.

In Pennsylvania, as we close this review of the struggle of 1882, the Regular and Independent Republican State Committees—at least the heads thereof—are devising a plan to jointly call a Republican State Convention to nominate the State ticket to be voted for in November, 1883. The groundswell was so great that it had no sooner passed, than Republicans of all shades of opinion, felt the need of harmonious action, and the leaders everywhere set themselves to the work of repair.

The Republicans in the South differed from those of the North in the fact that their complaints were all directed against a natural political enemy—the Bourbons—and wherever there was opportunity they favored and entered into movements with Independent and Readjuster Democrats, with the sole object of revolutionizing political affairs in the South. Their success in these combinations was only great in Virginia, but it proved to be promising in North Carolina, Mississippi, and Louisiana, and may take more definite and general shape in the great campaign of 1884.

The Democratic party was evidently surprised at its great victory in 1882, and has not yet formally

resolved what it will do with it. The Congress beginning with December, 1883, will doubtless give some indication of the drift of Democratic events.

The most notable law passed in the closing session of the 47th Congress, was the Civil Service Reform Bill, introduced by Senator Geo. H. Pendleton of Ohio, but prepared under the direction of the Senate Judiciary Committee. The Republicans, feeling that there was some public demand for the passage of a measure of the kind, eagerly rushed to its support, at a time when it was apparent that the spoils of office might slip from their hands. From opposite motives the Democrats, who had previously encouraged, now ran away from it, but it passed both Houses with almost a solid Republican vote, a few Democrats in each House voting with them. President Arthur signed the bill, but at this writing the Commission which it creates has not been appointed, and of course none of the rules and constructions under the act have been formulated. Its basic principles are fixed tenure in minor places, competitive examinations, and non-partisan selections.

POLITICAL CHANGES—1883.

In the fall of 1883 nearly all of the States swept by the tidal wave of 1882 showed that it had either partially or completely receded, and for the first time since the close of the Hayes administration (always excepting the remarkable Garfield-Hancock campaign), the Republican party exhibited plain signs of returning unity and strength. Henry Ward

Beecher has wittily said that “following the war the nation needed a poultice, and got it in the Hayes administration.” The poultice for a time only drew the sores into plainer view, and healing potions were required for the contests immediately following. The divisions of 1882 were as much the result of the non-action of the Hayes administration, as of the misunderstandings and feuds which later on found bitter manifestation between the Stalwarts and Half-Breeds of New York.

The Independents took no organized form except in New York and Pennsylvania, and yet the underlying causes of division for the time swept from their Republican moorings not only the States named, but also Massachusetts, Connecticut, Ohio, Indiana, Michigan, Kansas, Colorado and California.

The year 1882 seemed the culmination of every form of Republican division, and then everything in the States named gave place to faction. Very wisely the Republican leaders determined to repair the mischief, as far as possible, in the otherwise uneventful year of 1883. Their efforts were in most instances successful, especially in Massachusetts where Robinson overthrew Gen. Butler’s State administration by 20,000 majority; in Pennsylvania, where the Republican State ticket received about 20,000 majority, after the reunion of the Regular and independent factions. In Pennsylvania the efforts at reconciliation made in the Continental Conference, and in subsequent conventions, gave fruit in 1883, and at this writing in July, 1884 there is no mark of division throughout the entire State, if we except such as must inevitably follow the plain acceptance of Free Trade and Protective issues. Very few of the Republicans of Pennsylvania favor Free Trade, and only in the ranks of this few could any division be

traced after the close of the elections of 1883.

Ohio was an exception to the Republican work of reconciliation. Division still continued, and Judge Hoadly, a leading and very talented Democrat, was elected Governor by about 15,000 majority, after a contest which involved the expenditure of large sums of money. In the Convention which nominated Hoadly, Senator Pendleton was practically overthrown because of his attachment to the Civil Service law which takes his name, and later on he was defeated for U. S. Senator by Mr. Payne, the McLean and Bookwalter factions uniting for his overthrow, which was accomplished despite the efforts of Thurman, Ward and other leaders of the older elements of the party. Both the Hoadly and Payne battles were won under the banners of the "Young Democracy."

Any compilation of the returns of 1883 must be measurably imperfect, for in only a few of the States were important and decisive battles waged. Such as they were, however, are given in the table on the next page:

State Elections of 1882 and 1883, compared with the Presidential Election of 1880.

STATES.	1880.[67]			
	Garfield, Rep.	Hancock, Dem.	Weaver, Gbk.	Dow, Pro.
Alabama	56,221	91,185	4,642	
Arkansas	42,436	60,775	4,079	
California	80,348	80,426	3,392	
Colorado	27,450	24,647	1,435	
[68]Connecticut	67,071	64,415	868	40
Delaware	14,133	15,275	120	
Florida	23,654	27,964		

Georgia	54,086	102,470	969	
Illinois	318,037	277,321	26,358	443
Indiana	232,164	225,522	12,986	
Iowa	183,927	105,845	32,701	592
Kansas	121,549	59,801	19,851	25
Kentucky	106,306	149,068	11,499	258
Louisiana	38,637	65,067	439	
Maine	74,039	65,171	4,408	93
Maryland	78,515	93,706	818	
Massachusetts	165,205	111,960	4,548	682
Michigan	185,341	131,597	34,895	942
Minnesota	93,903	53,315	3,267	286
Mississippi	34,854	75,750	5,797	
Missouri	153,567	200,699	35,135	
Nebraska	54,979	28,523	3,950	
Nevada	8,732	9,613		
New Hampshire	44,852	40,794	528	180
New Jersey	120,555	122,565	2,617	191
New York	555,544	534,511	12,373	1,517
North Carolina	115,874	124,208	1,126	
Ohio	375,048	340,821	6,456	2,616
Oregon	20,619	19,948	249	
Pennsylvania	444,704	407,428	20,668	1,939
Rhode Island	18,195	10,779	236	20
South Carolina	58,071	112,312	556	
Tennessee	107,677	128,191	5,917	43
Texas	57,893	156,428	27,405	
Vermont	45,567	18,316	1,215	
Virginia	84,020	128,586		
West Virginia	46,243	57,391	9,079	
Wisconsin	144,400	114,649	7,986	69
Total	4,454,416	4,444,952	308,578	10,305
Plurality	9,464			

Total vote	9,219,947			

STATES.	1882.[69]			
	Rep.	Dem.	Gbk.	Pro.
Alabama	46,386	100,591		
Arkansas	49,352	87,675	10,142	
California	67,175	90,694	1,020	5,772
Colorado	27,552	29,897		
[68]Connecticut	54,853	59,014	607	1,034
Delaware	10,088	12,053		
Florida	20,139	24,067	3,553	
Georgia	24,930	81,443	68	
Illinois	254,551	249,067	11,306	11,202
Indiana	210,234	220,918	13,520	
Iowa	149,051	112,180	30,817	
Kansas	[70]98,166	[70]61,547	[70]23,300	
Kentucky	79,036	110,813	736	
Louisiana	33,953	49,892		
Maine	72,724	63,852	1,302	395
Maryland	74,515	80,725	1,833	
Massachusetts	[70]134,358	[70]116,678	[70]4,033	[70]2,141
Michigan	[70]157,925	[70]149,443	[70]1,572	[70]4,440
Minnesota	92,802	46,653	3,781	1,545
Mississippi	30,282	48,159		
Missouri	128,239	198,620	33,407	
Nebraska	43,495	28,562	16,991	
Nevada	[69]7,362	[69]6,906		
New Hampshire	38,299	36,879	449	338
New Jersey	97,860	99,962	6,063	2,004
New York	[70]409,422	[71]482,822	[71]10,527	[71]16,234
North Carolina	111,320	111,763		
Ohio	297,759	316,874	5,345	12,202
Oregon	21,481	20,069		

Pennsylvania	[72]359,232	[72]355,791	[72]23,996	[72]5,196
Rhode Island	10,056	5,311	120	
South Carolina		67,458	17,719	
Tennessee	[73]91,693	[73]123,929	[73]9,538	
Texas	41,761	142,087	41,825	
Vermont	35,839	14,466	1,535	
Virginia	100,690	94,184		
West Virginia	43,440	46,661		
Wisconsin	94,606	103,630	2,496	13,800
Total	3,620,844	4,051,035	277,691	76,303
Plurality		130,195		
Total vote		8,025,975		

STATES.	1883.[68]			
	Rep.	Dem.	Gbk.	Pro.
Alabama				
Arkansas				
California				
Colorado				[68]
Connecticut	51,749	46,146		
Delaware				
Florida				
Georgia		23,680		
Illinois				
Indiana				
Iowa	164,182	139,093	23,089	
Kansas				
Kentucky	89,181	133,615		
Louisiana				
Maine				
Maryland	80,707	92,694		1,881
Massachusetts	160,092	150,228		13,950

Michigan	122,330	127,376		
Minnesota	72,404	57,859		
Mississippi				
Missouri				
Nebraska	52,305	47,795		
Nevada				
New Hampshire				
New Jersey	97,047	103,856	2,960	4,153
New York	429,252	445,817	7,187	19,368
North Carolina				
Ohio	347,164	359,793	2,937	8,362
Oregon				
Pennsylvania	319,106	302,031	4,452	6,602
Rhode Island	13,068	10,907		
South Carolina				
Tennessee				
Texas				
Vermont				
Virginia				
West Virginia				
Wisconsin				
Total	1,998,587	2,040,890	40,629	54,316
Plurality		42,303		
Total vote		4,134,458		

POLITICAL CHANGES—1884.

The Republican National Convention met at

Chicago, in the Exposition Building, on Tuesday, June 3d, 1884. It was called to order by Senator Sabin, the Chairman of the National Committee, who at the conclusion of his address, at the request of his Committee, presented the name of Hon. Powell Clayton, of Arkansas, for temporary President. Gen. Clayton, as a friend of Blaine, was antagonized by the field, which named Hon. John R. Lynch for the place. An exciting debate followed, at the close of which Mr. Lynch received 431 votes to 387 for Clayton. Ex-Senator Henderson of Missouri was made permanent President without a contest. The contested seats were amicably settled, the most notable being that of the straight-out Republicans of Virginia against Gen. Mahone's delegation. The latter was admitted, the only contest being in the Committee. The Blaine leaders did not antagonize, but rather favored Mahone's admission, as did the field generally, for the State Convention which elected this delegation had openly abandoned the name of the Readjuster Party and taken that of the Republican. None of the Straightouts expressed dissatisfaction at what appeared to be the almost universal sentiment.

Candidates for the Nomination.

On the third day the following candidates were formally placed in nomination, after eloquent eulogies, the most notable being those of Judge West of Ohio, in behalf of Blaine; Gen. H. H. Bingham, of Penna., for President Arthur; and Geo. W. Curtis for

Senator Edmunds:

JAMES G. BLAINE, *of Maine*.
CHESTER A. ARTHUR, *of New York*.
JOHN SHERMAN, *of Ohio*.
GEORGE F. EDMUNDS, *of Vermont*.
JOHN A. LOGAN, *of Illinois*.
JOSEPH R. HAWLEY, *of Connecticut*.

On the adjoining page is given the result of the ballots.

The convention sat four days, completed its work harmoniously, and adopted a platform without a negative vote. [We give it in full in our Book of Platforms, and compare its vital issues with that of the Democratic in our comparison of Platform Planks.]

The Democratic National Convention.

This body assembled at Chicago, in the Exposition Building, on Tuesday, July 8th, 1884, and was called to order by Ex-Senator Barnum, the Chairman of the National Committee. The Committee presented Governor Richard B. Hubbard, of Texas, for temporary chairman. After his address a notable contest followed on the adoption of the unit rule, the debate being participated in by many delegates. Mr. Fellows, of New York, favored the rule, as did all of the advocates of Governor Cleveland's nomination for President, while John Kelly opposed it with a view to give freedom of choice to the twenty-five

delegates from New York who were acting with him. The contest was inaugurated by Mr. Smalley, of Vermont, who was instructed by the National Committee to offer the following resolution:

Resolved, that the rules of the last Democratic Convention govern this body until otherwise ordered, subject to the following modification: That in voting for candidates for President and Vice-President no State shall be allowed to change its vote until the roll of the States has been called, and every State has cast its vote.

Mr. Grady, of New York, offered the following amendment to the resolution:

When the vote of a State, as announced by the chairman of the delegation from such State is challenged by any member of the delegation, then the Secretary shall call the names of the individual delegates from the State, and their individual preferences as expressed shall be recorded as the vote of such State.

After discussion the question was then put, the chairman of each State delegation announcing its vote as follows:

THE VOTE IN DETAIL

States.	First B				
	No. Delegates.	**Blaine.**	**Arthur.**	**Edmunds.**	**Loga**
[74]Alabama	20	1	17		
Arkansas	14	8	4	2	
California	16	16			
Colorado	6	6			
Connecticut	12				
Delaware	6	5	1		
Florida	8	1	7		

Georgia	24		24		
Illinois	44	3	1		
Indiana	30	18	9	1	
Iowa	26	26			
Kansas	18	12	4		
Kentucky	26	5½	16		2
[74]Louisiana	16	2	10		
Maine	12	12			
Maryland	16	10	6		
Massachusetts	28	1	2	25	
Michigan	26	15	2	7	
Minnesota	14	7	1	6	
Mississippi	18	1	17		
Missouri	32	5	10	6	
Nebraska	10	8	2		
Nevada	6	6			
New Hampshire	8		4	4	
New Jersey	18	9		6	
New York	72	28	31	12	
North Carolina	22	2	19		
Ohio	46	21			
Oregon	6	6			
Pennsylvania	60	47	11	1	
Rhode Island	8			8	
South Carolina	18	1	17		
Tennessee	24	7	16		
Texas	26	13	11		
Vermont	8			8	
Virginia	24	2	21		
West Virginia	12	12			
Wisconsin	22	10	6	6	
Territories.					
Arizona	2	2			
Dakota	2	2			

Idaho	2		2		
Montana	2	1		1	
New Mexico	2		2		
Utah	2		2		
Washington	2	2			
Wyoming	2		2		
Dist. of Columbia	2	1	1		
Total	820	334½	278	93	63

States.	Second				
	No. Delegates.	**Blaine.**	**Arthur.**	**Edmunds.**	**Loga**
[74]Alabama	20	2	17		
Arkansas	14	11	3		
California	16	16			
Colorado	6	6			
Connecticut	12				
Delaware	6	5	1		
Florida	8	1	7		
Georgia	24		24		
Illinois	44	3	1		
Indiana	30	18	9	1	
Iowa	26	26			
Kansas	18	13	2		
Kentucky	26	5	17		
Louisiana	16	4	9		
Maine	12	12			
Maryland	16	12	4		
Massachusetts	28	1	3	24	
Michigan	26	15	4	5	
Minnesota	14	7	1	6	
Mississippi	18	1	17		

Missouri	32	7	10	5	
Nebraska	10	8	2		
Nevada	6	6			
New Hampshire	8		5	3	
New Jersey	18	9		6	
New York	72	28	31	12	
North Carolina	22	3	18		
Ohio	46	23			
Oregon	6	6			
Pennsylvania	60	47	11	1	
Rhode Island	8			8	
South Carolina	18	1	17		
Tennessee	24	7	16		
Texas	26	13	11		
Vermont	8			8	
Virginia	24	2	21		
West Virginia	12	12			
Wisconsin	22	11	6	5	
Territories.					
Arizona	2	2			
Dakota	2	2			
Idaho	2		2		
Montana	2	1		1	
New Mexico	2		2		
Utah	2		2		
Washington	2	2			
Wyoming	2		2		
Dist. of Columbia	2	1	1		
Total	820	349	275	85	

States.	**Third B**

	No. Delegates.	Blaine.	Arthur.	Edmunds.	Logan.
[75]Alabama	20	2	17		
Arkansas	14	11	3		
California	16	16			
Colorado	6	6			
Connecticut	12				
Delaware	6	5	1		
Florida	8	1	7		
Georgia	24		24		
Illinois	44	3	1		
Indiana	30	18	10		
Iowa	26	26			
Kansas	18	15			
Kentucky	26	6	16		
Louisiana	16	4	9		
Maine	12	12			
Maryland	16	12	4		
Massachusetts	28	1	3	24	
Michigan	26	18	3	3	
Minnesota	14	7	2	5	
Mississippi	18	1	16		
Missouri	32	12	11	4	
Nebraska	10	10			
Nevada	6	6			
New Hampshire	8		5	3	
New Jersey	18	11	1		
New York	72	28	32	12	
North Carolina	22	4	18		
Ohio	46	25			
Oregon	6	6			
Pennsylvania	60	50	8	1	
Rhode Island	8			8	
South Carolina	18	2	16		
Tennessee	24	7	17		

Texas	26	14	11		
Vermont	8			8	
Virginia	24	4	20		
West Virginia	12	12			
Wisconsin	22	11	10		
Territories.					
Arizona	2	2			
Dakota	2	2			
Idaho	2		2		
Montana	2	1		1	
New Mexico	2		2		
Utah	2		2		
Washington	2	2			
Wyoming	2		2		
Dist. of Columbia	2	1	1		
Total	820	375	274	69	

States.	Fourth Ballot				
	No. Delegates.	**Arthur.**	**Blaine.**	**Edmunds.**	**Loga**
[76]Alabama	20	12	8		
Arkansas	14	3	11		
California	16		16		
Colorado	6		6		
Connecticut	12				
Delaware	6	1	5		
Florida	8	5	3		
Georgia	24	24			
Illinois	44	3	34		
Indiana	30		30		
Iowa	26	2	24		
Kansas	18		18		

Kentucky	26	15	9	
Louisiana	16	7	9	
Maine	12		12	
Maryland	16	1	15	
Massachusetts	28	7	3	18
Michigan	26		26	
Minnesota	14		14	
Mississippi	18	16	2	
Missouri	32		32	
Nebraska	10		10	
Nevada	6		6	
New Hampshire	8	2	5	3
New Jersey	18	0	17	1
New York	72	30	26	9
North Carolina	22	12	8	
Ohio	46	0	46	
Oregon	6	0	6	
Pennsylvania	60	8	51	1
Rhode Island	8	1	7	
South Carolina	18	15	2	1
Tennessee	24	12	11	
Texas	26	8	15	
Vermont	8	0	0	8
Virginia	24	20	4	
West Virginia	12	0	12	
Wisconsin	22	0	22	
Territories.				
Arizona	2	0	2	
Dakota	2	0	2	
Idaho	2	0	2	
Montana	2	0	2	
New Mexico	2	2	0	
Utah	2	0	2	
Washington	2	0	2	

Wyoming	2	2	0		
Dist. of Columbia	2	1	1		
Total	820	207	541	41	

States.	*Yeas*	*Nays*
Alabama	15	5
Arkansas		14
California	16	
Colorado	4	2
Connecticut	2	10
Delaware	6	
Florida	2	6
Georgia	12	12
Illinois	22	22
Indiana	30	
Iowa	6	20
Kansas	3	15
Kentucky	20	6
Louisiana		16
Maine	2	10
Maryland		16
Massachusetts	21	7
Michigan	12	12
Minnesota		14
Mississippi	18	
Missouri	18	24
Nebraska	5	5
Nevada	6	
New Hampshire		8

New Jersey	14	4
New York		72
North Carolina	10	12
Ohio	25	21
Oregon		6
Pennsylvania	21	39
Rhode Island		8
South Carolina	3	14
Tennessee	17	7
Texas	12	10
Vermont		8
Virginia	6	18
West Virginia	9	3
Wisconsin	5	17

The Secretary announced the result of the vote as follows: Total number of votes cast, 795; yeas, 332; nays, 463.

The report of the Committee on Permanent Organization was then made; the name of W. H. Vilas, of Wisconsin, being presented as President, with a list of vice-presidents (one from each state) and several secretaries and assistants, and that the secretaries and clerks of the temporary organization be continued under the permanent organization.

The Contest over the Platform.

There was a two-days contest in the Committee on Resolutions over the adoption of the revenue features of the Platform. It advocated the collection of revenue for public uses *exclusively*, the italicized word being the subject of the controversy. It was retained by a vote of 20 to 18. To avoid extended debate in the Convention an agreement was made that Gen. Butler should make a minority report, and that three speeches should be made, these by Butler, Converse and Watterson. Col. Morrison, of Illinois, made the majority report, which was adopted with but 97½ negative votes out of a total of 820.

The Ballots.

Before balloting an effort was made to abolish the two-third rule, but this met with such decided disfavor that it was withdrawn before the roll of States was completed.

There were two ballots taken on the Presidential candidates, and they were as follows:

	First.	Second.
Total number of votes	820	820
Necessary to a choice	547	547
Grover Cleveland, of New York	392	684
Thomas F. Bayard, of Delaware	168	81½
Allen G. Thurman, of Ohio	88	4
Samuel J. Randall, of Penn	78	4
Joseph E. McDonald of Indiana	56	1

John G. Carlisle, of Kentucky	27	
Roswell P. Flower, of New York	4	
George Hoadly, of Ohio	3	
Samuel J. Tilden, of New York	1	
Thomas A. Hendricks, of Indiana	1	45½

Mr. Hendricks, of Indiana, who was defeated eight years ago on the Tilden ticket, was nominated for Vice-President by acclamation.

The Kelly and Butler elements of the Convention, at all of the important stages, manifested their hostility to Cleveland, but there was no open bolt, and the Convention completed its work after sitting four days.

[In the Book of Platform is given the Democratic Platform in full, and its tariff plank will be found in comparison with the Republican in the same book.]

THE CAMPAIGN OF 1884.

In what were regarded as the pivotal States the campaign of 1884, was attended with the utmost interest and excitement. Blaine, the most brilliant political leader of modern times, was acceptable to all of the more active and earnest elements of the Republican party, and the ability with which he had championed the protective system and a more aggressive foreign policy, attracted very many Irishmen who had formerly been Democrats. The young and more intelligent leaders of this element promptly espoused the cause of the Republicans, and

their action caused a serious division in the Democratic ranks. Wherever Irish-Americans were sufficiently numerous to form societies of their own, such as the "Irish-American League," the "Land League," the "Clan na Gael," etc., there supporters of Blaine were found, and these were by a singular coincidence most numerous in the doubtful States of New York, New Jersey, Connecticut, Ohio and Indiana. Cleveland's nomination by the Democrats had angered the Tammany wing of the party in New York, and not until very close to the election was a reconciliation effected. Tilden had from the first favored Cleveland, and with Daniel Manning as his manager in New York, no effort was spared to heal Democratic divisions and to promote them in the Republican ranks. Thus the Independent or Civil Service wing of the Republican party, which in Boston and New York cities, and in the cities of Connecticut, confessed attachment to free trade, was easily rallied under the Democratic banner. In convention in New York city this element denounced Blaine on what it pronounced a paramount moral issue, and for a time such brilliant orators as Rev. Henry Ward Beecher, George W. Curtis and Carl Schurz, "rang the changes" upon the moral questions presented by the canvass. They were halted by scandals about Cleveland, and the Maria Halpin story, almost too indecent for historical reference, became a prominent feature of the campaign with the acquiescence, if not under the direction of the Republican managers. Many of our best thinkers deplored the shape thus given to the canvass, but the responsibility for it is clearly traceable to the plan of campaign instituted by the Independents, or "Mugwumps," as they were called—"Mugwump" implying a small leader.

Only Ohio, West Virginia and Iowa remained as October States, and in the height of the canvass all eyes were turned upon Ohio. In all of the Western States both of the great parties had been distracted by prohibitory and high license issues, and Ohio,—because of temperance agitations, which still remained as disturbing elements—had drifted into the Democratic column. If it were again lost to the Republicans, their national campaign would practically have ended then and there, so far as reasonable hopes could be entertained for the election of Blaine. This fact led to an extraordinary effort to influence favorable action there, and both Blaine and Logan made tours of the State, and speeches at the more important points. Mr. Blaine first went to New York city, thence through New Jersey, speaking at night at all important points on the Pennsylvania Railroad, and was the following day received by the Union League of Philadelphia. In the evening he reviewed a procession of 20,000 uniformed men. He then returned to New York, not yet having uttered a partisan sentence, but in passing westward through its towns, he occasionally referred to their progress under the system of protection. Reaching Ohio, he spoke more and more plainly of the issues of the canvass as his journey proceeded, and wherever he went his speeches commanded national comment and attention. His plain object was, for the time at least, to smother local issues by the graver national ones, and he did this with an ability which has never been matched in the history of American oratory. The result was a victory for the Republicans in October; they carried Ohio by about 15,000, and greatly reduced the Democratic majority in West Virginia.

From this time forward the battle on the part of

the Republicans was hopeful; on the part of the Democrats desperate but not despairing. Senator Barnum, the Chairman of the Democratic National Committee, was a skilled and trained politician, and he sedulously cultivated Independent and Prohibition defection in New York, Connecticut, New Jersey, Wisconsin and Indiana. Whether the scandals growing out of the result be true or false, every political observer could see that the elements named were under at least the partial direction of the Democratic National Committee, for their support was inconsiderable in States where they were not needed in crippling the chances of the Republicans. The Republican National Committee, headed by Mr. B. F. Jones, of Pennsylvania, an earnest and able, but an untrained leader, did not seek to check these plain efforts at defection. This Committee thought, and at the time seemed to be justified in the belief that the defection of Irish-Americans in the same States would more than counterbalance all of the Independent and Prohibitory defection. The Republicans were likewise aided by General Butler, who ran as the Greenback or “People’s” candidate, as he called himself. It would have done it easily, but for an accident, possibly a trick, on the Thursday preceding the November election. Mr. Blaine was at the Fifth Avenue Hotel in New York, and among the many delegations which visited him was one of three hundred ministers who wished to show their confidence in his moral and intellectual fitness for the Chief Magistracy. The oldest of the ministers present was Mr. Burchard, and he was assigned to deliver the address. In closing it he referred to what he thought ought to be a common opposition to “Rum, Romanism and Rebellion,”—an alliteration which not only awakened the wrath of the

Democracy, but which quickly estranged many of the Irish-American supporters of Blaine and Logan. Mr. Blaine on the two following days tried to counteract the effects of an imprudence for which he was in no way responsible, but the alliteration was instantly and everywhere employed to revive religious issues and hatreds, and to such an extent that circulars were distributed at the doors of Catholic churches, implying that Blaine himself had used the offensive words. A more unexpected blow was never known in our political history; it was quite as sudden and more damaging than the Morey forgery at the close of the Garfield campaign. It determined the result, and was the most prominent of half a dozen mishaps, which if they had not happened, must have inevitably led to the election of Blaine.

As it was, the result was so close in New York, Connecticut, New Jersey, Indiana and West Virginia, that it required several days to determine it, and it was not known as to New York until the 19th of November.

The popular vote for Presidential electors was cast on the 4th of November last, and the results are tabulated below. Where differences were found to exist in the vote for Electors in any State the vote for the highest on each ticket is given in all cases where the complete statement of the vote of the State has been received. The results show a total vote of 10,046,073, of which the Cleveland ticket received 4,913,901, the Blaine ticket 4,847,659, the Butler ticket 133,880, and the St. John ticket 150,633, showing a plurality of 66,242 for Cleveland. The total vote in 1880 was 9,218,251, and Garfield's plurality 9464. It should be noted, in considering the tabulated statement of this year's vote, that the Blaine Electoral tickets were supported by the

Republicans and the People's Party in Missouri and West Virginia, and that Cleveland Electoral tickets were supported by the Democrats and the People's Party in Iowa, Michigan and Nebraska. The People's Party claims to have cast about 41,300 votes for the fusion ticket in Michigan and about 33,000 votes in Iowa. The vote of California is official from all but two counties; the unofficial reports from these are included in the totals given in the table. South Carolina returns 1237 "scattering" votes.

STATES.	1884.			
	Blaine, Rep.	*Cleveland, Dem.*	*Butler, People's*	*St. John, Pro.*
Alabama	59,444	92,973	762	610
Arkansas	50,895	72,927	1,847	
California	102,397	89,264	2,017	2,920
Colorado	36,277	27,627	1,957	759
Connecticut	65,898	67,182	1,685	2,494
Delaware	12,778	17,054	6	55
Florida	28,031	31,769		74
Georgia	47,603	94,567	125	184
Illinois	340,497	312,314	10,910	12,074
Indiana	238,480	244,992	8,293	3,013
Iowa	197,082	177,286		1,472
Kansas	154,406	90,132	16,346	4,495
Kentucky	118,674	152,757	1,655	3,106
Louisiana	46,347	62,546	120	338
Maine	72,209	52,140	3,953	2,160
Maryland	85,699	96,932	531	2,794
Massachusetts	146,724	122,481	24,433	10,026
Michigan	192,669	189,361	763	18,403
Minnesota	111,685	70,065	3,583	4,684
Mississippi	42,774	78,547		

Missouri	202,029	235,988		2,153
Nebraska	76,877	54,354		2,858
Nevada	7,193	5,577		
New Hampshire	43,249	39,192	552	1,575
New Jersey	123,436	127,798	3,496	6,159
New York	562,005	563,154	17,064	25,003
North Carolina	125,068	142,905		448
Ohio	400,082	368,280	5,179	11,069
Oregon	26,852	24,593	723	488
Pennsylvania	474,268	393,747	16,992	15,306
Rhode Island	19,030	12,394	422	928
South Carolina	21,733	69,890		
Tennessee	124,078	133,258	957	1,131
Texas	88,353	223,208	3,321	3,511
Vermont	38,411	17,342	785	1,612
Virginia	139,356	145,497		143
West Virginia	63,913	67,331	805	927
Wisconsin	161,157	146,477	4,598	7,656
Total	4,847,659	4,913,901	133,880	150,663
Plurality		66,242		

There was no hitch in the count of the vote in any of the Electoral Colleges, held at the capitols of the various States. On the 9th of February, 1885, the two Houses of Congress assembled to witness the counting of the vote. Mr. Edmunds, President of the Senate, upon its completion, announced that “it appears” from the count that Mr. Cleveland has been elected President, etc. This form was used upon his judgment as the only one which he could lawfully use, the Electoral law not having as yet determined the power or prescribed the form for declaring the result of Presidential elections.

Cleveland's Administration.

President Cleveland was inaugurated on the 4th of March, 1885, amid much military and civic pomp and ceremony. Jubilant Democrats from all parts of the country visited the National Capital to celebrate their return to National power after a series of Republican successes extending through twenty-four years. The inaugural address was chiefly noted for its promises in behalf of civil service reform. It showed a determination on the part of the President to adhere to the pledges given to what are still termed the "Mugwumps" prior to the election. The sentiments expressed secured the warm approval of Geo. W. Curtis, Carl Schurz, Henry Ward Beecher and other civil service reformers, but were disappointing to the straight Democrats, who naturally wished to enjoy all of the fruits of the power won after so great a struggle. Vice-President Hendricks voiced this radical Democratic sentiment, and was rapidly creating a schism in the ranks of the party, but his sudden death checked the movement and deprived it of organization, though there still remains the seed of dissatisfaction, much of which displayed itself in the contests of 1885.

President Cleveland appointed the following Cabinet:

Secretary of State: Thomas F. Bayard of Delaware.

Secretary of the Treasury: Daniel Manning of New York.

Secretary of War: W. C. Endicott of Massachusetts.

Postmaster-General: Wm. F. Vilas of Wisconsin.

Secretary of the Interior: L. Q. C. Lamar of Mississippi.

Attorney-General: Augustus H. Garland of Arkansas.

Up to this writing, May, 1886, the Administration of President Cleveland has not been marked by any great event or crisis—its greatest political efforts being directed toward appeasing the civil and holding in close political alliance with the civil service reformers, without disrupting the Democratic party by totally refusing to distribute the spoils of office. It had long been predicted by practical politicians that a serious attempt to defeat the doctrine "to the victor belongs the spoils," would destroy the administration attempting it. The elections of 1885 point to a realization of this prophecy, though it is yet too soon to accurately judge the result with nearly three years of administration yet to be devoted to its pursuit.

Ohio witnessed in her last October election the first great struggle under the Democratic State and National Administrations. Gov. Hoadley was renominated by the Democrats, and Judge Foraker was renominated by the Republicans. The latter were aided by the strong canvass of John Sherman for his return to the U. S. Senate. The contest was throughout exciting, some of the best speakers of the country taking the stump. The result was as follows:

Foraker, R.	359,538
Hoadley, D.	341,380
Leonard, Pro.	28,054
Northrop, G.	2,760

The Irish-Americans who had left the Democratic

party to vote for Blaine, adhered to the Republican standard, and really increased their numbers—more than a third more voting for Foraker than for Blaine, while the Mugwump element practically disappeared. The Prohibition vote had almost doubled, but as all third or fourth parties as a rule attract their vote from the parties in which the most discontent prevails, the excess came not from the Republican but the Democratic ranks.

Pennsylvania's result, following in November, was similar in all material points to that of Ohio. Col. M. S. Quay, an acknowledged political leader and a man of national reputation, thought it wise that his party should oppose in the most radical and direct way, the Democratic State and National Administration, and with this purpose became a candidate for State Treasurer. The Democrats nominated Conrad B. Day of Philadelphia. The result was as follows:

Quay, R.	324,694
Day, D.	281,178
Spangler, Pro.	15,047
Whitney, G.	2,783

Col. Quay's majority greatly exceeded all expectation, and was universally accepted as a condemnation of the two Democratic administrations.

New York, of all the November States, very properly excited the most attention. The Democrats renominated Gov. Hill upon a platform tantamount to a condemnation of civil service reform—a platform dictated by Tammany Hall, which was already quarrelling with the National administration. The Mugwump leaders and journals immediately

condemned both the Democratic ticket and platform, and joined with the Republicans in support of Davenport. The result was:

Governor.

Hill, D.	501,418
Davenport, R.	489,727
Bascom, Pro	30,866
Jones, G.	2,127

Lieutenant-Governor.

Jones, D.	495,450
Carr, R.	492,288
Demorest, Pro.	31,298
Gage, G.	2,087

In New York the Irish-Americans, angered by the return of the Mugwumps, whose aristocratic and free trade tendencies they were especially hostile to, under the lead of the *Irish World* left the Republicans and returned to the support of the Democracy. They decided the contest and their attitude in the future will be of immediate concern in all political calculations. The net results in three great States gave satisfaction to both parties—probably the most to the Republicans, but it is certain that they left politics in a very interesting and very uncertain shape.

THE CAMPAIGN OF 1886.

The campaign of 1886 showed that the Republican party was capable of making gains in the South, especially in Congressional districts and upon protective and educational issues. Indeed, so plain was this in the State of Virginia that Randolph Tucker, for whom the Legislature had apportioned a district composed of eleven white counties, refused to run again, and Mr. Yost, editor of the Staunton *Virginian*, who had canvassed the entire district on tariff issues and in favor of the Blair educational bill, was returned over a popular Democrat, by 1900 majority. Of the ten Congressmen from Virginia the Republicans elected six. Morrison, the tariff reform leader of Illinois, was defeated, as was Burd of Ohio, while Speaker Carlisle's seat was contested by Mr. Thoche, a protectionist candidate of the Knights of Labor. These and other gains reduced the Democratic majority in the House to about fifteen, and this could not be counted upon for any tariff reduction or financial measures. The Republicans lost one in the U. S. Senate.

Local divisions in the Republican ranks were seriously manifested in but one State, that of California, which chose a Democratic Governor and a Republican Lieutenant-Governor, so close was the contest. The Governor has since died, the Lieutenant-Governor has taken his place, but the Legislature re-elected Senator Hearst, Democrat, who had previously been appointed before the retirement of Governor Stoneman.

New York city witnessed, not a revolution, but such a marked change in politics that it excited comment throughout the entire country. The Labor party ran Henry George, the author of *Progress and Poverty*, and other works somewhat socialistic and certainly agrarian in their tendencies, for Mayor of

the city. Hewitt, the well-known Congressman, was the candidate of the Democracy, while the Republicans presented Roosevelt, known chiefly for his municipal-reform tendencies. Hewitt was elected, but George received over 60,000 votes, and this unlooked-for poll changed the direction of political calculations for a year. George was aided by nearly all the Labor organizations, and he drew from the Democrats about two to the one drawn from the Republicans—a fact which greatly raised the hopes of the latter and at the same time made the Democrats more cautious.

In 1886 the Republicans and Democrats, with the qualifications noted above, held their party strength, with the future prospects so promising to both that at this early date preparations began for the Presidential campaign, General Beaver, defeated for Governor of Pennsylvania in 1882 by a plurality of 40,000, was now elected by a plurality of 43,000, though the Prohibitionists polled 32,000 votes, two-thirds of which came from the Republican party. The general result of the campaign indicated that the Republicans were gaining in unity and numbers.

THE CAMPAIGN OF 1887.

Interest in the forthcoming Presidential campaign was everywhere manifested in the struggles of 1887. The first skirmish was lost by the Republicans, and while it encouraged Mr. Cleveland's administration, it gave warning to the Republicans throughout the country that they must heal all differences and do

better work. So quickly was this determination reached that Rhode Island came back to the Republican column in November, by the election of a Congressman.

The elections of the year, as a whole, were largely in favor of the Republicans, and three pivotal States were captured—Connecticut, New Jersey, and Indiana, with Virginia claimed by both parties. True the issues and candidates in Indiana and Connecticut were purely local, a fact which contributed largely to the continued hopefulness of the Democracy, who had again carried New York by an average majority of 14,000, notwithstanding Henry George now ran for Secretary of State in the hope of more greatly dividing the Democratic than the Republican vote. He did this, in somewhat less proportion than when he ran for Mayor of the city, but the agitation of High License for the cities alone, and the Prohibitory agitation led to the union of all the saloon interests with the Democracy. These interests, headed by the organization of brewers, established Personal Liberty Leagues in all of the larger cities, which Leagues held a State Convention at Albany said to represent 75,000 voters, or 500 to each delegate. The figures were grossly exaggerated, but nevertheless an alliance was formed with the Democratic party in the State by the substantial adoption of the anti-sumptuary plank in its platform. Sufficient Republicans were in this way won to balance the Henry George defections from the Democracy, and the result was practically the same as in 1886. The Mugwumps supported the Republicans in 1886, but they cut little if any figure in 1887. It was very plain to the hind-sight of the Republican leaders of New York, that if they had resisted and resented the formation of the Personal Liberty Leagues, and made

a direct and open issue against the control of the saloon in politics, they would have easily won a victory like that achieved in Pennsylvania. Two acts contributed to the swelling of the Prohibitory vote, which in 1887 came more equally from both parties. Governor Hill had vetoed the High License act, and thus angered the Temperance Democrats, while the Republicans had failed to submit to a vote of the people the prohibitory amendment, thus angering an additional number of Republicans, so that the Prohibitory vote was swelled to 42,000.

New York's complete vote for Secretary of State was:

Grant, Republican	452,822
Cook, Democrat	469,802
Huntington, Prohibitionist	41,850
George, United Labor	69,836
Beecher, Greenback	988
Preston, Union Labor	988
Hall, Progressive Labor	7,768
Scattering	1,351
Total vote	1,045,405

The Republicans of Pennsylvania met the growing temperance agitation in such a way as to keep within and recall to its lines nearly all who naturally affiliated with that party. The State Convention of 1886 promised to submit the prohibitory amendment to a vote of the people, and the Republican Legislature of 1887 passed the amendment for a first time, and also passed a High License law, which placed the heaviest licenses upon the cities, but

increased all, and gave four-fifths and three-fifths of the amount to the city and country treasuries.

During the closing week of the campaign of 1885 in Pennsylvania, a combination was made by the brewers of Allegheny County with the Democracy for a combined raid against the Republican State ticket headed by General Beaver. A large sum of money was raised, and the sinking societies, or such of them as could be induced to enter the movement, were marshalled as a new and potent element. The result was a surprise to the Republicans and a reduction of about 4,000 in their majority. Thus began the movement which this year culminated in the organization of Personal Liberty Leagues throughout the cities of New York and Pennsylvania. Encouraged by this local success in Pennsylvania and angered by the passage of a High License law, an immense fund was raised in Philadelphia and Pittsburg, and the Democratic workers in all singing and social clubs and societies were employed to create from these, as their nucleus, the Personal Liberty Leagues. In Philadelphia alone the Central Convention represented over 300 societies, and this fact led to extravagant claims as to the number of voters whose views were thus reflected. The organization was secret, but the brewers, maltsters, and wholesale dealers who created it, opened State headquarters and likewise established a State headquarters for the Leagues. Much the same plan was adopted in Pittsburg and great boasts were made that it would be extended to all the towns and cities of the State. From the first combinations were made by the Democratic city committees, the State Committee giving them a friendly wink.

This work was allowed to go on for a full month, the Republican State Committee, and the Republican

city committees as well, giving such careful investigation to the facts that every charge could be proven. Then it was that the State Address was issued, wherein all the leading facts were given and each and every challenge accepted. The Republican party thus publicly renewed its pledge to cast the second and final legislative vote for submission to the people the prohibitory amendment for the maintenance of high license, and just as unequivocally pledged the maintenance of the Sunday laws assailed by the Personal Liberty Leagues.

The effect was to group in a solid and an aggressive mass of good citizens all who believed that the people should not be denied the right to make their own laws upon liquor as upon other questions; all who valued a high license which, while general, placed the higher charges upon the cities, and which gave three and four-fifths of all the revenues to the city and county treasuries, and as well all who believed in maintaining an American Sabbath.

The grouping of these three positions proved more powerful than the quarter of a million dollars supplied the combination by the brewing and wholesale liquor interests; more powerful than the hundreds of social and singing societies supposed to be grouped with the Democratic liquor combination; more powerful than all of the combined elements of disorder planted by the side of the Democracy.

It was a royal battle, fought out in the open day! Indeed, the Republican address compelled publicity and made a secret battle thereafter impossible. Every effort at continued secrecy was immediately exposed by the Republican State Committee and the leading daily Republican journals, and every country paper

bristled with these exposures. In very desperation the combination became more and more public as the canvass advanced. It was shown that the Personal Liberty Leagues were under the direction of the Socialists, and this arrayed against them all of the Israelites in the State besides thousands of other law-abiding citizens; the demand for the repeal of the Sunday laws compelled the opposition of all branches of religious Germans—Catholics, Lutherans, Mennonites, Dunkards, etc.—and called forth the protests of nearly all of the pulpits. The fact that in Philadelphia and Allegheny the brewers and wholesale dealers, just as they do in the great cities of New York, own nearly all of the saloons—drinking places without accommodations for strangers and travellers—and that their battle was for the saloon in competition with the hotel, inn or tavern, divided the liquor interests and induced all who favored the High License bill, partially framed to protect this class, to support the Republican party. So true was this that a resolution before the Convention of the State Liquor League indorsing high license save a few vexatious features, came so near passing that the saloon keepers subsequently established a separate organization.

The battle at no time and in no place took shape for prohibition beyond that sense of fair play which suggests submission to a vote of the people any question which a law-abiding and respectable number desire to vote upon. The battle was almost distinctly for and against the Sunday laws and for and against high license, and the Republicans everywhere gave unequivocal support to these measures. In Allegheny, shocked the year before by the sudden raid of the brewers, some of the leading politicians for a time feared to face the issues as

presented by the Republican State Committee, and really forced upon them by the Democratic liquor combination, but an eloquent Presbyterian divine sounded from his pulpit the slogan, a great Catholic priest followed, the Catholic Temperance Union and the T. A. B.'s, not committed to prohibition, but publicly committed to high license, passed resolutions denouncing the combination. Some of the assemblies of the Knights of Labor followed, and in open battle the Republicans of Allegheny accepted the issue and the challenge and were rewarded for their courage by a gain of 1,200 just where brewing and distillery interests are strongest. The Democratic liquor combination did not show a gain over their Gubernatorial majorities in a single German county except Northampton, where a citizens' local movement by its sharp antagonism drew out the full Democratic vote for their State ticket. The combination, with all of the power of money, with the entire saloon interests, with the Personal Liberty Leagues, called from the Republican ranks in the entire State not over 12,000 votes, of which 6,000 were in Philadelphia and 4,000 in Allegheny. These were more than made up by 15,000 out of 32,000 Prohibitionists who returned to the Republican party, and by 5,000 Democrats who joined the Republican column. Given more time, and with the issues as universally acknowledged by all parties as they have been since the election, far more Prohibitionists would have returned and more Democrats would have voted the Republican ticket. As it was, the Prohibition vote cast was about equally divided between the Democrats and Republicans; there was probably more Democrats than Republicans. In 1886 the 32,000 Prohibitionists comprised 24,000 Republicans and 8000 Democrats. All of the latter

remained and were reinforced in nearly every quarter. There had always been from 5,000 to 6,000 third party Prohibitionists.

If the Republicans had not bravely faced the issues thus forced upon them they would have lost the State, for the Democratic liquor combination polled 15,000 votes more than the Republican candidate—Colonel Quay, an exceptionally strong man—had received in 1885; but the bravery of the Republicans and the fact that their attitude was right called out 60,000 more votes than the party cast in ’85, and in this way increased its majority despite all combinations.

These are the leading facts in the most novel of all the campaigns known to Pennsylvania’s history. The situation was much the same in New York.

The total vote for State Treasurer was:

Hart, Republican	385,514
McGrann, Democrat	340,269
Irish, Prohibitionist	18,471
Kennedy, Greenback	8,900
Total	753,154

An important feature of the year was the interest shown in the question of prohibiting the manufacture and sale of intoxicating liquors. Four States have voted on this issue, Michigan leading off in April, Texas voting in August, Tennessee in September, and Oregon in November. Prohibition was defeated in each instance, but its advocates succeeded in polling a surprisingly large vote. The poll in these States was as follows:

	For Pro.	Against Pro.
Michigan	178,488	184,429
Texas	129,273	221,627
Tennessee	117,504	145,197
Oregon	19,973	27,958
Totals	445,238	579,211
Majority against prohibition		133,973

To this should be added the defeat of prohibition in Atlanta and Fulton counties, Ga., by 1122 majority, where it had won two years before by 228 majority. The interest shown in local option and high license as a solution of the temperance question, and its popularity wherever adopted, is also a marked feature of the year's politics. In Michigan local option succeeded the failure of prohibition, while in Pennsylvania the people are promised a choice between high license and prohibition.

The elections of 1887 as a whole, without removing doubts as to the future, were generally accepted as favorable to the Republicans. The following is a fair comparison with Rhode Island omitted, for the plain reason that her spring result was reversed in the fall:

	1883.		1887.	
	Rep.	Dem.	Rep.	Dem.
Mass	160,092	150,228	136,000	118,394
New York	429,757	445,976	452,435	469,886
New Jersey	97,047	103,856	107,026	104,407
Penna	319,106	302,031	385,514	340,269

Maryland	80,707	92,694	86,644	98,936
Ohio	347,164	359,793	356,937	333,205
Kentucky	89,181	133,615	126,476	143,270
Iowa	164,182	139,093	168,696	152,886
Nebraska	56,381	41,998	86,725	56,548
Virginia	144,419	124,080	119,380	119,806
Totals	1,888,036	1,893,364	2,025,833	1,937,607

Democratic majority in 1883	5,328
Republican majority in 1887	88,226
Gain in the Dem. vote in four years	44,243
Gain in the Rep. vote in four years	137,797

The vote in Rhode Island would probably reduce the Republican gain of the year about 5000. But as the figures for Virginia are disputed and not the official vote, which it is known would add several thousand to the Republican total, the above result can be taken as a just estimate of the gain made by the Republicans in these eleven states, where general elections were held. It would be at least 25,000 larger if the vote of the highest candidate, instead of the head of the ticket, were taken.

OPENING OF THE CAMPAIGN OF 1888.

The fiftieth Congress convened in December, 1887, the Senate consisting of 38 Republicans, 37 Democrats, and 1 Readjuster, Mr. Riddleberger, of Virginia. In the House there were 168 Democrats,

153 Republicans, and 4 Independents—Anderson, of Iowa and Hopkins, of Virginia, classed with the Democrats, and Smith of Wisconsin and Nichols of North Carolina, classed with the Republicans upon tariff and educational subjects—two questions which in the form of Revenue measures and of the Blair educational bill, gave early promise of becoming the issues for the campaign of 1888.

Upon the assembling of the fiftieth Congress President Cleveland, instead of sending the usual message describing the condition of the Nation and its relations with foreign nations, together with such recommendations as he desired to make, sent simply a message upon questions of revenue, and in this way gave the subject such emphasis as to make his views the issue in the campaign to follow. The message excited wide and varied political comment, and when Mr. Blaine, who at the time was in Paris, permitted an answer to be wired to the New York *Tribune*, the two opposing views seemed to meet the wishes of the two great opposing parties, and they were at once accepted as defining the tendencies of each party, at least, upon tariff and revenue subjects.

As these two papers will prove the text for much of the discussion incident to the campaign of 1888, we give below their text:

President Cleveland's Message.

To the Congress of the United States:

You are confronted at the threshold of your legislative duties with a condition of the national

finances which imperatively demands immediate and careful consideration.

The amount of money annually exacted, through the operation of the present laws, from the industries and necessities of the people, largely exceeds the sum necessary to meet the expenses of the government.

When we consider that the theory of our institutions guarantees to every citizen the full enjoyment of all the fruits of his industry and enterprise, with only such deduction as may be his share towards the careful and economical maintenance of the government which protects him, it is plain that the exaction of more than this is indefensible extortion, and a culpable betrayal of American fairness and justice. This wrong inflicted upon those who bear the burden of national taxation, like other wrongs, multiplies a brood of evil consequences. The public treasury, which should only exist as a conduit conveying the people's tribute to its legitimate objects of expenditure, becomes a hoarding-place for money needlessly withdrawn from trade and the people's use, thus crippling our national energies, suspending our country's development, preventing investment in productive enterprise, threatening financial disturbance, and inviting schemes of public plunder.

This condition of our treasury is not altogether new; and it has more than once of late been submitted to the people's representatives in the Congress, who alone can apply a remedy. And yet the situation still continues, with aggravated incidents, more than ever presaging financial convulsion and widespread disaster.

It will not do to neglect this situation because its

dangers are not now palpably imminent and apparent. They exist none the less certainly, and await the unforeseen and unexpected occasion when suddenly they will be precipitated upon us.

On the 30th day of June, 1885, the excess of revenues over public expenditures after complying with the annual requirement of the sinking fund act, was $17,859,735.84; during the year ended June 30, 1886, such excess amounted to $49,405,545.20; and during the year ended June 30, 1887, it reached the sum of $55,567,849.54.

The annual contributions to the sinking fund during the three years above specified, amounting in the aggregate to $138,058,320.94, and deducted from the surplus as stated, were made by calling in for that purpose outstanding three per cent. bonds of the government. During the six months prior to June 30, 1887, the surplus revenue had grown so large by repeated accumulations, and it was feared the withdrawal of this great sum of money needed by the people would so affect the business of the country that the sum of $79,864,100 of such surplus was applied to the payment of the principal and interest of the three per cent. bonds still outstanding, and which were then payable at the option of the government. The precarious condition of financial affairs among the people still needing relief, immediately after the 30th day of June, 1887, the remainder of the three per cent. bonds then outstanding, amounting with principal and interest to the sum of $18,877,500, were called in and applied to the sinking fund contribution for the current fiscal year. Notwithstanding these operations of the Treasury Department, representations of distress in business circles not only continued but increased, and absolute peril seemed at hand. In

these circumstances the contribution to the sinking fund for the current fiscal year was at once completed by the expenditure of $27,684,283.55 in the purchase of government bonds not yet due bearing four and four and a half per cent. interest, the premium paid thereon averaging about twenty-four per cent. for the former and eight per cent. for the latter. In addition to this, the interest accruing during the current year upon the outstanding bonded indebtedness of the government was to some extent anticipated, and banks selected as depositories of public money were permitted to somewhat increase their deposits.

While the expedients thus employed, to release to the people the money lying idle in the Treasury, served to avert immediate danger, our surplus revenues have continued to accumulate, the excess for the present year amounting on the 1st day of December to $55,258,701.19, and estimated to reach the sum of $113,000,000 on the 30th of June next, at which date it is expected that this sum, added to prior accumulations, will swell the surplus in the Treasury to $140,000,000.

There seems to be no assurance that, with such a withdrawal from use of the people's circulating medium, our business community may not in the near future be subjected to the same distress which was quite lately produced from the same cause. And while the functions of our National Treasury should be few and simple, and while its best condition would be reached, I believe, by its entire disconnection with private business interests, yet when, by a perversion of its purposes, it idly holds money uselessly subtracted from the channels of trade, there seems to be reason for the claim that some legitimate means should be devised by the

government to restore in an emergency, without waste or extravagance, such money to its place among the people.

If such an emergency arises there now exists no clear and undoubted executive power of relief. Heretofore the redemption of three per cent. bonds, which were payable at the option of the government, has afforded a means for the disbursement of the excess of our revenues; but these bonds have been all retired, and there are no bonds outstanding the payment of which we have the right to insist upon. The contribution to the sinking fund which furnishes the occasion for expenditure in the purchase of bonds has been already made for the current year, so that there is no outlet in that direction.

In the present state of legislation the only pretence of any existing executive power to restore, at this time, any part of our surplus revenues to the people by its expenditure, consists in the supposition that the Secretary of the Treasury may enter the market and purchase the bonds of the government not yet due, at a rate of premium to be agreed upon. The only provision of law from which such a power could be derived is found in an appropriation bill passed a number of years ago; and it is subject to the suspicion that it was intended as temporary and limited in its application, instead of conferring a continuing discretion and authority. No condition ought to exist which would justify the grant of power to a single official, upon his judgment of its necessity, to withhold from or release to the business of the people, in an unusual manner, money held in the Treasury, and thus affect, at his will, the financial situation of the country; and if it is deemed wise to lodge in the Secretary of the Treasury the authority in the present juncture to purchase bonds,

it should be plainly vested, and provided, as far as possible, with such checks and limitations as will define this official's right and discretion, and at the same time relieve him from undue responsibility.

In considering the question of purchasing bonds as a means of restoring to circulation the surplus money accumulating in the Treasury, it should be borne in mind that premiums must of course be paid upon such purchase, that there may be a large part of these bonds held as investments which cannot be purchased at any price, and that combinations among holders who are willing to sell may unreasonably enhance the cost of such bonds to the government.

It has been suggested that the present bonded debt might be refunded at a less rate of interest, and the difference between the old and new security paid in cash, thus finding use for the surplus in the Treasury. The success of this plan, it is apparent, must depend upon the volition of the holders of the present bonds; and it is not entirely certain that the inducement which must be offered them would result in more financial benefit to the Government than the purchase of bonds, while the latter proposition would reduce the principal of the debt by actual payment, instead of extending it.

The proposition to deposit the money held by the Government in banks throughout the country, for use by the people, is, it seems to me, exceedingly objectionable in principle, as establishing too close a relationship between the operations of the Government Treasury and the business of the country, and too extensive a commingling of their money, thus fostering an unnatural reliance in private business upon public funds. If this scheme should be adopted it should only be done as a

temporary expedient to meet an urgent necessity. Legislative and executive effort should generally be in the opposite direction and should have a tendency to divorce, as much and as fast as can safely be done, the Treasury Department from private enterprise.

Of course it is not expected that unnecessary and extravagant appropriations will be made for the purpose of avoiding the accumulation of an excess of revenue. Such expenditure, beside the demoralization of all just conceptions of public duty which it entails, stimulates a habit of reckless improvidence not in the least consistent with the mission of our people or the high and beneficent purposes of our government.

I have deemed it my duty to thus bring to the knowledge of my countrymen, as well as to the attention of their representatives charged with the responsibility of legislative relief, the gravity of our financial situation. The failure of the Congress heretofore to provide against the dangers which it was quite evident the very nature of the difficulty must necessarily produce, caused a condition of financial distress and apprehension since your last adjournment, which taxed to the utmost all the authority and expedients within executive control; and these appear now to be exhausted. If disaster results from the continued inaction of Congress, the responsibility must rest where it belongs.

Though the situation thus far considered is fraught with danger which should be fully realized, and though it presents features of wrong to the people as well as peril to the country, it is but a result growing out of a perfectly palpable and apparent cause, constantly reproducing the same alarming circumstances—a congested national treasury and a depleted monetary condition in the business of the

country. It need hardly be stated that while the present situation demands a remedy, we can only be saved from a like predicament in the future by the removal of its cause.

Our scheme of taxation, by means of which this needless surplus is taken from the people and put into the public treasury, consists of a tariff or duty levied upon importations from abroad, and internal revenue taxes levied upon the consumption of tobacco and spirituous and malt liquors. It must be conceded that none of the things subjected to internal revenue taxation are, strictly speaking, necessaries; there appears to be no just complaint of this taxation by the consumers of these articles, and there seems to be nothing so well able to bear the burden without hardship to any portion of the people.

But our present tariff laws, the vicious, inequitable and illogical source of unnecessary taxation, ought to be at once revised and amended. These laws, as their primary and plain effect, raise the price to consumers of all articles imported and subject to duty, by precisely the sum paid for such duties. Thus the amount of the duty measures the tax paid by those who purchase for use these imported articles. Many of these things, however, are raised or manufactured in our own country, and the duties now levied upon foreign goods and products are called protection to these home manufactures, because they render it possible for those of our people who are manufacturers, to make these taxed articles and sell them for a price equal to that demanded for the imported goods that have paid customs duty. So it happens that while comparatively a few use the imported articles, millions of our people, who never use and never saw any of the foreign products,

purchase and use things of the same kind made in this country, and pay therefor nearly or quite the same enhanced price which the duty adds to the imported articles. Those who buy imports pay the duty charged thereon into the public treasury, but the great majority of our citizens, who buy domestic articles of the same class, pay a sum at least approximately equal to this duty to the home manufacturer. This reference to the operation of our tariff laws is not made by way of instruction, but in order that we may be constantly reminded of the manner in which they impose a burden upon those who consume domestic products as well as those who consume imported articles, and thus create a tax upon all our people.

It is not proposed to entirely relieve the country of this taxation. It must be extensively continued as the source of the government's income; and in a readjustment of our tariff the interests of American labor engaged in manufacture should be carefully considered, as well as the preservation of our manufacturers. It may be called protection, or by any other name, but relief from the hardships and dangers of our present tariff laws should be devised with especial precaution against imperilling the existence of our manufacturing interests. But this existence should not mean a condition which, without regard to the public welfare or a national exigency, must always insure the realization of immense profits instead of moderately profitable returns. As the volume and diversity of our national activities increase, new recruits are added to those who desire a continuation of the advantages which they conceive the present system of tariff taxation directly affords them. So stubbornly have all efforts to reform the present condition been resisted by

those of our fellow-citizens thus engaged, that they can hardly complain of the suspicion, entertained to a certain extent, that there exists an organized combination all along the line to maintain their advantage.

We are in the midst of centennial celebrations, and with becoming pride we rejoice in American skill and ingenuity, in American energy and enterprise, and in the wonderful natural advantages and resources developed by a century's national growth. Yet when an attempt is made to justify a scheme which permits a tax to be laid upon every consumer in the land for the benefit of our manufacturers, quite beyond a reasonable demand for governmental regard, it suits the purposes of advocacy to call our manufactures infant industries, still needing the highest and greatest degree of favor and fostering care that can be wrung from Federal legislation.

It is also said that the increase in the price of domestic manufactures resulting from the present tariff is necessary in order that higher wages may be paid to our workingmen employed in manufactures, than are paid for what is called the pauper labor of Europe. All will acknowledge the force of an argument which involves the welfare and liberal compensation of our laboring people. Our labor is honorable in the eyes of every American citizen: and as it lies at the foundation of our development and progress, it is entitled, without affectation or hypocrisy, to the utmost regard. The standard of our laborers' life should not be measured by that of any other country less favored, and they are entitled to the full share of all our advantages.

By the last census it is made to appear that of the 17,392,099 of our population engaged in all kinds of industries 7,670,493 are employed in agriculture,

4,074,238 in professional and personal service, (2,934,876 of whom are domestic servants and laborers,) while 1,810,256 are employed in trade and transportation, and 3,837,112 are classed as employed in manufacturing and mining.

For present purposes, however, the last number given should be considerably reduced. Without attempting to enumerate all, it will be conceded that there should be deducted from those which it includes 375,143 carpenters and joiners, 285,401 milliners, dressmakers, and seamstresses, 172,726 blacksmiths, 133,756 tailors and tailoresses, 102,473 masons, 76,241 butchers, 41,309 bakers, 22,083 plasterers and 4,891 engaged in manufacturing agricultural implements, amounting in the aggregate to 1,214,023, leaving 2,623,089 persons employed in such manufacturing industries as are claimed to be benefited by a high tariff.

To these the appeal is made to save their employment and maintain their wages by resisting a change. There should be no disposition to answer such suggestions by the allegation that they are in a minority among those who labor, and therefore should forego an advantage, in the interest of low prices for the majority; their compensation, as it may be affected by the operation of the tariff laws, should at all times be scrupulously kept in view; and yet with slight reflection they will not overlook the fact that they are consumers with the rest; that they, too, have their own wants and those of their families to supply from their earnings, and that the price of the necessaries of life, as well as the amount of their wages, will regulate the measure of their welfare and comfort.

But the reduction of taxation demanded should be so measured as not to necessitate or justify either the

loss of employment by the working man nor the lessening of his wages; and the profits still remaining to the manufacturer, after a necessary readjustment, should furnish no excuse for the sacrifice of the interests of his employés either in their opportunity to work or in the diminution of their compensation. Nor can the worker in manufactures fail to understand that while a high tariff is claimed to be necessary to allow the payment of remunerative wages, it certainly results in a very large increase in the price of nearly all sorts of manufactures, which, in almost countless forms, he needs for the use of himself and his family. He receives at the desk of his employer his wages, and perhaps before he reaches his home is obliged, in a purchase for family use of an article which embraces his own labor, to return in the payment of the increase in price which the tariff permits, the hard-earned compensation of many days of toil.

The farmer and the agriculturist who manufacture nothing, but who pay the increased price which the tariff imposes, upon every agricultural implement, upon all he wears and upon all he uses and owns, except the increase of his flocks and herds and such things as his husbandry produces from the soil, is invited to aid in maintaining the present situation; and he is told that a high duty on imported wool is necessary for the benefit of those who have sheep to shear, in order that the price of their wool may be increased. They of course are not reminded that the farmer who has no sheep is by this scheme obliged, in his purchase of clothing and woolen goods, to pay a tribute to his fellow farmer as well as to the manufacturer and merchant; nor is any mention made of the fact that the sheep-owners themselves and their households, must wear clothing and use

other articles manufactured from the wool they sell at tariff prices, and thus as consumers must return their share of this increased price to the tradesman.

I think it may be fairly assumed that a large proportion of the sheep owned by the farmers throughout the country are found in small flocks numbering from twenty-five to fifty. The duty on the grade of imported wool which these sheep yield, is ten cents each pound if of the value of thirty cents or less, and twelve cents if of the value of more than thirty cents. If the liberal estimate of six pounds be allowed for each fleece, the duty thereon would be sixty or seventy-two cents, and this may be taken as the utmost enhancement of its price to the farmer by reason of this duty. Eighteen dollars would thus represent the increased price of the wool from twenty-five sheep and thirty-six dollars that from the wool of fifty sheep; and at present values this addition would amount to about one-third of its price. If upon its sale the farmer receives this or a less tariff profit, the wool leaves his hands charged with precisely that sum, which in all its changes will adhere to it, until it reaches the consumer. When manufactured into cloth and other goods and material for use, its cost is not only increased to the extent of the farmer's tariff profit, but a further sum has been added for the benefit of the manufacturer under the operation of other tariff laws. In the meantime the day arrives when the farmer finds it necessary to purchase woolen goods and material to clothe himself and family for the winter. When he faces the tradesman for that purpose he discovers that he is obliged not only to return in the way of increased prices, his tariff profit on the wool he sold, and which then perhaps lies before him in manufactured form, but that he must add a

considerable sum thereto to meet a further increase in cost caused by a tariff duty on the manufacture. Thus in the end he is aroused to the fact that he has paid upon a moderate purchase, as the result of the tariff scheme, which, when he sold his wool seemed so profitable, an increase in price more than sufficient to sweep away all the tariff profit he received upon the wool he produced and sold.

When the number of farmers engaged in wool-raising is compared with all the farmers in the country, and the small proportion they bear to our population is considered; when it is made apparent that, in the case of a large part of those who own sheep, the benefit of the present tariff wool is illusory; and, above all, when it must be conceded that the increase of the cost of living caused by such a tariff, becomes a burden upon those with moderate means and the poor, the employed and the unemployed, the sick and well, and the young and old, and that it constitutes a tax which, with relentless grasp, is fastened upon the clothing of every man, woman, and child in the land, reasons are suggested why the removal or reduction or this duty should be included in a revision of our tariff laws.

In speaking of the increased cost to the consumer of our home manufactures, resulting from a duty laid upon imported articles of the same description, the fact is not overlooked that competition among our domestic producers sometimes has the effect of keeping the price of their products below the highest limit allowed by such duty. But it is notorious that this competition is too often strangled by combinations quite prevalent at this time, and frequently called trusts, which have for their object the regulation of the supply and price of

commodities made and sold by members of the combination. The people can hardly hope for any consideration in the operation of these selfish schemes.

If, however, in the absence of such combination, a healthy and free competition reduces the price of any particular dutiable article of home production, below the limit which it might otherwise reach under our tariff laws, and if, with such reduced price, its manufacture continues to thrive, it is entirely evident that one thing has been discovered which should be carefully scrutinized in an effort to reduce taxation.

The necessity of combination to maintain the price of any commodity to the tariff point, furnishes proof that some one is willing to accept lower prices for such commodity, and that such prices are remunerative; and lower prices produced by competition prove the same thing. Thus where either of these conditions exists, a case would seem to be presented for an easy reduction of taxation.

The considerations which have been presented touching our tariff laws are intended only to enforce an earnest recommendation that the surplus revenues of the government be prevented by the reduction of our customs duties, and, at the same time, to emphasize a suggestion that in accomplishing this purpose, we may discharge a double duty to our people by granting to them a measure of relief from tariff taxation in quarters where it is most needed and from sources where it can be most fairly and justly accorded.

Nor can the presentation made of such considerations be, with any degree of fairness, regarded as evidence of unfriendliness toward our manufacturing interests, or of any lack of

appreciation of their value and importance.

These interests constitute a leading and most substantial element of our national greatness and furnish the proud proof of our country's progress. But if in the emergency that presses upon us our manufacturers are asked to surrender something for the public good and to avert disaster, their patriotism, as well as a grateful recognition of advantages already afforded, should lead them to willing coöperation. No demand is made that they shall forego all the benefits of governmental regard; but they cannot fail to be admonished of their duty, as well as their enlightened self-interest and safety, when they are reminded of the fact that financial panic and collapse, to which the present condition tends, afford no greater shelter or protection to our manufactures than to our other important enterprises. Opportunity for safe, careful, and deliberate reform is now afforded; and none of us should be unmindful of a time when an abused and irritated people, heedless of those who have resisted timely and reasonable relief, may insist upon a radical and sweeping rectification of their wrongs.

The difficulty attending a wise and fair revision of our tariff laws is not underestimated. It will require on the part of the Congress great labor and care, and especially a broad and national contemplation of the subject, and a patriotic disregard of such local and selfish claims as are unreasonable and reckless of the welfare of the entire country.

Under our present laws more than four thousand articles are subject to duty. Many of these do not in any way compete with our own manufactures, and many are hardly worth attention as subjects of revenue. A considerable reduction can be made in the aggregate, by adding them to the free list. The

taxation of luxuries presents no features of hardship; but the necessaries of life used and consumed by all the people, the duty upon which adds to the cost of living in every home, should be greatly cheapened.

The radical reduction of the duties imposed upon raw material used in manufactures, or its free importation, is of course an important factor in any effort to reduce the price of these necessaries; it would not only relieve them from the increased cost caused by the tariff on such material, but the manufactured product being thus cheapened, that part of the tariff now laid upon such product, as a compensation to our manufacturers for the present price of raw material, could be accordingly modified. Such reduction, or free importation, would serve beside to largely reduce the revenue. It is not apparent how such a change can have any injurious effect upon our manufacturers. On the contrary, it would appear to give them a better chance in foreign markets with the manufacturers of other countries, who cheapen their wares by free material. Thus our people might have the opportunity of extending their sales beyond the limits of home consumption—saving them from the depression, interruption in business, and loss caused by a glutted domestic market, and affording their employés more certain and steady labor, with its resulting quiet and contentment.

The question thus imperatively presented for solution should be approached in a spirit higher than partisanship and considered in the light of that regard for patriotic duty which should characterize the action of those intrusted with the weal of a confiding people. But the obligation to declared party policy and principle is not wanting to urge prompt and effective action. Both of the great

political parties now represented in the Government have, by repeated and authoritative declarations, condemned the condition of our laws which permits the collection from the people of unnecessary revenue, and have, in the most solemn manner, promised its correction; and neither as citizens or partisans are our countrymen in a mood to condone the deliberate violation of these pledges.

Our progress toward a wise conclusion will not be improved by dwelling upon the theories of protection and free trade. This savors too much of bandying epithets. It is a *condition* which confronts us—not a theory. Relief from this condition may involve a slight reduction of the advantages which we award our home productions, but the entire withdrawal of such advantages should not be contemplated. The question of free trade is absolutely irrelevant; and the persistent claim made in certain quarters, that all efforts to relieve the people from unjust and unnecessary taxation are schemes of so-called free-traders, is mischievous and far removed from any consideration for the public good.

The simple and plain duty which we owe the people is to reduce taxation to the necessary expenses of an economical operation of the government, and to restore to the business of the country the money which we hold in the treasury through the perversion of governmental powers. These things can and should be done with safety to all our industries, without danger to the opportunity for remunerative labor which our workingmen need, and with benefit to them and all our people, by cheapening their means of subsistence and increasing the measure of their comforts.

The Constitution provides that the President “shall, from time to time, give to the Congress information

of the state of the Union." It has been the custom of the Executive, in compliance with this provision, to annually exhibit to the Congress, at the opening of its session, the general condition of the country, and to detail, with some particularity, the operations of the different Executive Departments. It would be especially agreeable to follow this course at the present time, and to call attention to the valuable accomplishments of these departments during the last fiscal year. But I am much impressed with the paramount importance of the subject to which this communication has thus far been devoted, that I shall forego the addition of any other topic, and only urge upon your immediate consideration the "state of the Union" as shown in the present condition of our treasury and our general fiscal situation, upon which every element of our safety and prosperity depends.

The reports of the heads of departments, which will be submitted, contain full and explicit information touching the transaction of the business intrusted to them, and such recommendations relating to legislation in the public interest as they deem advisable. I ask for these reports and recommendations the deliberate examination and action of the Legislative branch of the government.

There are other subjects not embraced in the departmental reports demanding legislative consideration and which I should be glad to submit. Some of them, however, have been earnestly presented in previous messages, and as to them, I beg leave to repeat prior recommendations.

As the law makes no provision for any report from the department of State, a brief history of the transactions of that important Department, together with other matters which it may hereafter be deemed

essential to commend to the attention of the Congress, may furnish the occasion for a future communication.

GROVER CLEVELAND.

WASHINGTON, *December 6, 1887*.

Mr. Blaine's Answer to Cleveland.

By Cable to the N. Y. Tribune.

PARIS, Dec. 7, 1887.—After reading an abstract of the President's message, laid before all Europe this morning, I saw Mr. Blaine and asked him if he would be willing to give his views upon the recommendation of the President in the form of a letter or interview. He preferred an interview, if I would agree to send him an intelligent shorthand reporter, with such questions as should give free scope for an expression of his views. The following lucid and powerful statement is the result. Mr. Blaine began by saying to the reporter:

"I have been reading an abstract of the President's message and have been especially interested in the comments of the London papers. Those papers all assume to declare that the message is a free trade manifesto and evidently are anticipating an enlarged market for English fabrics in the United States as a consequence of the President's recommendations. Perhaps that fact stamped the character of the message more clearly than any words of mine can."

"You don't mean actual free trade without duty?"

queried the reporter.

“No,” replied Mr. Blaine. “Nor do the London papers mean that. They simply mean that the President has recommended what in the United States is known as a revenue tariff, rejecting the protective feature as an object and not even permitting protection to result freely as an incident to revenue duties.”

“I don’t know that I quite comprehend that last point,” said the reporter.

“I mean,” said Mr. Blaine, “that for the first time in the history of the United States the President recommends retaining the internal tax in order that the tariff may be forced down even below the fair revenue standard. He recommends that the tax on tobacco be retained, and thus that many millions annually shall be levied on a domestic product which would far better come from a tariff on foreign fabrics.”

“Then do you mean to imply that you would favor the repeal of the tobacco tax?”

“Certainly; I mean just that,” said Mr. Blaine. “I should urge that it be done at once, even before the Christmas holidays. It would in the first place bring great relief to growers of tobacco all over the country, and would, moreover, materially lessen the price of the article to consumers. Tobacco to millions of men is a necessity. The President calls it a luxury, but it is a luxury in no other sense than tea and coffee are luxuries. It is well to remember that the luxury of yesterday becomes a necessity of to-day. Watch, if you please, the number of men at work on the farm, in the coal mine, along the railroad, in the iron foundry, or in any calling, and you will find 95 in 100 chewing while they work. After each meal the

same proportion seek the solace of a pipe or a cigar. These men not only pay the millions of the tobacco tax, but pay on every plug and every cigar an enhanced price which the tax enables the manufacturer and retailer to impose. The only excuse for such a tax is the actual necessity under which the government found itself during the war, and the years immediately following. To retain the tax now in order to destroy the protection which would incidentally flow from raising the same amount of money on foreign imports, is certainly a most extraordinary policy for our government."

"Well, then, Mr. Blaine, would you advise the repeal of the whiskey tax also?"

"No, I would not. Other considerations than those of financial administration are to be taken into account with regard to whiskey. There is a moral side to it. To cheapen the price of whiskey is to increase its consumption enormously. There would be no sense in urging the reform wrought by high license in many States if the National Government neutralizes the good effect by making whiskey within reach of every one at twenty cents a gallon. Whiskey would be everywhere distilled if the surveillance of the government were withdrawn by the remission of the tax, and illicit sales could not then be prevented even by a policy as rigorous and searching as that with which Russia pursues the Nihilists. It would destroy high license at once in all the States.

"Whiskey has done a vast deal of harm in the United States. I would try to make it do some good. I would use the tax to fortify our cities on the seaboard. In view of the powerful letter addressed to the democratic party on the subject of fortifications by the late Samuel J. Tilden, in 1885, I am amazed that no attention has been paid to the subject by the

democratic administration. Never before in the history of the world has any government allowed great cities on the seaboard, like Philadelphia, New York, Boston, Baltimore, New Orleans, and San Francisco, to remain defenceless."

"But," said the reporter, "you don't think we are to have a war in any direction?"

"Certainly not," said Mr. Blaine, "Neither, I presume, did Mr. Tilden when he wrote his remarkable letter. But we should change a remote chance into an absolute impossibility. If our weak and exposed points were strongly fortified; if to-day we had by any chance even such a war as we had with Mexico our enemy could procure ironclads in Europe that would menace our great cities with destruction or lay them under contribution."

"But would not our fortifying now possibly look as if we expected war?"

"Why should it any more than fortifications made seventy or eighty years ago by our grandfathers when they guarded themselves against successful attack from the armaments of that day. We don't necessarily expect a burglar because we lock our doors at night, but if by any possibility a burglar comes it contributes vastly to our peace of mind and our sound sleep to feel that he can't get in."

"But after the fortifications should be constructed would you still maintain the tax on whiskey?"

"Yes," said Mr. Blaine, "So long as there is whiskey to tax I would tax it, and when the National Government should have no use for the money I would divide the tax among the Federal Union with specific object of lightening the tax on real estate. The houses and farms of the whole country pay too large a proportion of the total taxes. If ultimately

relief could be given in that direction it would, in my judgment, be a wise and beneficent policy. Some honest but misguided friends of temperance have urged that the government should not use the money derived from the tax on whiskey. My reply that the tax on whiskey by the Federal Government, with its suppression of all illicit distillation and consequent enhancement of price, has been a powerful agent in the temperance reform by putting it beyond the reach of so many. The amount of whiskey consumed in the United States per capita to-day is not more than 40 per cent. of that consumed thirty years ago."

After a few moments' silence Mr. Blaine added that in his judgment the whiskey tax should be so modified as to permit all who use pure alcohol in the arts or mechanical pursuits to have it free from tax. In all such cases the tax should be remitted without danger of fraud, just as now the tax on spirits exported is remitted.

"Besides your general and sweeping opposition to the President's recommendation have you any further specific objection?"

"Yes," answered Mr. Blaine; "I should seriously object to the repeal of the duty on wool. To repeal that would work great injustice to many interests and would seriously discourage what we should encourage, namely, the sheep culture among farmers throughout the Union. To break wool-growing and be dependent on foreign countries for the blanket under which we sleep and the coat that covers our back is not a wise policy for the National Government to enforce."

"Do you think if the President's recommendation were adopted it would increase our export trade?"

"Possibly in some articles of peculiar construction

it might, but it would increase our import trade tenfold as much in the great staple fabrics, in woollen and cotton goods, in iron, in steel, in all the thousand and one shapes in which they are wrought. How are we to export staple fabrics to the markets of Europe unless we make them cheaper than they do in Europe, and how are we to manufacture them cheaper than they do in Europe unless we get cheaper labor than they have in Europe?"

"Then you think that the question of labor underlies the whole subject?"

"Of course it does," replied Mr. Blaine. "It is, in fact, the entire question. Whenever we can force carpenters, masons, ironworkers, and mechanics in every department to work as cheaply and live as poorly in the United States as similar workmen in Europe, we can, of course, manufacture just as cheaply as they do in England and France. But I am totally opposed to a policy that would entail such results. To attempt it is equivalent to a social and financial revolution, one that would bring untold distress."

"Yes, but might not the great farming class be benefited by importing articles from Europe instead of buying them at higher prices at home?"

"The moment," answered Mr. Blaine, "you begin to import freely from Europe you drive our own workmen from mechanical and manufacturing pursuits. In the same proportion they become tillers of the soil, increasing steadily the agricultural products and decreasing steadily the large home demand which is constantly enlarging as home manufactures enlarge. That, of course, works great injury to the farmer, glutting the market with his products and tending constantly to lower prices."

"Yes, but the foreign demand for farm products would be increased in like ratio, would it not?"

"Even suppose it were," said Mr. Blaine, "do you know the source from which it will be supplied? The tendency in Russia to-day, and in the Asiatic possessions of England, is toward a large increase of the grain supply, the grain being raised by the cheapest possible labor. Manufacturing countries will buy their breadstuffs where they can get them the cheapest, and the enlarging of the home market for the American farmer being checked, he would search in vain for one of the same value. His foreign sales are already checked by the great competition abroad. There never was a time when the increase of a large home market was so valuable to him. The best proof is that the farmers are prosperous in proportion to the nearness of manufacturing centres, and a protective tariff tends to spread manufactures. In Ohio and Indiana, for example, though not classed as manufacturing States, the annual value of fabrics is larger than the annual value of agricultural products."

"But those holding the President's views," remarked the reporter, "are always quoting the great prosperity of the country under the tariff of 1846."

"That tariff did not involve the one destructive point recommended by the President, namely, the retaining of direct internal taxes in order to abolish indirect taxes levied on foreign fabrics. But the country had peculiar advantages under it by the Crimean War involving England, France, and Russia, and largely impairing their trade. All these incidents, or accidents, if you choose, were immensely stimulating to the trade in the United States, regardless to the nature of our tariff. But mark the end of this European experience with the tariff of

1846, which for a time gave an illusory and deceptive show of prosperity. Its enactment was immediately followed by the Mexican War; then, in 1848, by the great convulsions of Europe; then, in 1849 and succeeding years, by the enormous gold yield in California. The powers made peace in 1856, and at the same time the output of gold in California fell off. Immediately the financial panic of 1857 came upon the country with disastrous force. Though we had in these years mined a vast amount of gold in California, every bank in New York was compelled to suspend specie payment. Four hundred millions in gold had been carried out of the country in eight years to pay for foreign goods that should have been manufactured at home, and we had years of depression and distress as an atonement for our folly."

"Then do you mean to imply that there should be no reduction of the national revenue?"

"No; what I have said implies the reverse. I would reduce it by a prompt repeal of the tobacco tax, and would make here and there some changes in the tariff, not to reduce protection, but wisely foster it."

"Would you explain your meaning more fully?"

"I mean," said Mr. Blaine, "that no great system of revenue, like our tariff, can operate with efficiency and equity unless the changes of trade be closely watched and the law promptly adapted to those changes. But I would make no change that should impair the protective character of the whole body of the tariff laws. Four years ago, in the act of 1883, we made changes of the character I have tried to indicate. If such changes were made, and the fortifying of our sea coast thus undertaken at a very moderate annual outlay, no surplus would be found

after that already accumulated had been disposed of. The outlay of money on fortifications, while doing great service to the country, would give good work to many men."

"But what about the existing surplus?"

"The abstract of the message I have seen," replied Mr. Blaine, "contains no reference to that point. I, therefore, make no comment further that to endorse Mr. Fred. Grant's remark, that a surplus is always easier to handle than a deficit."

The reporter repeated the question whether the President's recommendation would not, if adopted, give us the advantage of a large increase in exports.

"I only repeat," answered Mr. Blaine, "it would vastly increase our imports while the only export it would seriously increase would be our gold and silver. That would flow out bounteously, just as it did under the tariff of 1846. The President's recommendation enacted into law would result, as did an experiment in drainage of a man who wished to turn a swamp into a productive field. He dug a drain to a neighboring river, but it happened, unfortunately, that the level of the river was higher than the level of the swamp. The consequence need not be told. A parallel would be found when the President's policy in attempting to open a channel for an increase of exports should simply succeed in making way for a deluging inflow of fabrics to the destruction of home industry."

"But don't you think it important to increase our export trade?"

"Undoubtedly; but it is vastly more important not to lose our own great market or our own people in vain effort to reach the impossible. It is not our foreign trade that has caused the wonderful growth

and expansion of the republic. It is the vast domestic trade between thirty-eight States and eight Territories, with their population of, perhaps, 62,000,000 to-day. The whole amount of our export and import trade together has never, I think, reached $1,900,000,000 any one year. Our internal home trade on 130,000 miles of railway, along 15,000 miles of ocean coast, over the five great lakes and along 20,000 miles of navigable rivers, reaches the enormous annual aggregate of more than $40,000,000,000, and perhaps this year $50,000,000,000.

"It is into this illimitable trade, even now in its infancy and destined to attain a magnitude not dreamed of twenty years ago, that the Europeans are struggling to enter. It is the heritage of the American people, of their children, and of their children's children. It gives an absolutely free trade over a territory nearly as large as all Europe, and the profit is all our own. The genuine Free-trader appears unable to see or comprehend that this continental trade—not our exchanges with Europe—is the great source of our prosperity. President Cleveland now plainly proposes a policy that will admit Europe to a share of this trade."

"But you are in favor of extending our foreign trade, are you not?"

"Certainly I am, in all practical and advantageous ways, but not on the principle of the Free-traders, by which we shall be constantly exchanging dollar for dime. Moreover, the foreign trade is often very delusive. Cotton is manufactured in the city of my residence. If a box of cotton goods is sent 200 miles to the province Of New Brunswick, it is foreign trade. If shipped 17,000 miles round Cape Horn to Washington Territory it is domestic trade. The

magnitude of the Union and the immensity of its internal trade require a new political economy. The treatises written for European States do not grasp our peculiar situation."

"How will the President's message be received in the South?"

"I don't dare to answer that question. The truth has been so long obscured by certain local questions of unreasoning prejudice that nobody can hope for industrial enlightenment among the leaders just yet. But in my view the South above all sections of the Union needs a protective tariff. The two Virginias, North Carolina, Kentucky, Missouri, Tennessee, Alabama, and Georgia have enormous resources and facilities for developing and handling manufactures. They cannot do anything without protection. Even progress so vast as some of those States have made will be checked if the President's message is enacted into law. Their Senators and Representatives can prevent it, but they are so used to following anything labelled 'democratic' that very probably they will follow the President and the progress already made. By the time some of the Southern States get free iron ore and coal, while tobacco is taxed, they may have occasion to sit down and calculate the value of democratic free trade to their local interests.,"

"Will not the President's recommendation to admit raw material find strong support?"

"Not by wise Protectionists in our time. Perhaps some greedy manufacturers may think that with free coal or free iron ore they can do great things, but if they should succeed in trying will, as the boys say, catch it on the rebound. If the home trade in raw materials is destroyed or seriously injured railroads will be the first to feel it. If that interest is crippled in

any direction the financial fabric of the whole country will feel it quickly and seriously. If any man can give a reason why we should arrange the tariff to favor the raw material of other countries in a competition against our material of the same kind, I should like to hear it. Should that recommendation of the President be approved it would turn 100,000 American laborers out of employment before it had been a year in operation."

"What must be the marked and general effect of the President's message?"

"It will bring the country where it ought to be brought—to a full and fair contest on the question of protection. The President himself makes the one issue by presenting no other in his message. I think it well to have the question settled. The democratic party in power is a standing menace to the industrial prosperity of the country. That menace should be removed or the policy it foreshadows should be made certain. Nothing is so mischievous to business as uncertainty, nothing so paralyzing as doubt."

G. W. SMALLEY.

THE NATIONAL CONVENTIONS OF 1888.

The Democratic Convention.

The Democratic party, being in power, assumed the customary *rôle* of the majority party, and after a close struggle its National Committee called its Convention at St. Louis, June 5th, two weeks in advance of the time fixed by the Republicans. The sessions continued throughout three days, being somewhat prolonged by the differences of opinion upon the platform, the immediate friends of the Cleveland administration desiring an unqualified endorsement of the Presidential message relating to the tariff, and as well to the Mills bill, the measure supported in the lower House of Congress by all of the Democrats save those led by Samuel J. Randall, who stood upon the platform "straddle" of 1884. Finally the differences were partially adjusted by a reaffirmation of the platform of 1884, and very decided endorsements of both the President's message and the Mills bill. The result was not satisfactory to the Protective-Tariff Democrats, but they were without large or courageous representation, and the platform was adopted with but one dissenting vote. (For platform and comparison of platforms of the Conventions of the two great parties, see Book II.)

On the third day Grover Cleveland, of New York, was nominated for President by acclamation. A ballot was started for Vice-President, between Allen G.Thurman, of Ohio, and Governor Gray, of Indiana, but before it closed Thurman's nomination was so apparent that Gray was withdrawn, and the nomination made unanimous. In the midst of the applause which followed, the California delegation presented to the Convention thousands of the "red bandana" worn by the "old Roman" Thurman, and it was immediately placed upon the standard of every State, and accepted as the emblem of the Democratic

party.

The Republican Convention.

The National Convention of the Republican party met in Chicago, June 19th, and continued its sessions until the evening of the 25th. Major McKinley, of Ohio, was the Chairman of the Committee on Platform, and on the second day made a unanimous report, which was adopted with great enthusiasm.

The platforms of the two great parties, better than anything else, illustrate the lines of difference between them. One of the lines was plainly drawn by President Cleveland's message to Congress. This paper plainly advocated a reduction of tariff duties with a view to reduce to the actual requirements of an economic administration of governmental affairs, the surplus in the treasury, then approximating $80,000,000. He opposed the repeal or reduction of the internal revenue taxes, upon the ground that they were placed upon luxuries. Mr. Blaine answered this message for the Republican party, and opposed any system of tariff reduction which tended to free trade, and favored the repeal of the internal revenue taxes upon tobacco and upon all liquors used in the arts. So that the truthful and probably the most compact statement of the position of the two great parties is this: The Democratic party in the campaign of 1888 favors an established tendency to free trade; the Republican party opposes any such tendency, and rather than promote it in any way, would repeal all of the internal revenue taxes and enlarge the pension

list—in this way disposing of the treasury surplus. The platform of the Republican party not only followed, but went beyond the expressed views of Mr. Blaine, and accepted in the plainest way the issue thrust upon the country by Mr. Cleveland's message. The position of the two great parties had been anticipated by their respective leaders, and both Conventions advanced beyond the lines laid down by these leaders, and entered upon the campaign in this shape.

During the ballotings of the Republican Convention Mr. Blaine was upon all save the last solidly supported by the California delegation and by scattering votes. On the last day Hon. Charles A. Boutelle, Chairman of the Maine delegation, read two cablegrams from Mr. Blaine, who was then in Edinboro, Scotland, asking his friends to respect his Paris letter of declination. It was at any time within the power of his friends to nominate him, but his final refusal led nearly all of them to vote for General Benjamin Harrison, of Indiana, at all times one of the leading candidates before the Convention. There was no general combination, but the nomination was largely traceable to the expediency of selecting both of the candidates from pivotal States.

Summary of the Ballots.

	Friday.			Saturday.		Monday.		
	1st	2d	3d	4th	5th	6th	7th	8th
Sherman,	229	249	244	235	224	244	231	119
Gresham,	111	108	123	98	87	91	91	59
Depew,	99	99	91	Withdrawn.				
Alger,	84	116	122	135	142	137	120	100
Harrison,	80	91	94	217	213	231	278	544

Allison,	72	75	88	88	99	73	76	
Ingalls,	28	16	Withdrawn.					
Phelps,	25	18	5					
Rusk,	25	20	16					
Fitler,	24	Withdrawn.						
Hawley,	13	Withdrawn.						
Lincoln,	3	2	2	1			2	
McKinley,	2	3	8	11	14	12	16	4
Miller,			2					
Douglas,				1				
Foraker,				1		1	1	
Grant,							1	
Haymond,							1	
Blaine,	35	33	35	42	48	40	15	5
Total,	830	830	830	829	827	829	832	831

Mr. Griggs, of New Jersey, presented the name of William Walter Phelps, of New Jersey, for Vice-President, which was seconded by Mr. Gibson, of Ohio, Mr. Eagan, of Nebraska, and Mr. Oliver, of Iowa, and others.

Senator Warner Miller, of New York, presented the name of Hon. Levi P. Morton, of New York, which was seconded by Mr. Sage, of California, Governor Foster, of Ohio, Mr. Oliver, of South Carolina, General Hastings, of Pennsylvania, and others.

Mr. McElwee, of Tennessee, presented the name of William R. Moore, of that State.

One ballot was taken, resulting as follows:

Morton	591
Phelps	119
Bradly	103
Bruce	11

Thomas 1

The nomination was then made unanimous.

Mr. Boutelle, of Maine, then addressed the Chair and stated that he desired to offer a resolution to be added to the platform, as follows:

"The first concern of all good government is the virtue and sobriety of the people and the purity of the home. The Republican party cordially sympathizes with all wise and well-directed efforts for the promotion of temperance and morality."

As soon as this was read there was a rush from the various States to second the motion, and, after some time, the question was put and the resolution adopted by a rising vote, only one delegate from Maryland recording himself in the negative. In this way the above temperance sentiment was made part of the platform. It was due largely to the attitude of the Republican party within many of the States, where in the current and previous year it favored high license laws and the submission to a vote of the people prohibitory constitutional amendments.

THE PRESIDENTIAL ELECTION OF 1888.

Shortly after the adjournment of the National Conventions, the National Committees of the two great parties opened headquarters in New York City, Senator M. S. Quay being Chairman of the Republican National and Executive committees, with full authority in one head, while ex-Senator Barnum headed the Democratic National, and Calvin Brice its

Executive Committee. Both Committees devoted themselves to practical political work, and the result was a greater expenditure of money than was ever previously known. From information gathered by the writer, it can be safely stated that the Democratic National Committee, with its drafts upon the Federal office-holders, raised two millions of dollars, while the Republican business men and manufacturers contributed one million three hundred thousand to their National Committee. It was a business battle, largely waged between the manufacturing and importing interests, the smaller farmers being allies of the manufacturers, the planters adhering to their support of the Free Trade tendencies of the Democratic party. The literary and oratorical features of the canvass were not neglected, and tariff discussion was the order of the day and the night throughout the entire country. The pivotal States were, in the order of their importance, New York, Indiana, Connecticut, New Jersey, West Virginia, and California. From the day of General Harrison's nomination, Indiana became, and continued, the scene of the most intense political excitement. Visiting delegations called upon the nominee from every town and hamlet in the State, and the fever extended to adjacent States. The ordeal was a most trying one for a candidate, and, for a time, there was grave fear that a mistake might be made, or a trap sprung, like that of Burchard's upon Blaine in 1884; but General Harrison was singularly fortunate in all of his remarks, and yet so earnest and able that his own work soon began to be recognized as the best of the campaign. President Cleveland was compelled by his official duties, and probably by inclination, to keep out of even the speaking part of the campaign.

Senator Quay regarded New York as the sole key

to the contest, and his determination to carry that State, even at the risk of all others, was maintained with the greatest firmness. The usual appeals came from hopeful States, like Virginia, North Carolina, Tennessee, and even Delaware and Maryland, while alarming predictions as to Michigan, Wisconsin, and Iowa flew thick and fast; but the Republican National Chairman, wisely clothed with absolute authority as general of the battle, kept up his steady assault upon New York, and organized so closely that the usual frauds in New York City and Brooklyn became impossible. The wisdom of this policy was confirmed by the result, and to it is directly traceable the Republican victory which followed. General Harrison carried New York by 14,000 plurality, while Governor Hill, the Democratic candidate for reëlection, carried it by 18,000. This apparent political phenomenon finds its explanation in the liquor issue, which attracted wide attention throughout the State. Warner Miller, the Republican candidate, favored high license, while Governor Hill opposed it.

The Northwest, always before believed to be inclined to Free Trade, gave surprising tariff majorities, while Kansas proved the banner Republican State, giving over 80,000 for Harrison in a territory made up mostly by farmers. Indeed, the farming excelled many of the manufacturing sections in showing tariff or Republican gains.

Results proved to be very close in Connecticut, the two Virginias, Maryland, and Tennessee, and for a time the attitude of the lower House of Congress was in doubt. At this writing the Republican majority is estimated at seven, and the new Congress will have to consider more than a dozen contested seats. The Republicans made a net gain of one in the Senate by

their success in the counties of Sussex and Kent, in Delaware. This was due to a quarrel between the Bayard and Saulsbury factions of the State. New Jersey remained with the Democrats, and the Republicans elected General Goff for Governor of West Virginia, with three Labor men holding the balance of power in the Legislature.

ELECTORAL VOTE.

	Harrison.		**Cleveland.**
California	8	Alabama	10
Colorado	3	Arkansas	7
Illinois	22	Connecticut	6
Indiana	15	Delaware	3
Iowa	13	Florida	4
Kansas	9	Georgia	12
Maine	6	Kentucky	13
Massachusetts	14	Louisiana	8
Michigan	13	Maryland	8
Minnesota	7	Mississippi	9
Nebraska	5	Missouri	16
Nevada	3	New Jersey	9
New Hampshire	4	North Carolina	12
New York	36	South Carolina	9
Ohio	23	Tennessee	11
Oregon	3	Texas	13
Pennsylvania	30	Virginia	12
Rhode Island	4	West Virginia	6

Vermont	4	
Wisconsin	11	168
	233	
	168	
Harrison's majority	65	

Here is a majority of 65 electors, and yet less than 3000 votes in New York, cast for Cleveland, would have reëlected him, but with grave danger to the country, because of disputed results in the two Virginias.

THE POPULAR VOTE—1888.

	Rep.	Dem.	Pro.	Labor.
Alabama	57,197	117,320	583	
Arkansas	58,752	85,962	614	10,613
California	124,809	117,899	5,761	1,591
Colorado	50,831	37,345	2,490	1,287
Connecticut	74,584	74,920	4,234	240
Delaware	12,950	16,414	400	1
Florida	26,659	39,561	403	
Georgia	40,413	100,742	1,802	136
Illinois	370,241	348,360	21,562	8,556
Indiana	263,361	261,013	9,881	2,694
Iowa	211,598	179,877	3,550	9,105
Kansas	182,610	102,580	6,452	36,236
Kentucky	155,154	183,800	5,225	622

Louisiana	30,181	84,941	130	
Maine	73,734	50,482	2,690	1,345
Maryland	99,761	106,172	5,358	1,241
Massachusetts	183,447	151,990	8,641	
Michigan	236,307	213,404	20,942	4,542
Minnesota	142,492	104,385	15,341	1,097
Mississippi	30,096	85,476	218	22
Missouri	236,325	261,957	4,954	15,853
Nebraska	108,425	80,552	9,429	4,226
Nevada	7,088	5,149	41	
N. Hampshire	45,728	43,457	1,570	13
New Jersey	144,344	151,493	7,904	
New York	650,337	635,965	30,321	5,362
N. Carolina	134,784	147,902	2,788	
Ohio	416,054	396,455	24,356	3,496
Oregon	33,293	26,524	1,677	363
Pennsylvania	526,223	446,934	20,758	3,873
Rhode Island	21,960	17,533	1,281	
South Carolina	13,740	65,825		
Tennessee	138,988	158,779	5,969	48
Texas	88,422	234,883	4,749	29,459
Vermont	45,192	16,788	1,459	
Virginia	150,442	151,977	1,678	
West Virginia	75,052	75,558	669	1,064
Wisconsin	176,553	155,232	14,277	8,552
Totals	5,438,157	5,535,626	250,157	150,624

ANALYSIS OF THE POPULAR VOTE.

In the following tables the vote is arranged according to sections: The Northern States, the Middle or Border States, and the Gulf States.

THE NORTHERN STATES.

	1884.		1888.	
	Rep.	**Dem.**	**Rep.**	**Dem.**
Maine	72,209	52,140	72,659	49,730
N. Hampsh'e	43,249	39,183	45,728	43,444
Vermont	39,514	17,331	45,192	16,788
Massachus'ts	146,724	122,352	183,447	151,990
Rhode Island	19,030	12,391	21,960	17,533
Connecticut	65,923	67,199	74,584	74,920
New York	562,005	563,154	649,114	635,715
New Jersey	123,366	127,778	144,426	151,154
Penna.	473,804	392,785	526,223	446,934
Ohio	400,082	368,280	416,054	396,455
Indiana	238,463	244,990	263,361	261,013
Illinois	337,469	312,351	370,241	348,360
Michigan	192,669	149,835	236,307	213,404
Wisconsin	161,157	146,459	176,553	155,232
Iowa	197,089	177,316	211,592	177,899
Minnesota	111,685	70,065	136,359	99,664
Colorado	36,166	27,603	51,796	37,610
California	102,416	89,288	124,809	117,729
Kansas	154,406	90,132	182,610	102,580
Nebraska	76,912	54,391	108,425	80,552
Nevada	7,193	5,578	7,238	5,326
Oregon	26,860	24,604	33,293	26,524

Totals	3,608,965	3,153,912	4,081,971	3,610,556

Republican majority in 1888	471,415
Republican majority in 1884	455,053
Republican gain	16,362

MIDDLE (OR BORDER) STATES.

	1884.		1888.	
	Rep.	**Dem.**	**Rep.**	**Dem.**
Delaware	12,951	16,964	12,950	16,414
Maryland	85,699	96,932	99,761	106,172
Virginia	139,356	145,497	150,442	151,977
W. Virginia	63,096	67,317	75,052	75,588
Kentucky	118,122	152,961	155,154	183,800
Tennessee	124,078	133,258	139,815	159,079
Arkansas	50,895	72,927	58,752	85,962
N. Carolina	125,068	142,950	134,784	147,902
Missouri	202,929	235,988	236,325	261,957
Totals	922,194	1,064,794	1,063,035	1,188,851

Democratic majority in 1884	142,600
Democratic majority in 1888	125,816
Democratic loss	16,784

GULF STATES.

S. Carolina	21,733	69,890	13,740	65,825
Florida	28,031	31,766	26,659	39,561
Georgia	28,617	97,292	40,496	100,499
Alabama	59,444	92,973	56,197	117,320

Mississippi	43,509	76,510	30,096	85,476
Louisiana	46,347	62,540	30,181	84,941
Texas	93,141	225,309	88,442	234,883
Totals	328,822	656,280	285,811	728,505

Democratic majority in 1888	442,698
Democratic majority in 1884	327,458
Democratic gain	115,240

PRESIDENT HARRISON'S MESSAGE ON THE CHILEAN TROUBLES.

In October, 1891, directly after the overthrow of Balmaceda by the Congressionalists of Chile, U. S. Minister Egan sheltered a number of political refugees, as did other foreign ministers. Both the government and populace at Valparaiso took special umbrage at the action of the authorities of the United States, and as a result a mob of citizens, police and soldiers assaulted American sailors on shore, killing two and wounding sixteen. President Harrison's message, sent to Congress on the 25th of January, 1892, is the strongest state paper in behalf of the rights of American citizens abroad yet given to the country. It explains all of the facts as to the Chilean difficulties, and as well lays down the principles which conduct his course. It was well received by the American Congress, and compelled Chile to act promptly in answer to the American demands. We quote its text, for it will be historically

very valuable:

TO THE SENATE AND HOUSE OF REPRESENTATIVES: In my Annual Message, delivered to Congress at the beginning of the present session, after a brief statement of the facts then in the possession of this government touching the assault in the streets of Valparaiso, Chile, upon the sailors of the United States steamship Baltimore, on the evening of the 16th of October last, I said:

"This government is now awaiting the result of an investigation which has been conducted by the criminal court at Valparaiso. It is reported unofficially that the investigation is about completed, and it is expected that the result will soon be communicated to this government, together with some adequate and satisfactory response to the note by which the attention of Chile was called to this incident. If these just expectations should be disappointed, or further needless delay intervene, I will, by a special message, bring this matter again to the attention of Congress for such action as may be necessary."

In my opinion the time has now come when I should lay before the Congress and the country the correspondence between this government and the government of Chile from the time of the breaking out of the revolution against Balmaceda, together with all other facts in the possession of the Executive Department relating to this matter.

The diplomatic correspondence is herewith transmitted, together with some correspondence between the naval officers for the time in command in Chilean waters and the Secretary of the Navy, and also the evidence taken at the Mare Island navy yard since the arrival of the Baltimore at San Francisco. I do not deem it necessary in this communication to attempt any full analysis of the correspondence or of the evidence. A brief restatement of the international questions involved, and of the reasons why the responses of the Chilean government are unsatisfactory is all that I deem necessary.

It may be well, at the outset, to say that whatever may have been said in this country or in Chile in criticism of Mr. Egan, our minister at Santiago, the true history of the

exciting period in Chilean affairs, from the outbreak of the revolution until this time, discloses no act upon the part of Mr. Egan unworthy of his position, or that could justly be the occasion of serious animadversion or criticism. He has, I think, on the whole borne himself in very trying circumstances with dignity, discretion and courage, and conducted the correspondence with ability, courtesy and fairness.

It is worth while, also, at the beginning to say that the right of Mr. Egan to give shelter in the legation to certain adherents of the Balmaceda government who applied to him for asylum has not been denied by the Chilean authorities, nor has any demand been made for the surrender of these refugees.

That there was urgent need of asylum is shown by Mr. Egan's note of August 24, 1891, describing the disorders that prevailed in Santiago, and by the evidence of Captain Schley as to the pillage and violence that prevailed at Valparaiso. The correspondence discloses, however, that the request of Mr. Egan for a safe conduct from the country, in behalf of these refugees, was denied.

The precedents cited by him in the correspondence, particularly the case of the revolution in Peru in 1865, did not leave the Chilean government in a position to deny the right of asylum to political refugees, and seemed very clearly to support Mr. Egan's contention that a safe conduct to neutral territory was a necessary and acknowledged incident of the asylum. These refugees have very recently, without formal safe conduct, but by the acquiescence of the Chilean authorities, been placed on board the Yorktown, and are now being conveyed to Callao, Peru.

This incident might be considered wholly closed but for the disrespect manifested towards this government by the close and offensive police surveillance of the legation premises which was maintained during most of the period of the stay of the refugees therein.

After the date of my annual message and up to the time of the transfer of the refugees to the Yorktown, the

legation premises seem to have been surrounded by police, in uniform, and police agents or detectives, in citizens' dress, who offensively scrutinized persons entering or leaving the legation, and, on one or more occasions, arrested members of the minister's family.

Commander Evans, who, by my direction, recently visited Mr. Egan at Santiago, in his telegram to the Navy Department described the legation as "a veritable prison," and states that the police agents or detectives were, after his arrival, withdrawn during his stay. It appears further, from the note of Mr. Egan, of November 20, 1891, that, on one occasion at least, these police agents, whom he declares to be known to him, invaded the legation premises, pounding upon its windows and using insulting and threatening language towards persons therein.

This breach of the right of a minister to freedom from police espionage and restraint seems to have been so flagrant that the Argentine minister, who was dean of the diplomatic corps, having observed it, felt called upon to protest against it to the Chilean Minister of Foreign Affairs. The Chilean authorities have, as will be observed from the correspondence, charged the refugees and the inmates of the legation with insulting the police; but it seems to me incredible that men whose lives were in jeopardy and whose safety could only be secured by retirement and quietness, should have sought to provoke a collision which could only end in their destruction, or to aggravate their condition by intensifying a popular feeling that at one time so threatened the legation as to require Minister Egan to appeal to the Minister of Foreign Affairs.

But the most serious incident disclosed by the correspondence is that of the attack upon the sailors of the Baltimore in the streets of Valparaiso on the 16th of October last. In my annual message, speaking upon the information then in my possession, I said: "So far as I have yet been able to learn, no other explanation of this bloody work has been suggested than that it had its origin in hostility to those men as sailors of the United States, wearing the uniform of their government, and not in any individual act or personal animosity."

We have now received from the Chilean government an abstract of the conclusions of the Fiscal General upon the testimony taken by the Judge of Crimes in an investigation which was made to extend over three months. I very much regret to be compelled to say that this report does not enable me to modify the conclusion announced in my annual message. I am still of the opinion that our sailors were assaulted, beaten, stabbed and killed, not for anything they or any of them had done, but for what the government of the United States had done, or was charged with having done by its civil officer and naval commanders. If that be the true aspect of the case, the injury was to the government of the United States, not to these poor sailors who were assaulted in the manner so brutal and so cowardly.

Before attempting to give an outline of the facts upon which this conclusion rests, I think it right to say a word or two upon the legal aspect of the case. The Baltimore was in the harbor of Valparaiso by virtue of that general invitation which nations are held to extend to the war vessels of other powers with which they have friendly relations. This invitation I think must be held ordinarily to embrace the privilege of such communication with the shore as is reasonable, necessary and proper for the comfort and convenience of the officers and men of such vessels. Captain Schley testifies that when his vessel returned to Valparaiso, on September 14th, the city officers, as is customary, extended the hospitalities of the city to his officers and crew.

It is not claimed that every personal collision or injury in which a sailor or officer of such naval vessel visiting the shore may be involved raises an international question; but I am clearly of the opinion that where such sailors or officers are assaulted by a resident population, animated by hostility to the government whose uniform these sailors and officers wear, and in resentment of acts done by their government, not by them, their nation must take notice of the event as one involving an infraction of its rights and dignity, not in a secondary way as where a citizen is injured and presents his claim through his own

government, but in a primary way, precisely as if its minister or consul of the flag itself had been the object of the same character of assault.

The officers and sailors of the Baltimore were in the harbor of Valparaiso under the orders of their government, not by their own choice. They were upon the shore by the implied invitation of the government of Chile and with the approval of their commanding officer, and it does not distinguish their case from that of a consul that his stay is more permanent or that he holds the express invitation of the local government to justify his longer residence. Nor does it affect the question that the injury was the act of a mob. If there had been no participation by the police or military in this cruel work, and no neglect on their part to extend protection, the case would still be one, in my opinion, when its extent and character are considered, involving international rights.

The incidents of the affair are, briefly, as follows: On the 16th of October last, Captain Schley, commanding the United States steamer Baltimore, gave shore leave to 117 petty officers and sailors of his ship. These men left the ship about 1.30 P.M. No incident of violence occurred; none of our men were arrested; no complaint was lodged against them; nor did any collision or outbreak occur until about 6 o'clock P.M. Captain Schley says that he was himself on shore and about the streets until 5.40 P.M.; that he met very many of his men who were upon leave; that they were sober and were conducting themselves with propriety, saluting Chilean and other officers as they met them. Other officers of the ship, and Captain Jenkins, of the merchant ship Keweenaw, corroborate Captain Schley as to the general sobriety and good behavior of our men.

The Sisters of Charity at the hospital to which our wounded men were taken, when inquired of, stated that they were sober when received. If the situation had been otherwise, we must believe that the Chilean police authorities would have made arrests. About 6 P.M. the assault began, and it is remarkable that the investigation by the Judge of Crimes, though so protracted, does not enable him to give any more satisfactory account of its

origin than is found in the statement that it began between drunken sailors. Repeatedly in the correspondence it is asserted that it was impossible to learn the precise cause of the riot. The Minister of Foreign Affairs, Matta, in his telegram to Mr. Montt under date of December 31st, states that the quarrel began between two sailors in a tavern, and was continued in the street, persons who were passing joining in it.

The testimony of Talbot, an apprentice, who was with Riggin, is that the outbreak in which they were involved began by Chilean sailor spitting in the face of Talbot, which was resented by a knock-down. It appears that Riggin and Talbot were at that time unaccompanied by any others of their shipmates.

These two men were immediately beset by a crowd of Chilean citizens and sailors, through which they broke their way to a street car and entered it for safety. They were pursued, driven from the car, and Riggin was so seriously beaten that he fell in the street apparently dead. There is nothing in the report of the Chilean investigation made to us that seriously impeaches this testimony. It appears from Chilean sources that almost instantly, with a suddenness that strongly implies premeditation and preparation; a mob, stated by the police authorities at one time to number 2000, and at another 1000, was engaged in the assault upon our sailors, who are represented as resisting “with stones, clubs and bright arms.” The report of the Intendente of October 30th states that the fight began at 6 P.M. in three streets, which are named, that information was received at the intendencia at 6.15, and that the police arrived on the scene at 6.30, a full half hour after the assault began. At that time he says that a mob of 2000 men had collected, and that for several squares there was the appearance of a “real battle-field.”

The scene at this point is very graphically set before us by the Chilean testimony. The American sailors, who, after so long an examination, have not been found guilty of any breach of the peace, so far as the Chilean authorities are able to discover, unarmed and defenceless, are fleeing for their lives, pursued by overwhelming numbers, and

fighting only to aid their own escape from death or to succor some mate whose life is in greater peril. Eighteen of them are brutally stabbed and beaten, while one Chilean seems, from the report, to have suffered some injury; but how serious or with what character of weapon, or whether by a missile thrown by our men or by some of his fellow-rioters is unascertained.

The pretense that our men were fighting "with stones, clubs, and bright arms," is, in view of these facts, incredible. It is further refuted by the fact that our prisoners, when searched, were absolutely without arms, only seven penknives being found in the possession of the men arrested, while there were received by our men more than thirty stab wounds, every one of which was inflicted in the back, and almost every contused wound was in the back or back of the head. The evidence of the ship's officer of the day is that even the jack-knives of the men were taken from them before leaving the ship.

As to the brutal nature of the treatment received by our men, the following extract from the account given of the affair by the *La Patria* newspaper, of Valparaiso, of October 17th, cannot be regarded as too friendly: "The Yankees, as soon as their pursuers gave chase, went by way of the Calle del Arsenal towards the city car station. In the presence of an ordinary number of citizens, among whom were some sailors, the North Americans took seats in the street car to escape from the stones which the Chileans threw at them. It was believed for an instant that the North Americans had saved themselves from popular fury, but such was not the case. Scarcely had the car begun to move, when a crowd gathered around and stopped its progress.

"Under these circumstances, and without any cessation of the howling and throwing of stones at the North Americans, the conductor entered the car, and seeing the risk of the situation to the vehicle, ordered them to get out. At the instant the sailors left the car, in the midst of a hail of stones, the said conductor received a stone blow on the head. One of the Yankee sailors managed to escape in the direction of the plaza Wheelright, but the other was felled to the ground by a stone. Managing to raise himself from

the ground where he lay he staggered in an opposite direction from the station. In front of the house of Señor Mazzini he was again wounded, falling then senseless and breathless."

No amount of evasion or subterfuge is able to cloud our clear vision of this brutal work. It should be noticed, in this connection that the American sailors arrested, after an examination, were, during the four days following the arrest, every one discharged, no charge of any breach of the peace or other criminal conduct having been sustained against a single one of them.

The Judge of Crimes, Foster, in a note to the Intendente, under date of October 22d, before the dispatch from the government, of the following day, which aroused the authorities of Chile to a better sense of the gravity of the affair, says: "Having presided temporarily over this court in regard to the seamen of the United States cruiser Baltimore, who have been tried on account of the deplorable conduct which took place." The noticeable point here is that our sailors had been tried before the 22d of October, and that the trial resulted in their acquittal and return to their vessel.

It is quite remarkable and quite characteristic of the management of this affair by the Chilean police authorities that we should now be advised that seaman Davidson, of the Baltimore, has been included in the indictment, his offence being so far as I have been able to ascertain, that he attempted to defend a shipmate against an assailant who was striking at him with a knife. The perfect vindication of our men is furnished by this report; one only is found to have been guilty of criminal fault, and that for an act clearly justifiable.

As to the part taken by the police in the affair, the case made by Chile is also far from satisfactory. The point where Riggin was killed is only three minutes walk from the police station and not more than twice that distance from the Intendencia; and yet, according to their official report, a full half hour elapsed after the assault began before the police were upon the ground. It has been stated

that all but two of our men have said that the police did their duty. The evidence taken at Mare Island shows that if such a statement was procured from our men it was accomplished by requiring them to sign a writing in a language they did not understand and by the representation that it was a mere declaration that they had taken no part in the disturbance. Lieutenant McCrea, who acted as interpreter, says in his evidence that when our sailors were examined before the Court the subject of the conduct of the police was so carefully avoided that he reported the fact to Captain Schley on his return to the vessel.

The evidences of the existence of animosity toward our sailors in the minds of the Chilean navy and of the populace of Valparaiso are so abundant and various as to leave no doubt in the mind of any one who will examine the papers submitted. It manifested itself in threatening and insulting gestures toward our men as they passed the Chilean men-of-war in their boats, and in the derisive and abusive epithets with which they greeted every appearance of an American sailor on the evening of the riot.

Captain Schley reports that boats from the Chilean warships several times went out of their course to cross the bows of his boats, compelling them to back water. He complained of the discourtesy, and it was corrected. That this feeling was shared by men of higher rank is shown by an incident related by Surgeon Stitt, of the Baltimore. After the battle of Placilla he, with other medical officers of the war vessels in the harbor, was giving voluntary assistance to the wounded in the hospitals. The son of a Chilean army officer of high rank was under his care, and when the father discovered it he flew into a passion and said he would rather have his son die than have Americans touch him, and at once had him removed from the ward.

This feeling is not well concealed in the dispatches of the Foreign Office, and had quite open expression in the disrespectful treatment of the American Legation. The Chilean boatmen in the bay refused, even for large offers of money, to return our sailors who crowded the Mole, to their ship when they were endeavoring to escape from the

city on the night of the assault. The market boats of the Baltimore were threatened, and even quite recently the gig of Commander Evans, of the Yorktown, was stoned while waiting for him at the Mole.

The evidence of our sailors clearly shows that the attack was expected by the Chilean people; that threats have been made against our men, and that in one case, somewhat early in the afternoon, the keeper of one house into which some of our men had gone, closed his establishment in anticipation of the attack, which he advised them would be made upon them as darkness came on.

In a report of Captain Schley to the Navy Department he says: “In the only interview that I had with Judge Foster, who is investigating the case relative to the disturbance before he was aware of the entire gravity of the matter, he informed me that the entire assault upon my men was the outcome of hatred for our people among the lower classes because they thought we had sympathized with the Balmaceda Government on account of the Itata matter, whether with reason or without he could, of course, not admit; but such he thought was the explanation of the assault at that time.”

Several of our men sought security from the mob by such complete or partial changes in their dress as would conceal the fact of their being seamen of the Baltimore, and found it then possible to walk the streets without molestation. These incidents conclusively establish that the attack was upon the uniform—the nationality—and not upon the men.

The origin of this feeling is probably found in the refusal of this government to give recognition to the Congressional party before it had established itself, in the seizure of the Itata for an alleged violation of the Neutrality law in the cable incident, and in the charge that Admiral Brown conveyed information to Valparaiso of the landing at Quinteros. It is not my purpose to enter here any defense of the action of this government in these matters. It is enough for the present purpose to say that if there was any breach of international comity or duty on our part it

should have been made the subject of official complaint through diplomatic channels, or of reprisals for which a full responsibility was assumed.

We cannot consent that these incidents and these perversions of the truth shall be used to excite a murderous attack upon our unoffending sailors and the Government of Chile go acquit of responsibility. In fact the conduct of this government during the war in Chile pursued those lines of international duty which we had so strongly insisted upon on the part of other nations when this country was in the throes of civil conflict. We continued the established diplomatic relations with the government in power until it was overthrown, and promptly and cordially recognized the new government when it was established.

The good offices of this government were offered to bring about a peaceful adjustment, and the interposition of Mr. Egan to mitigate severities and to shelter adherents of the Congressional party were effective and frequent. The charge against Admiral Brown is too base to gain credence with any one who knows his high personal and professional character.

Recurring to the evidence of our sailors, I think it is shown that there were several distinct assaults, and so nearly simultaneous as to show that they did not spread from one point. A press summary of the report of the Fiscal shows that the evidence of the Chilean officials and others was in conflict as to the place of origin, several places being named by different witnesses as to the locality where the first outbreak occurred. This, if correctly reported, shows that there were several distinct outbreaks, and so nearly at the same time as to cause this confusion.

La Patria, in the same issue from which I have already quoted, after describing the killing of Riggin and the flight which from that point extended to the Mole, says: “At the same time in other streets of the port the Yankee sailors fought fiercely with the people of the town, who believed to see in them incarnate enemies of the Chilean navy.”

The testimony of Captain Jenkins, of the American merchant ship Keweenaw, which had gone to Valparaiso

for repairs, and who was a witness of some part of the assault upon the crew of the Baltimore, is strongly corroborative of the testimony of our own sailors when he says that he saw Chilean sentries drive back a seaman, seeking shelter, upon a mob that was pursuing him. The officers and men of Captain Jenkins' ship furnish the most conclusive testimony as to the indignities which were practiced toward Americans in Valparaiso. When American sailors even of merchant ships, can only secure their safety by denying their nationality, it must be time to readjust our relations with a government that permits such demonstrations.

As to the participation of the police, the evidence of our sailors shows that our men were struck and beaten by police officers before and after arrest, and that one, at least, was dragged with a lasso about his neck by a mounted policeman. That the death of Riggin was the result of a rifle shot fired by a policeman or soldier on duty is shown directly by the testimony of Johnson, in whose arms he was at the time, and by the evidence of Charles Langen, an American sailor, not then a member of the Baltimore's crew, who stood close and saw the transaction. The Chilean authorities do not pretend to fix the responsibility of this shot upon any particular person, but avow their inability to ascertain who fired it, further than that it was fired from a crowd.

The character of the wound, as described by one of the surgeons of the Baltimore, clearly supports his opinion that it was made by a rifle ball, the orifice of exit being as much as an inch or an inch and a quarter in width. When shot, the poor fellow was unconscious, and in the arms of a comrade, who was endeavoring to carry him to a neighboring drug store for treatment. The story of the police, that in coming up the street they passed these men and left them behind them is inconsistent with their own statement as to the direction of their approach and with their duty to protect them, and is clearly disproved. In fact, Riggin was not behind, but in front of the advancing force, and was not standing in the crowd, but was unconscious and supported in the arms of Johnson when he was shot.

The communications of the Chilean government in relation to this cruel and disastrous attack upon our men, as will appear from the correspondence, have not in any degree taken the form of a manly and satisfactory expression of regret, much less of apology. The event was of so serious a character that if the injuries suffered by our men had been wholly the result of an accident in a Chilean port, the incident was grave enough to have called for some public expression of sympathy and regret from the local authorities. It is not enough to say that the affair was lamentable, for humanity would require that expression even if the beating and killing of our men had been justifiable.

It is not enough to say that the incident is regretted, coupled with the statement that the affair was not of an unusual character in ports where foreign sailors are accustomed to meet. It is not for a generous and sincere government to seek for words of small or equivocal meaning in which to convey to a friendly power an apology for an offence so atrocious as this. In the case of the assault by a mob in New Orleans upon the Spanish consulate in 1851, Mr. Webster wrote to the Spanish minister, Mr. Calderon, that the acts complained of were a "disgraceful and flagrant breach of duty and propriety," and that his government "regrets them as deeply as Minister Calderon or his government could possibly do;" that "these acts have caused the President great pain, and he thinks a proper acknowledgment is due to her Majesty's government." He invited the Spanish consul to return to his post, guaranteeing protection, and offering to salute the Spanish flag if the consul should come in a Spanish vessel. Such a treatment by the government of Chile of this assault would have been more creditable to the Chilean authorities; and much less can hardly be satisfactory to a government that values its dignity and honor.

In our note of October 23d last, which appears in the correspondence, after receiving the report of the board of officers appointed by Captain Schley to investigate the affair, the Chilean government was advised of the aspect which it then assumed, and called upon for any facts in its

possession that might tend to modify the unfavorable impression which our report had created. It is very clear from the correspondence that before the receipt of this note the examination was regarded by the police authorities as practically closed. It was, however, reopened and protracted through a period of nearly three months. We might justly have complained of this unreasonable delay, but in view of the fact that the government of Chile was still provisional, and with a disposition to be forbearing and hopeful of a friendly termination, I have awaited the report which has but recently been made.

On the 21st instant I caused to be communicated to the government of Chile, by the American minister at Santiago, the conclusions of this government after a full consideration of all the evidence and of every suggestion affecting this matter, and to these conclusions I adhere. They were stated as follows:

"First—That the assault is not relieved of the aspect which the early information of the event gave to it, viz: That an attack was made upon the uniform of the United States Navy, having its origin and motive in a feeling of hostility to this government, and not on any account of the sailors or any of them.

"Second—That the public authorities of Valparaiso flagrantly failed in their duty to protect our men, and that some of the police and of the Chilean soldiers and sailors were themselves guilty of unprovoked assaults upon our sailors before and after arrest. He (the President) thinks the preponderance of the evidence and of the inherent probabilities lead to the conclusion that Riggin was killed by the police or soldiers.

"Third—That he (the President) is therefore compelled to bring the case back to the position taken by this government in the note of Mr. Wharton on October 23d last, *** and to ask for a suitable apology and for some adequate reparation for the injury done to this country."

In the same note the attention of the Chilean government was called to the offensive character of a note addressed by Mr. Matta, its Minister of Foreign Affairs, to

Mr. Montt, its minister at this capital, on the 11th ult. This dispatch was not officially communicated to this government, but as Mr. Montt was directed to translate it, and to give it to the press of this country, it seemed to me that it could not pass without official notice. It was not only undiplomatic, but grossly insulting to our naval officers and to the Executive Department, as it directly imputed untruth and insincerity to the reports of the naval officers and to the official communications made by the Executive Department to Congress. It will be observed that I have notified the Chilean government that unless this note is at once withdrawn and an apology as public as the offence made, I will terminate diplomatic relations.

The request for the recall of Mr. Egan upon the ground that he was not persona grata, was unaccompanied by any suggestion that could properly be used in support of it, and I infer that the request is based upon official acts of Mr. Egan, which have received the approval of this government. But however that may be, I could not consent to consider such a question until it had first been settled whether our correspondence with Chile could be conducted upon a basis of mutual respect.

In submitting these papers to Congress for that grave and patriotic consideration which the questions involved demand, I desire to say that I am of the opinion that the demands made of Chile by this government should be adhered to and enforced. If the dignity as well as the prestige and influence of the United States are not to be wholly sacrificed we must protect those who, in foreign ports, display the flag or wear the colors of this government against insult, brutality, and death, inflicted in resentment of the acts of their government, and not for any faults of their own. It has been my desire in every way to cultivate friendly and intimate relations with all the governments of this hemisphere.

We do not covet their territory; we desire their peace and prosperity. We look for no advantage in our relations with them except the increased exchanges of commerce upon a basis of mutual benefit. We regret every civil contest that disturbs their peace and paralyzes their

development, and are always ready to give our good offices for the restoration of peace. It must, however, be understood that this government, while exercising the utmost forbearance towards weaker powers, will extend its strong and adequate protection to its citizens, to its officers, and to its humblest sailor, when made the victims of wantonness and cruelty in resentment, not of their personal misconduct, but of the official acts of their government.

Upon information received that Patrick Shields, an Irishman and probably a British subject, but at the time a fireman of the American steamer Keweenaw, in the harbor of Valparaiso for repairs, had been subjected to personal injuries in that city—largely by the police—I directed the Attorney-General to cause the evidence of the officers and crew of that vessel to be taken upon its arrival in San Francisco, and that testimony is also herewith transmitted.

The brutality and even savagery of the treatment of this poor man by the Chilean police would be incredible if the evidence of Shields was not supported by other direct testimony, and by the distressing condition of the man himself when he was finally able to reach his vessel. The captain of the vessel says:

"He came back a wreck: black from his neck to his hips, from beating; weak and stupid, and is still in a kind of paralyzed condition, and has never been able to do duty since."

A claim for reparation has been made in behalf of this man, for, while he was not a citizen of the United States, the doctrine long held by us, as expressed in the Consular Regulations, is:

"The principles which are maintained by this government in regard to the protection as distinguished from the relief of seamen are well settled. It is held that the circumstance that the vessel is American is evidence that the seamen on board are such; and in every regularly documented merchant vessel the crew will find their protection in the flag that covers them."

I have as yet received no reply to our note of the 21st

inst., but, in my opinion, I ought not to delay longer to bring these matters to the attention of Congress for such action as may be deemed appropriate.

BENJAMIN HARRISON.

EXECUTIVE MANSION, Jan. 25, 1892.

The National Conventions of 1892.

REPUBLICAN.

The National Republican Convention for 1892 was called to meet at Minneapolis June 7th. The Convention was close at hand before any candidates were named, other than President Harrison. In February Mr. Blaine had written to Mr. Clarkson, Chairman of the National Convention, saying that his name would not be presented as a candidate, and declining in such positive terms that it was accepted as meaning what it said at the time. Later on the opposition to the President's nomination, led by a syndicate of very strong names—Platt, of New York; Quay, of Pennsylvania; Clarkson, of Iowa; Conger, of Ohio; Kellogg, of Louisiana; Wolcott, of Colorado; Bourne, of Oregon; Filley, of Missouri—agreed to present Mr. Blaine, upon the statement that he would accept if his nomination was plainly for the good of the party. Three days preceding the Convention Mr. Blaine suddenly resigned as Secretary of State, and thus created the impression that he would accept and that he was a candidate. The first effect of the resignation was to enthuse his friends, many of them already assembled at Minneapolis, but when the correspondence was published, and its terseness was

traceable entirely to Mr. Blaine's haste, a great reaction followed in all parts of the country, and groups of businessmen from all prominent towns and cities wired their delegates of the change in sentiment, and as a rule they were asked to re-nominate President Harrison. A feeling affected the Blaine delegates, and many of the leaders began to look for a third man, in the person of Major McKinley, the father of the tariff bill of 1890, since chosen Governor of Ohio. Major McKinley himself voted for Harrison and resisted a proposed stampede in his own behalf, which had been planned to plump Ohio, Oregon and Pennsylvania solidly for McKinley. The plan failed, partly because Harrison had gained largely over estimates after New York had voted, and Pennsylvania cast 19 votes for him at the only moment which could have been at all critical.

The Convention organized at noon on the 7th, with Major McKinley as its President. The first contest was upon the question of the majority and minority reports of the Committee on Contests, the majority being adopted and generally regarded as a victory for the friends of Harrison. The contests were important only in the case of Alabama, where two full sets of delegates disputed for the seats.

Senator Wolcott, of Colorado, presented the name of Mr. Blaine, and it was seconded by ex-Senator Warner Miller, of New York.

Ex-Secretary of the Navy Richard T. Thompson, of Indiana (on that day eighty-three years of age, and a delegate to every previous Republican National Convention), presented the name of President Harrison. It was seconded by Chauncey M. Depew, of New York, in a speech remarkable for its force and eloquence.

The first and only ballot was taken on the morning of June 10th, with the following result:

THE BALLOT IN DETAIL.

States.	Harrison.	Blaine.	McKinley.
Alabama	15	0	7
Arkansas	15	0	1
California	8	9	1
Colorado	0	8	0
Connecticut	4	0	8
Delaware	4	1	1
Florida	8	0	0
Georgia	26	0	0
Idaho	0	6	0
Illinois	34	14	0
Indiana	30	0	0
Iowa	20	5	1
Kansas	11	0	9
Kentucky	22	2	1
Louisiana	8	8	0
Maine	0	12	0
Maryland	14	0	2
Massachusetts	18	1	11
Michigan	7	2	19
Minnesota	8	9	1
Mississippi	13½	4½	0
Missouri	28	4	2
Montana	5	1	0
Nebraska	15	0	1
Nevada	0	6	0
New Hampshire	4	2	0
New Jersey	18	2	0
New York	27	35	10
North Carolina	17⅔	2⅔	1

North Dakota	2	4	0
Ohio	1	0	45
Oregon	1	0	7
Pennsylvania	19	3	42
Rhode Island	5	1	1
South Carolina	13	3	2
South Dakota	8	0	0
Tennessee	17	4	3
Texas	22	6	0
Vermont	8	0	0
Virginia	9	13	2
Washington	1	6	1
West Virginia	12	0	0
Wisconsin	19	2	3
Wyoming	4	2	0
TERRITORIES.			
Alaska	2	0	0
Arizona	1	1	0
Dist. of Columbia	0	2	0
Indian Territory	1	1	0
New Mexico	6	0	0
Oklahoma	2	0	0
Utah	2	0	0
Total	535⅙	182⅙	182

Absent and not voting, 1⅔.

Reed, of Maine, received 3 votes, and Lincoln, of Illinois, 1.

Major McKinley moved to make the nomination unanimous, and it was adopted with great enthusiasm.

In response to the unanimous request of the New York delegation, Hon. Whitelaw Reid was nominated

for Vice-President by acclamation.

[See Book II. for Platform and Comparison of Platforms; Book III. for speech of Hon. Chauncey M. Depew.]

DEMOCRATIC.

The Democratic National Convention assembled at Chicago, June 21st, and its deliberations excited great interest because of the opposition of the New York delegation to the nomination of Cleveland. Under the leadership of Governor Hill, the New York Democracy, in the canvass of 1891, carried the State, electing Flower as Governor, and Hill as U. S. Senator, the latter only after a severe contest and depriving three Republican State Senators of their seats by contests settled before partisan courts. The New York opposition to Cleveland, with the active aid of Tammany, united upon Hill as a Presidential candidate. A “snap” or mid-winter State Convention was called to elect delegates to the National Convention, and 72 Hill men were chosen and instructed. This system of forestalling public sentiment angered the Cleveland Democrats, who signed a protest to the number of 200,000 and three months later elected a contesting delegation, with instructions for Cleveland. Mr. Croker, Tammany’s Chief, and State Chairman Murphy were the Hill leaders at Chicago, and they gave early and public notice, in very bitter language, that if nominated Cleveland could not carry New York. Ex-Secretary of the Navy Whitney was the Cleveland leader, and he readily mustered more than two-thirds of the Convention, and felt so assured of victory that he advised the withdrawal of the contest against Hill’s

delegation. Singularly enough the minority desired the repeal of the unit rule, for they had ascertained, after a careful canvass, that Cleveland would lose enough votes to check and possibly prevent his nomination if all of the delegates were permitted to vote separately. The unit rule, however, was carefully re-enacted in the report of the Committee on Rules.

Governor Wm. L. Wilson, of West Virginia, was elected President. Governor Leon Abbett, of New Jersey, presented the name of Grover Cleveland; William C. DeWitt, of New York, that of Senator David B. Hill, and John M. Duncombe, of Iowa, that of Governor Boies. A ballot was reached at 4 o'clock on the morning of the 23d, the Cleveland leaders doing this to prevent combinations by the opposition.

THE BALLOT IN DETAIL.

States.	Cleveland.	Hill.	Boies.	Gorman.	Scattering
Alabama	14	2	1	1	4
Arkansas	16	0	0	0	0
California	18	0	0	0	0
Colorado	0	3	5	0	0
Connecticut	12	0	0	0	0
Delaware	6	0	0	0	0
Florida	5	0	0	0	3
Georgia	17	5	0	4	0
Idaho	0	0	6	0	0
Illinois	48	0	0	0	0
Indiana	30	0	0	0	0
Iowa	0	0	26	0	0
Kansas	20	0	0	0	0
Kentucky	18	0	2	0	6

Louisiana	3	1	11	1	(
Maine	9	1	0	1	1
Maryland	6	0	0	9½	(
Massachusetts	24	4	1	0	1
Michigan	28	0	0	0	(
Minnesota	18	0	0	0	(
Mississippi	8	3	3	4	(
Missouri	34	0	0	0	(
Montana	0	0	6	0	(
Nebraska	15	0	0	1	(
Nevada	0	0	4	2	(
New Hampshire	8	0	0	0	(
New Jersey	20	0	0	0	(
New York	0	72	0	0	(
North Carolina	3⅓	1	0	0	17⅔
North Dakota	6	0	0	0	(
Ohio	14	6	16	5	5
Oregon	8	0	0	0	(
Pennsylvania	64	0	0	0	(
Rhode Island	8	0	0	0	(
South Carolina	2	3	13	0	(
South Dakota	7	0	1	0	(
Tennessee	24	0	0	0	(
Texas	23	1	6	0	(
Vermont	8	0	0	0	(
Virginia	12	11	0	1	(
Washington	8	0	0	0	(
West Virginia	7	1	0	3	1
Wisconsin	24	0	0	0	(
Wyoming	3	0	0	3	(
TERRITORIES					
Alaska	2	0	0	0	(
Arizona	5	0	0	1	(

Dist. of Columbia	2	0	0	0	(
New Mexico	4	1	1	0	(
Oklahoma	2	0	0	0	(
Utah	2	0	0	0	(
Indian Territory	2	0	0	0	(
Total	617⅓	115	103	36½	38⅔

Number of votes cast, 909½. Necessary to a choice, 607.

Of the scattering votes Campbell got two from Alabama.

Carlisle got 3 from Florida, 6 from Kentucky, 5 from Ohio. Total 14.

Stephenson got 16⅔ from North Carolina.

Pattison got 1 from West Virginia.

Russell got 1 from Massachusetts.

Whitney got 1 from Maine.

Adlai E. Stevenson, of Illinois, former Assistant Postmaster-General, was nominated Vice-President on the first ballot, his chief competitor being Senator Gray, of Indiana.

[See Book II. for Democratic National Platform and Comparison; Book III. for Governor Abbett's speech nominating Cleveland.]

A notable scene in the Convention was created by Mr. Neal, of Ohio, who moved to substitute a radical free trade plank as a substitute for the somewhat moderate utterances reported by ex-Secretary of the Interior Vilas, who read the report of the Committee on Platform. The substitute denounced the protective tariff as a fraud.

Mr. Neal made an earnest speech in support of his substitute and was ably seconded by Mr. Watterson.

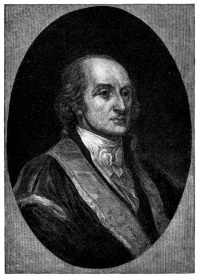
Mr. Vilas replied defending the majority report in a vigorous speech, which was as generously applauded as that which preceded. The debate was animated and made specially interesting by the suggestions and calls from the galleries. The substitute was finally accepted by Chairman Jones on behalf of the committee, but this did not satisfy the friends of the substitute, who persisted in having a roll call upon its adoption.

A synopsis of the platform was submitted to and received the approval of Mr. Cleveland, and it was reported that the Neal substitute was prepared by the anti-Cleveland leaders, and the fact that the roll call was persisted in by the anti-Cleveland men gave color to this report.

There was a great deal of confusion and excitement preceding the roll call, and its progress was watched with as much interest as though its result was to decide the nomination. The States at the head of the roll generally cast their votes according to what was believed to be the feeling of their delegations on the Presidency, but later on the order was more varied, States known to be for Cleveland casting their solid vote for the substitute. New York was loudly cheered when the 72 votes of the State were given for the substitute. It was a most inconsistent vote, as Tammany is not regarded as a free trade organization—rather as one favoring moderate tariffs. A ripple of excitement was occasioned when Chairman Hensel cast the 64 votes of Pennsylvania against the substitute. Mr. Wallace protested that 15 of the delegates favored the substitute, and he demanded that the delegation be polled. A colloquy followed between Hensel and Wallace on the rules of the Convention, and the point raised by the former that Wallace’s motion was

not in order under the unit rules was sustained by the Chair.

The result of the vote was 564 for the substitute and 342 against it.



John Jay

AMERICAN POLITICS.

BOOK II.
POLITICAL PLATFORMS.

THE FIRST POLITICAL PLATFORM ENUNCIATED IN THE UNITED STATES TO COMMAND GENERAL ATTENTION WAS DRAWN BY MR. MADISON IN 1798, WHOSE OBJECT WAS TO PRONOUNCE THE ALIEN AND SEDITION LAWS UNCONSTITUTIONAL, AND TO DEFINE THE RIGHTS OF THE STATES.

Virginia Resolutions of 1798.

Pronouncing the Alien and Sedition Laws to be unconstitutional, and Defining the rights of the States. —Drawn by Mr. Madison.

In the Virginia House of Delegates,
Friday, Dec. 21, 1798.

Resolved, That the General Assembly of Virginia doth unequivocally express a firm resolution to maintain and defend the Constitution of the United States, and the constitution of this state, against every aggression either foreign or domestic; and that they will support the government of the United States in all measures warranted by the former.

That this Assembly most solemnly declares a warm attachment to the Union of the states, to maintain which it pledges its powers; and, that for this end, it is their duty to watch over and oppose every infraction of those principles which constitute the only basis of that Union, because a faithful observance of them can alone secure its existence and the public happiness.

That this Assembly doth explicitly and peremptorily declare, that it views the powers of the federal government, as resulting from the compact to which the states are parties, as limited by the plain sense and intention of the instrument constituting that compact, as no farther valid than they are authorized by the grants enumerated in that compact; and that in case of a deliberate, palpable, and dangerous exercise of other powers, not granted by the said compact, the states, who are parties thereto, have the right, and are in duty bound, to interpose, for arresting the progress of the evil, and for maintaining within their respective limits the authorities, rights, and liberties appertaining to them.

That the General Assembly doth also express its deep regret, that a spirit has, in sundry instances, been manifested by the federal government, to

enlarge its powers by forced constructions of the constitutional charter which defines them; and, that indications have appeared of a design to expound certain general phrases (which, having been copied from the very limited grant of powers in the former Articles of Confederation, were the less liable to be misconstrued) so as to destroy the meaning and effect of the particular enumeration which necessarily explains, and limits the general phrases, and so as to consolidate the states by degrees into one sovereignty, the obvious tendency and inevitable result of which would be, to transform the present republican system of the United States into an absolute, or at best, a mixed monarchy.

That the General Assembly doth particularly protest against the palpable and alarming infractions of the Constitution, in the two late cases of the "Alien and Sedition Acts," passed at the last session of Congress; the first of which exercises a power nowhere delegated to the federal government, and which, by uniting legislative and judicial powers to those of executive, subverts the general principles of free government, as well as the particular organization and positive provisions of the Federal Constitution; and the other of which acts exercises, in like manner, a power not delegated by the Constitution, out on the contrary, expressly and positively forbidden by one of the amendments thereto; a power which, more than any other, ought to produce universal alarm, because it is levelled against the right of freely examining public characters and measures, and of free communication among the people thereon, which has ever been justly deemed the only effectual guardian of every other right.

That this state having by its Convention, which

ratified the Federal Constitution, expressly declared, that among other essential rights, “the liberty of conscience and the press cannot be cancelled, abridged, restrained, or modified by any authority of the United States,” and from its extreme anxiety to guard these rights from every possible attack of sophistry and ambition, having with other states recommended an amendment for that purpose, which amendment was, in due time, annexed to the Constitution, it would mark a reproachful inconsistency, and criminal degeneracy, if an indifference were now shown to the most palpable violation of one of the rights, thus declared and secured; and to the establishment of a precedent which may be fatal to the other.

That the good people of this commonwealth, having ever felt, and continuing to feel the most sincere affection for their brethren of the other states; the truest anxiety for establishing and perpetuating the Union of all: and the most scrupulous fidelity to that Constitution, which is the pledge of mutual friendship, and the instrument of mutual happiness; the General Assembly doth solemnly appeal to the like dispositions in the other States, in confidence that they will concur with this commonwealth, in declaring, as it does hereby declare, that the acts aforesaid are unconstitutional; and, that the necessary and proper measures will be taken by each for co-operating with this state, in maintaining unimpaired the authorities, rights, and liberties, reserved to the states, respectively, or to the people.

That the governor be desired to transmit a copy of the foregoing resolutions to the executive authority of each of the other states, with a request that the same may be communicated to the legislature

thereof; and that a copy be furnished to each of the Senators and Representatives representing this state in the Congress of the United States.

Attest, JOHN STEWART.

1798, December 24th. Agreed to by the Senate.

H. BROOKE.

A true copy from the original deposited in the office of the General Assembly.

JOHN STEWART, Keeper of Rolls.

Extracts from the Address to the People, which accompanied the foregoing resolutions:—

Fellow-Citizens: Unwilling to shrink from our representative responsibility, conscious of the purity of our motives, but acknowledging your right to supervise our conduct, we invite your serious attention to the emergency which dictated the subjoined resolutions. Whilst we disdain to alarm you by ill-founded jealousies, we recommend an investigation, guided by the coolness of wisdom, and a decision bottomed on firmness but tempered with moderation.

It would be perfidious in those intrusted with the guardianship of the state sovereignty, and acting under the solemn obligation of the following oath: "I do swear, that I will support the Constitution of the United States," not to warn you of encroachments, which, though clothed with the pretext of necessity, or disguised by arguments of expediency, may yet establish precedents, which may ultimately devote a generous and unsuspicious people to all the consequences of usurped power.

Encroachments, springing from a government whose organization cannot be maintained without the co-operation of the states, furnish the strongest incitements upon the state legislatures to watchfulness, and impose

upon them the strongest obligation to preserve unimpaired the line of partition.

The acquiescence of the states under infractions of the federal compact, would either beget a speedy consolidation, by precipitating the state governments into impotency and contempt; or prepare the way for a revolution, by a repetition of these infractions, until the people are aroused to appear in the majesty of their strength. It is to avoid these calamities, that we exhibit to the people the momentous question, whether the Constitution of the United States shall yield to a construction which defies every restraint and overwhelms the best hopes of republicanism.

Exhortations to disregard domestic usurpations until foreign danger shall have passed, is an artifice which may be for ever used; because the possessors of power, who are the advocates for its extension, can ever create national embarrassments, to be successively employed to soothe the people into sleep, whilst that power is swelling silently, secretly, and fatally. Of the same character are insinuations of a foreign influence, which seize upon a laudable enthusiasm against danger from abroad, and distort it by an unnatural application, so as to blind your eyes against danger at home.

The sedition act presents a scene which was never expected by the early friends of the Constitution. It was then admitted that the state sovereignties were only diminished by powers specifically enumerated, or necessary to carry the specified powers into effect. Now federal authority is deduced from implication, and from the existence of state law it is inferred that Congress possesses a similar power of legislation; whence Congress will be endowed with a power of legislation in all cases whatsoever, and the states will be stript of every right reserved by the concurrent claims of a paramount legislature.

The sedition act is the offspring of these tremendous pretensions, which inflict a death wound on the sovereignty of these states.

For the honor of American understanding, we will not believe that the people have been allured into the adoption of the Constitution by an affectation of defining powers, whilst the preamble would admit a construction which would erect the will of Congress into a power paramount in all cases, and therefore limited in none. On the contrary, it is evident that the objects for which the Constitution was formed were deemed attainable only by a particular enumeration and specification of each power granted to the federal government; reserving all others to the people, or to the states. And yet it is in vain we search for any specified power, embracing the right of legislation against the freedom of the press.

Had the states been despoiled of their sovereignty by the generality of the preamble, and had the federal government been endowed with whatever they should judge to be instrumental towards union, justice, tranquillity, common defence, general welfare, and the preservation of liberty nothing could have been more frivolous than an enumeration of powers.

All the preceding arguments rising from a deficiency of constitutional power in Congress, apply to the alien act, and this act is liable to other objections peculiar to itself. If a suspicion that aliens are dangerous constitute the justification of that power exercised over them by Congress, then a similar suspicion will justify the exercise of a similar power over natives. Because there is nothing in the Constitution distinguishing between the power of a state to permit the residence of natives and aliens. It is therefore a right originally possessed, and never surrendered by the respective states, and which is rendered dear and valuable to Virginia, because it is assailed through the bosom of the Constitution, and because her peculiar situation renders the easy admission of artisans and laborers an interest of vast importance.

But this bill contains other features, still more alarming and dangerous. It dispenses with the trial by jury; it violates the judicial system; it confounds legislative, executive, and judicial powers; it punishes without trial; and it bestows upon the President despotic power over a

numerous class of men. Are such measures consistent with our constitutional principles? And will an accumulation of power so extensive in the hands of the executive, over aliens, secure to natives the blessings of republican liberty?

If measures can mould governments, and if an uncontrolled power of construction is surrendered to those who administer them, their progress may be easily foreseen and their end easily foretold. A lover of monarchy, who opens the treasures of corruption, by distributing emolument among devoted partisans, may at the same time be approaching his object, and deluding the people with professions of republicanism. He may confound monarchy and republicanism, by the art of definition. He may varnish over the dexterity which ambition never fails to display, with the pliancy of language, the seduction of expediency, or the prejudices of the times. And he may come at length to avow that so extensive a territory as that of the United States can only be governed by the energies of monarchy; that it cannot be defended, except by standing armies; and that it cannot be united, except by consolidation.

Measures have already been adopted which may lead to these consequences. They consist:

In fiscal systems and arrangements, which keep a host of commercial and wealthy individuals, embodied and obedient to the mandates of the treasury.

In armies and navies, which will, on the one hand, enlist the tendency of man to pay homage to his fellow-creature who can feed or honor him; and on the other, employ the principle of fear, by punishing imaginary insurrections, under the pretext of preventive justice.

In swarms of officers, civil and military, who can inculcate political tenets tending to consolidation and monarchy, both by indulgences and severities; and can act as spies over the free exercise of human reason.

In restraining the freedom of the press, and investing the executive with legislative, executive, and judicial powers, over a numerous body of men.

And, that we may shorten the catalogue, in establishing

by successive precedents such a mode of construing the Constitution as will rapidly remove every restraint upon federal power.

Let history be consulted; let the man of experience reflect; nay, let the artificers of monarchy be asked what farther materials they can need for building up their favorite system?

These are solemn, but painful truths; and yet we recommend it to you not to forget the possibility of danger from without, although danger threatens us from within. Usurpation is indeed dreadful, but against foreign invasion, if that should happen, let us rise with hearts and hands united, and repel the attack with the zeal of freemen, who will strengthen their title to examine and correct domestic measures by having defended their country against foreign aggression.

Pledged as we are, fellow-citizens, to these sacred engagements, we yet humbly and fervently implore the Almighty Disposer of events to avert from our land war and usurpation, the scourges of mankind; to permit our fields to be cultivated in peace; to instill into nations the love of friendly intercourse; to suffer our youth to be educated in virtue; and to preserve our morality from the pollution invariably incident to habits of war; to prevent the laborer and husbandman from being harassed by taxes and imposts; to remove from ambition the means of disturbing the commonwealth; to annihilate all pretexts for power afforded by war; to maintain the Constitution; and to bless our nation with tranquillity, under whose benign influence we may reach the summit of happiness and glory, to which we are destined by Nature and Nature's God.

Attest, JOHN STEWART, C.H.D.

1799, Jan. 23. Agreed to by the Senate.

H. BROOKE, C.S.

A true copy from the original, deposited in the office of

the General Assembly.

JOHN STEWART, Keeper of Rolls.

Answers of the several State Legislatures.

STATE OF DELAWARE.—In the House of Representatives, Feb. 1, 1799. Resolved, By the Senate and House of Representatives of the state of Delaware, in General Assembly met, that they consider the resolutions from the state of Virginia as a very unjustifiable interference with the general government and constituted authorities of the United States, and of dangerous tendency, and therefore not fit subject for the further consideration of the General Assembly.

ISAAC DAVIS, Speaker of the Senate.

STEPHEN LEWIS, Speaker of the H. of R's. Test—

JOHN FISHER, C.S.
JOHN CALDWELL, C.H.R.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS.—In General Assembly, February, A. D. 1799. Certain resolutions of the Legislature of Virginia, passed on 21st of December last, being communicated to this Assembly,

1. *Resolved*, That in the opinion of this legislature, the second section of third article of the Constitution of the United States in these words, to wit: The judicial power shall extend to all cases arising under the laws of the United States, vests in the federal

courts, exclusively, and in the Supreme Court of the United States ultimately, the authority of deciding on the constitutionality of any act or law of the Congress of the United States.

2. *Resolved*, That for any state legislature to assume that authority, would be,

1st. Blending together legislative and judicial powers.

2d. Hazarding an interruption of the peace of the states by civil discord, in case of a diversity of opinions among the state legislatures; each state having, in that case, no resort for vindicating its own opinions, but to the strength of its own arm.

3d. Submitting most important questions of law to less competent tribunals; and

4th. An infraction of the Constitution of the United States, expressed in plain terms.

3. *Resolved*, That although for the above reasons, this legislature, in their public capacity, do not feel themselves authorized to consider and decide on the constitutionality of the sedition and alien laws (so called); yet they are called upon by the exigency of this occasion, to declare, that in their private opinions, these laws are within the powers delegated to Congress, and promotive of the welfare of the United States.

4. *Resolved*, That the governor communicate these resolutions to the supreme executive of the state of Virginia, and at the same time express to him that this legislature cannot contemplate, without extreme concern and regret, the many evil and fatal consequences which may flow from the very unwarrantable resolutions aforesaid, of the legislature of Virginia, passed on the twenty-first day of December last.

A true copy. SAMUEL EDDY, Sec.

COMMONWEALTH OF MASSACHUSETTS.—In Senate, Feb. 9, 1799. The legislature of Massachusetts having taken into serious consideration the resolutions of the State of Virginia, passed the 21st day of December last, and communicated by his excellency the governor, relative to certain supposed infractions of the Constitution of the United States, by the government thereof, and being convinced that the Federal Constitution is calculated to promote the happiness, prosperity, and safety of the people of these United States, and to maintain that union of the several states, so essential to the welfare of the whole; and being bound by solemn oath to support and defend that Constitution, feel it unnecessary to make any professions of their attachment to it, or of their firm determination to support it against every aggression, foreign or domestic.

But they deem it their duty solemnly to declare, that while they hold sacred the principle, that consent of the people is the only pure source of just and legitimate power, they cannot admit the right of the state legislatures to denounce the administration of that government to which the people themselves, by a solemn compact, have exclusively committed their national concerns: That, although a liberal and enlightened vigilance among the people is always to be cherished, yet an unreasonable jealousy of the men of their choice, and a recurrence to measures of extremity, upon groundless or trivial pretexts, have a strong tendency to destroy all rational liberty at home, and to deprive the United States of the most essential advantages in their relations abroad: That

this legislature are persuaded that the decision of all cases in law and equity, arising under the Constitution of the United States, and the construction of all laws made in pursuance thereof, are exclusively vested by the people in the judicial courts of the United States.

That the people in that solemn compact, which is declared to be the supreme law of the land, have not constituted the state legislatures the judges of the acts or measures of the federal government, but have confided to them the power of proposing such amendments of the Constitution, as shall appear to them necessary to the interests, or conformable to the wishes of the people whom they represent.

That by this construction of the Constitution, an amicable and dispassionate remedy is pointed out for any evil which experience may prove to exist, and the peace and prosperity of the United States may be preserved without interruption.

But, should the respectable state of Virginia persist in the assumption of the right to declare the acts of the national government unconstitutional, and should she oppose successfully her force and will to those of the nation, the Constitution would be reduced to a mere cipher, to the form and pageantry of authority, without the energy of power. Every act of the federal government which thwarted the views or checked the ambitious projects of a particular state, or of its leading and influential members, would be the object of opposition and of remonstrance; while the people, convulsed and confused by the conflict between two hostile jurisdictions, enjoying the protection of neither, would be wearied into a submission to some bold leader, who would establish himself on the ruins of both.

The legislature of Massachusetts, although they do not themselves claim the right, nor admit the authority of any of the state governments, to decide upon the constitutionality of the acts of the federal government, still, lest their silence should be construed into disapprobation, or at best into a doubt of the constitutionality of the acts referred to by the State of Virginia; and, as the General Assembly of Virginia has called for an expression of their sentiments, do explicitly declare, that they consider the acts of Congress, commonly called "the alien and sedition acts," not only constitutional, but expedient and necessary: That the former act respects a description of persons whose rights were not particularly contemplated in the Constitution of the United States, who are entitled only to a temporary protection, while they yield a temporary allegiance; a protection which ought to be withdrawn whenever they become "dangerous to the public safety," or are found guilty of "treasonable machination" against the government: That Congress having been especially intrusted by the people with the general defence of the nation, had not only the right, but were bound to protect it against internal as well as external foes. That the United States, at the time of passing the *act concerning aliens*, were threatened with actual invasion, had been driven by the unjust and ambitious conduct of the French government into warlike preparations, expensive and burthensome, and had then, within the bosom of the country, thousands of aliens, who, we doubt not, were ready to co-operate in any external attack.

It cannot be seriously believed, that the United States should have waited till the poignard had in fact been plunged. The removal of aliens is the usual preliminary of hostility, and is justified by the

invariable usages of nations. Actual hostility had unhappily long been experienced, and a formal declaration of it the government had reason daily to expect. The law, therefore, was just and salutary, and no officer could, with so much propriety, be intrusted with the execution of it, as the one in whom the Constitution has reposed the executive power of the United States.

The *sedition act*, so called, is, in the opinion of this legislature, equally defensible. The General Assembly of Virginia, in their resolve under consideration, observe, that when that state by its convention ratified the Federal Constitution, it expressly declared, "That, among other essential rights, the liberty of conscience and of the press cannot be cancelled, abridged, restrained, or modified by any authority of the United States," and from its extreme anxiety to guard these rights from every possible attack of sophistry or ambition, with other states, recommend an amendment for that purpose: which amendment was, in due time, annexed to the Constitution; but they did not surely expect that the proceedings of their state convention were to explain the amendment adopted by the Union. The words of that amendment, on this subject, are, "Congress shall make no law abridging the freedom of speech or of the press."

The act complained of is no abridgment of the freedom of either. The genuine liberty of speech and the press, is the liberty to utter and publish the truth; but the constitutional right of the citizen to utter and publish the truth, is not to be confounded with the licentiousness in speaking and writing, that is only employed in propagating falsehood and slander. This freedom of the press has been explicitly secured by most, if not all, the state constitutions; and of this

provision there has been generally but one construction among enlightened men; that it is a security for the rational use and not the abuse of the press; of which the courts of law, the juries, and people will judge; this right is not infringed, but confirmed and established by the late act of Congress.

By the Constitution, the legislative, executive, and judicial departments of government are ordained and established; and general enumerated powers vested in them respectively, including those which are prohibited to the several states. Certain powers are granted in general terms by the people to their general government, for the purposes of their safety and protection. The government is not only empowered, but it is made their duty to repel invasions and suppress insurrections; to guaranty to the several states a republican form of government; to protect each state against invasion, and, when applied to, against domestic violence; to hear and decide all cases in law and equity, arising under the Constitution, and under any treaty or law made in pursuance thereof; and all cases of admiralty and maritime jurisdiction, and relating to the law of nations. Whenever, therefore, it becomes necessary to effect any of the objects designated, it is perfectly consonant to all just rules of construction, to infer, that the usual means and powers necessary to the attainment of that object, are also granted: But the Constitution has left no occasion to resort to implication for these powers; it has made an express grant of them, in the 8th section of the first article, which ordains, “That Congress shall have power to make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by the Constitution in the

government of the United States or in any department or officer thereof."

This Constitution has established a Supreme Court of the United States, but has made no provisions for its protection, even against such improper conduct in its presence, as might disturb its proceedings, unless expressed in the section before recited. But as no statute has been passed on this subject, this protection is, and has been for nine years past, uniformly found in the application of the principles and usages of the common law. The same protection may unquestionably be afforded by a statute passed in virtue of the before-mentioned section, as necessary and proper, for carrying into execution the powers vested in that department. A construction of the different parts of the Constitution, perfectly just and fair, will, on analogous principles, extend protection and security against the offences in question, to the other departments of government, in discharge of their respective trusts.

The President of the United States is bound by his oath "to preserve, protect, and defend the Constitution," and it is expressly made his duty, "to take care that the laws be faithfully executed;" but this would be impracticable by any created being, if there could be no legal restraint of those scandalous misrepresentations of his measures and motives, which directly tend to rob him of the public confidence. And equally impotent would be every other public officer, if thus left to the mercy of the seditious.

It is holden to be a truth most clear, that the important trusts before enumerated cannot be discharged by the government to which they are committed, without the power to restrain seditious practices and unlawful combinations against itself,

and to protect the officers thereof from abusive misrepresentations. Had the Constitution withheld this power, it would have made the government responsible for the effects without any control over the causes which naturally produce them, and would have essentially failed of answering the great ends for which the people of the United States declare, in the first clause of that instrument, that they establish the same, viz: “To form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general warfare, and secure the blessings of liberty to ourselves and posterity.”

Seditious practices and unlawful combinations against the federal government, or any officer thereof, in the performance of his duty, as well as licentiousness of speech and of the press, were punishable on the principles of common law in the courts of the United States, before the act in question was passed. This act then is an amelioration of that law in favor of the party accused, as it mitigates the punishment which that authorizes, and admits of any investigation of public men and measures which is regulated by truth. It is not intended to protect men in office, only as they are agents of the people. Its object is to afford legal security to public offices and trusts created for the safety and happiness of the people, and therefore the security derived from it is for the benefit of the people, and is their right.

The construction of the Constitution and of the existing law of the land, as well as the act complained of, the legislature of Massachusetts most deliberately and firmly believe results from a just and full view of the several parts of the Constitution: and they consider that act to be wise and necessary, as an audacious and unprincipled spirit of falsehood

and abuse had been too long unremittingly exerted for the purpose of perverting public opinion, and threatened to undermine and destroy the whole fabric of government.

The legislature further declare, that in the foregoing sentiments they have expressed the general opinion of their constituents, who have not only acquiesced without complaint in those particular measures of the federal government, but have given their explicit approbation by re-electing those men who voted for the adoption of them. Nor is it apprehended, that the citizens of this state will be accused of supineness or of an indifference to their constitutional rights; for while, on the one hand, they regard with due vigilance the conduct of the government, on the other, their freedom, safety and happiness require, that they should defend that government and its constitutional measures against the open or insidious attacks of any foe, whether foreign or domestic.

And, lastly, that the legislature of Massachusetts feel a strong conviction, that the several United States are connected by a common interest which ought to render their union indissoluble, and that this state will always co-operate with its confederate states in rendering that union productive of mutual security, freedom, and happiness.

Sent down for concurrence.

SAMUEL PHILIPS, President.

In the House of Representatives, Feb. 13, 1799.

Read and concurred.

EDWARD H. ROBBINS, Speaker.

A true copy. Attest,

JOHN AVERY, Secretary.

STATE OF NEW YORK.—In Senate, March 5, 1799. —Whereas, the people of the United States have established for themselves a free and independent national government: And whereas it is essential to the existence of every government, that it have authority to defend and preserve its constitutional powers inviolate, inasmuch as every infringement thereof tends to its subversion: And whereas the judicial power extends expressly to all cases of law and equity arising under the Constitution and the laws of the United States whereby the interference of the legislatures of the particular states in those cases is manifestly excluded: And whereas our peace, prosperity, and happiness, eminently depend on the preservation of the Union, in order to which, a reasonable confidence in the constituted authorities and chosen representatives of the people is indispensable: And whereas every measure calculated to weaken that confidence has a tendency to destroy the usefulness of our public functionaries, and to excite jealousies equally hostile to rational liberty, and the principles of a good republican government: And whereas the Senate, not perceiving that the rights of the particular states have been violated, nor any unconstitutional powers assumed by the general government, cannot forbear to express the anxiety and regret with which they observe the inflammatory and pernicious sentiments and doctrines which are contained in the resolutions of the legislatures of Virginia and Kentucky—sentiments and doctrines, no less repugnant to the Constitution of the United States, and the principles

of their union, than destructive to the Federal government and unjust to those whom the people have elected to administer it: wherefore, *Resolved*, That while the Senate feel themselves constrained to bear unequivocal testimony against such sentiments and doctrines, they deem it a duty no less indispensable, explicitly to declare their incompetency, as a branch of the legislature of this state, to supervise the acts of the general government.

Resolved, That his Excellency, the Governor, be, and he is hereby requested to transmit a copy of the foregoing resolution to the executives of the states of Virginia and Kentucky, to the end that the same may be communicated to the legislatures thereof.

A true copy.

ABM. B. BAUCKER, Clerk.

STATE OF CONNECTICUT.—At a General Assembly of the state of Connecticut, holden at Hartford, in the said state, on the second Thursday of May, Anno Domini 1799, his excellency the governor having communicated to this assembly sundry resolutions of the legislature of Virginia, adopted in December, 1798, which relate to the measures of the general government; and the said resolutions having been considered, it is

Resolved, That this Assembly views with deep regret, and explicitly disavows, the principles contained in the aforesaid resolutions; and particularly the opposition to the "Alien and Sedition Acts"—acts which the Constitution authorized; which the exigency of the country rendered necessary; which the constituted authorities have enacted, and

which merit the entire approbation of this Assembly. They, therefore, decidedly refuse to concur with the legislature of Virginia, in promoting any of the objects attempted in the aforesaid resolutions.

And it is further resolved, That his excellency the governor be requested to transmit a copy of the foregoing resolution to the governor of Virginia, that it may be communicated to the legislature of that state.

Passed in the House of Representatives unanimously.

Attest, JOHN C. SMITH, Clerk.

Concurred, unanimously, in the upper House.

Teste, SAM. WYLLYS, Sec'y.

STATE OF NEW HAMPSHIRE.—In the House of Representatives, June 14, 1799.—The committee to take into consideration the resolutions of the General Assembly of Virginia, dated December 21, 1798; also certain resolutions of the legislature of Kentucky, of the 10th of November, 1798; report as follows:—

The legislature of New Hampshire, having taken into consideration certain resolutions of the General Assembly of Virginia, dated December 21, 1798; also certain resolutions of the legislature of Kentucky, of the 10th of November, 1798,—

Resolved, That the legislature of New Hampshire unequivocally express a firm resolution to maintain and defend the Constitution of the United States, and the constitution of this state, against every aggression, either foreign or domestic, and that they will support the government of the United States in

all measures warranted by the former.

That the state legislatures are not the proper tribunals to determine the constitutionality of the laws of the general government; that the duty of such decision is properly and exclusively confided to the judicial department.

That if the legislature of New Hampshire, for mere speculative purposes, were to express an opinion on the acts of the general government, commonly called "the Alien and Sedition Bills," that opinion would unreservedly be, that those acts are constitutional and, in the present critical situation of our country, highly expedient.

That the constitutionality and expediency of the acts aforesaid have been very ably advocated and clearly demonstrated by many citizens of the United States, more especially by the minority of the General Assembly of Virginia. The legislature of New Hampshire, therefore, deem it unnecessary, by any train of arguments, to attempt further illustration of the propositions, the truth of which, it is confidently believed, at this day, is very generally seen and acknowledged.

Which report, being read and considered, was unanimously received and accepted, one hundred and thirty-seven members being present.

Sent up for concurrence.

JOHN PRENTICE, Speaker.

In Senate, same day, read and concurred in unanimously.

AMOS SHEPARD, President.

Approved June 15, 1799.

J. T. GILMAN, Governor.

A true copy.

Attest, JOSEPH PEARSON, Sec'y.

STATE OF VERMONT.—In the House of Representatives, October 30, A. D. 1799.—The House proceeded to take under their consideration the resolutions of the General Assembly of Virginia, relative to certain measures of the general government, transmitted to the legislature of this state for their consideration; whereupon,

Resolved, that the General Assembly of the state of Vermont do highly disapprove of the resolutions of the General Assembly of the state of Virginia, as being unconstitutional in their nature and dangerous in their tendency. It belongs not to state legislatures to decide on the constitutionality of the laws made by the general government; this power being exclusively vested in judiciary courts of the Union.

That his excellency the governor be requested to transmit a copy of this resolution to the executive of Virginia, to be communicated to the General Assembly of that state; and that the same be sent to the Governor and Council for their concurrence.

SAMUEL C. CRAFTS, Clerk.

In Council, October 30, 1799.—Read and concurred in unanimously.

RICHARD WHITNEY, Sec'y.

Resolutions of 1798 and 1799.

(The original draught prepared by Thomas Jefferson.)

The following resolutions passed the House of Representatives of Kentucky, Nov. 10, 1798. On the passage of the first resolution, one dissentient; 2d, 3d, 4th, 5th, 6th, 7th, 8th, two dissentients; 9th, three dissentients.

1. *Resolved*, That the several states composing the United States of America, are not united on the principle of unlimited submission to their general government; but that by compact under the style and title of a Constitution for the United States, and of amendments thereto, they constituted a general government for special purposes, delegated to that government certain definite powers, reserving, each state to itself, the residuary mass of right to their own self-government: and, that whensoever the general government assumes undelegated powers, its acts are unauthoritative, void, and of no force; that to this compact each state acceded as a state, and is an integral party; that this government, created by this compact, was not made the exclusive or final judge of the extent of the powers delegated to itself; since that would have made its discretion, and not the Constitution, the measure of its powers; but, that as in all other cases of compact among parties having no common judge, each party has an equal right to judge for itself, as well of infractions as of the mode and measure of redress.

2. *Resolved*, That the Constitution of the United States having delegated to Congress a power to punish treason, counterfeiting the securities and current coin of the United States, piracies and

felonies committed on the high seas, and offences against the laws of nations, and no other crimes whatever; and it being true, as a general principle, and one of the amendments to the Constitution having also declared, “that the powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people,” therefore also the same act of Congress, passed on the 14th day of July, 1798, and entitled “An act in addition to the act entitled An act for the punishment of certain crimes against the United States;” as also the act passed by them on the 27th day of June, 1798, entitled “An act to punish frauds committed on the Bank of the United States,” (and all other their acts which assume to create, define, or punish crimes other than those enumerated in the Constitution), are altogether void and of no force, and that the power to create, define, and punish such other crimes is reserved, and of right appertains solely and exclusively to the respective states, each within its own territory.

3. *Resolved*, That it is true, as a general principle, and is also expressly declared by one of the amendments to the Constitution, that “the powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people;” and that no power over the freedom of religion, freedom of speech, or freedom of the press being delegated to the United States by the Constitution, nor prohibited by it to the states, all lawful powers respecting the same did of right remain, and were reserved to the states or to the people; that thus was manifested their determination to retain to themselves the right of judging how far the

licentiousness of speech and of the press may be abridged without lessening their useful freedom, and how far those abuses which cannot be separated from their use should be tolerated rather than the use be destroyed; and thus also they guarded against all abridgment by the United States, of the freedom of religious principles and exercises, and retained to themselves the right of protecting the same, as this, stated by a law passed on the general demand of its citizens, had already protected them from all human restraint or interference: and that, in addition to this general principle and express declaration, another and more special provision has been made by one of the amendments to the Constitution, which expressly declares, that "Congress shall make no laws respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press," thereby guarding in the same sentence, and under the same words, the freedom of religion, of speech, and of the press, insomuch that whatever violates either, throws down the sanctuary which covers the others; and that libels, falsehood, and defamation, equally with heresy and false religion, are withheld from the cognisance of federal tribunals. That therefore the act of the Congress of the United States, passed on the 14th of July, 1798, entitled "An act in addition to the act entitled An act for the punishment of certain crimes against the United States," which does abridge the freedom of the press, is not law, but is altogether void and of no force.

4. *Resolved*, That alien friends are under the jurisdiction and protection of the laws of the state wherein they are: that no power over them has been delegated to the United States, nor prohibited to the individual states distinct from their power over

citizens; and it being true, as a general principle, and one of the amendments to the Constitution having also declared, that "the powers not delegated to the United States by the Constitution, nor prohibited to the states, are reserved to the states respectively, or to the people," the act of the Congress of the United States, passed the 22d day of June, 1798, entitled "An act concerning aliens," which assumes power over alien friends not delegated by the Constitution, is not law, but is altogether void and of no force.

5. *Resolved*, That in addition to the general principle as well as the express declaration, that powers not delegated are reserved, another and more special provision inferred in the Constitution, from abundant caution has declared, "that the migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year 1808." That this commonwealth does admit the migration of alien friends described as the subject of the said act concerning aliens; that a provision against prohibiting their migration, is a provision against all acts equivalent thereto, or it would be nugatory; that to remove them when migrated is equivalent to a prohibition of their migration, and is, therefore, contrary to the said provision of the Constitution, and void.

6. *Resolved*, That the imprisonment of a person under the protection of the laws of this commonwealth on his failure to obey the simple order of the President to depart out of the United States, as is undertaken by the said act, entitled, "An act concerning aliens," is contrary to the Constitution, one amendment in which has provided, that "no person shall be deprived of liberty without due process of law," and, that another having

provided, “that in all criminal prosecutions, the accused shall enjoy the right to a public trial by an impartial jury, to be informed as to the nature and cause of the accusation, to be confronted with the witnesses against him, to have compulsory process for obtaining witnesses in his favor, and to have assistance of counsel for his defence,” the same act undertaking to authorize the President to remove a person out of the United States who is under the protection of the law, on his own suspicion, without jury, without public trial, without confrontation of the witnesses against him, without having witnesses in his favor, without defence, without counsel, is contrary to these provisions also of the Constitution, is therefore not law, but utterly void and of no force.

That transferring the power of judging any person who is under the protection of the laws, from the courts to the President of the United States, as is undertaken by the same act concerning aliens, is against the article of the Constitution which provides, that “the judicial power of the United States shall be vested in the courts, the judges of which shall hold their office during good behavior,” and that the said act is void for that reason also; and it is further to be noted that this transfer of judiciary power is to that magistrate of the general government who already possesses all the executive, and a qualified negative in all the legislative powers.

7. *Resolved*, That the construction applied by the general government (as is evident by sundry of their proceedings) to those parts of the Constitution of the United States which delegate to Congress power to lay and collect taxes, duties, imposts, excises; to pay the debts, and provide for the common defence and general welfare of the United States, and to make all laws which shall be necessary and proper for

carrying into execution the powers vested by the Constitution in the government of the United States, or any department thereof, goes to the destruction of all the limits prescribed to their power by the Constitution: That words meant by that instrument to be subsidiary only to the execution of the limited powers, ought not to be so construed as themselves to give unlimited powers, nor a part so to be taken as to destroy the whole residue of the instrument: That the proceedings of the general government under color of those articles, will be a fit and necessary subject for revisal and correction at a time of greater tranquillity, while those specified in the preceding resolutions call for immediate redress.

8. *Resolved*, That the preceding resolutions be transmitted to the Senators and Representatives in Congress from this commonwealth, who are enjoined to present the same to their respective Houses, and to use their best endeavors to procure at the next session of Congress a repeal of the aforesaid unconstitutional and obnoxious acts.

9. *Resolved lastly*, That the governor of this commonwealth be, and is hereby authorized and requested to communicate the preceding resolutions to the legislatures of the several states, to assure them that this commonwealth considers union for special national purposes, and particularly for those specified in their late federal compact, to be friendly to the peace, happiness, and prosperity of all the states—that, faithful to that compact, according to the plain intent and meaning in which it was understood and acceded to by the several parties, it is sincerely anxious for its preservation; that it does also believe, that to take from the states all the powers of self-government, and transfer them to a general and consolidated government, without

regard to the special delegations and reservations solemnly agreed to in that compact, is not for the peace, happiness, or prosperity of these states; and that, therefore, this commonwealth is determined, as it doubts not its co-states are, to submit to undelegated and consequently unlimited powers in no man, or body of men on earth: that if the acts before specified should stand, these conclusions would flow from them; that the general government may place any act they think proper on the list of crimes and punish it themselves, whether enumerated or not enumerated by the Constitution as cognisable by them; that they may transfer its cognisance to the President or any other person, who may himself be the accuser, counsel, judge, and jury, whose suspicions may be the evidence, his order the sentence, his officer the executioner, and his breast the sole record of the transaction; that a very numerous and valuable description of the inhabitants of these states, being by this precedent reduced as outlaws to the absolute dominion of one man and the barriers of the Constitution thus swept from us all, no rampart now remains against the passions and the power of a majority of Congress, to protect from a like exportation or other grievous punishment the minority of the same body, the legislatures, judges, governors, and counsellors of the states, nor their other peaceable inhabitants who may venture to reclaim the constitutional rights and liberties of the states and people, or who, for other causes, good or bad, may be obnoxious to the view or marked by the suspicions of the President, or to be thought dangerous to his or their elections or other interests, public or personal; that the friendless alien has been selected as the safest subject of a first experiment; but the citizen will soon follow, or rather has already

followed; for, already has a sedition act marked him as a prey: that these and successive acts of the same character, unless arrested on the threshold, may tend to drive these states into revolution and blood, and will furnish new calumnies against republican governments, and new pretexts for those who wish it to be believed, that man cannot be governed but by a rod of iron; that it would be a dangerous delusion were a confidence in the men of our choice to silence our fears for the safety of our rights; that confidence is everywhere the parent of despotism; free government is found in jealousy and not in confidence; it is jealousy and not confidence which prescribes limited constitutions to bind down those whom we are obliged to trust with power; that our Constitution has accordingly fixed the limits to which, and no farther, our confidence may go; and let the honest advocate of confidence read the alien and sedition acts, and say if the Constitution has not been wise in fixing limits to the government it created, and whether we should be wise in destroying those limits? Let him say what the government is, if it be not a tyranny, which the men of our choice have conferred on the President, and the President of our choice has assented to and accepted over the friendly strangers, to whom the mild spirit of our country and its laws had pledged hospitality and protection; that the men of our choice have more respected the bare suspicions of the President than the solid rights of innocence, the claims of justification, the sacred force of truth, and the forms and substance of law and justice. In questions of power, then, let no more be said of confidence in man, but bind him down from mischief by the chains of the Constitution. That this Commonwealth does therefore call on its co-states

for an expression of their sentiments on the acts concerning aliens, and for the punishment of certain crimes hereinbefore specified, plainly declaring whether these acts are or are not authorized by the federal compact. And it doubts not that their sense will be so announced as to prove their attachment to limited government, whether general or particular, and that the rights and liberties of their co-states will be exposed to no dangers by remaining embarked on a common bottom with their own: but they will concur with this commonwealth in considering the said acts as so palpably against the Constitution as to amount to an undisguised declaration, that the compact is not meant to be the measure of the powers of the general government, but that it will proceed in the exercise over these states of all powers whatsoever. That they will view this as seizing the rights of the states and consolidating them in the hands of the general government, with a power assumed to bind the states (not merely in cases made federal) but in all cases whatsoever, by laws made, not with their consent, but by others against their consent; that this would be to surrender the form of government we have chosen, and live under one deriving its powers from its own will, and not from our authority; and that the co-states recurring to their natural rights in cases not made federal, will concur in declaring these void and of no force, and will each unite with this Commonwealth in requesting their repeal at the next session of Congress.

EDMUND BULLOCK, S. H. R.
JOHN CAMPBELL, S. P. T.

Passed the House of Representatives, Nov. 10, 1798.

Attest, THOS. TODD, C. H. R.

In Senate, Nov. 13, 1798.—Unanimously concurred in.

Attest, B. THURSTON, C. S.

Approved, Nov. 19, 1798.

JAS. GARRARD, Gov. of Ky.

By the Governor,

HARRY TOULMIN, Sec. of State.

House of Representatives, Thursday, Nov. 14, 1799.

The House, according to the standing order of the day, resolved itself into a committee of the whole House, on the state of the commonwealth, Mr. Desha in the chair; and after some time spent therein, the speaker resumed the chair, and Mr. Desha reported that the committee had taken under consideration sundry resolutions passed by several state legislatures, on the subject of the alien and sedition laws, and had come to a resolution thereupon, which he delivered in at the clerk's table, where it was read and *unanimously* agreed to by the House, as follows: —

The representatives of the good people of this commonwealth, in General Assembly convened, having maturely considered the answers of sundry states in the Union, to their resolutions passed the last session, respecting certain unconstitutional laws of Congress, commonly called the alien and sedition laws, would be faithless, indeed, to themselves and

to those they represent, were they silently to acquiesce in the principles and doctrines attempted to be maintained in all those answers, that of Virginia only excepted. To again enter the field of argument, and attempt more fully or forcibly to expose the unconstitutionality of those obnoxious laws, would, it is apprehended, be as unnecessary as unavailing. We cannot, however, but lament that, in the discussion of those interesting subjects by sundry of the legislatures of our sister states, unfounded suggestions and uncandid insinuations, derogatory to the true character and principles of this commonwealth, have been substituted in place of fair reasoning and sound argument. Our opinions of these alarming measures of the general government, together with our reasons for those opinions, were detailed with decency and with temper, and submitted to the discussion and judgment of our fellow-citizens throughout the Union. Whether the like decency and temper have been observed in the answers of most of those states who have denied or attempted to obviate the great truths contained in those resolutions, we have now only to submit to a candid world. Faithful to the true principles of the Federal Union, unconscious of any designs to disturb the harmony of that Union, and anxious only to escape the fangs of despotism, the good people of this commonwealth are regardless of censure or calumniation. Lest, however, the silence of this commonwealth should be construed into an acquiescence in the doctrines and principles advanced and attempted to be maintained by the said answers, or lest those of our fellow-citizens throughout the Union who so widely differ from us on those important subjects, should be deluded by the expectation, that we shall be deterred from what

we conceive our duty, or shrink from the principles contained in those resolutions—therefore,

Resolved, That this commonwealth considers the Federal Union, upon the terms and for the purposes specified in the late compact, as conducive to the liberty and happiness of the several states: That it does now unequivocally declare its attachment to the Union, and to that compact, agreeably to its obvious and real intention, and will be among the last to seek its dissolution: That if those who administer the general government be permitted to transgress the limits fixed by that compact, by a total disregard to the special delegations of power therein contained, an annihilation of the state governments, and the creation upon their ruins of a general consolidated government, will be the inevitable consequence: That the principle and construction contended for by sundry of the state legislatures, that the general government is the exclusive judge of the extent of the powers delegated to it, stop nothing short of despotism—since the discretion of those who administer the government, and not the Constitution, would be the measure of their powers: That the several states who formed that instrument being sovereign and independent, have the unquestionable right to judge of the infraction; and that a nullification by those sovereignties of all unauthorized acts done under color of that instrument is the rightful remedy: That this commonwealth does, under the most deliberate reconsideration, declare that the said alien and sedition laws are, in their opinion, palpable violations of the said Constitution; and, however cheerfully it may be disposed to surrender its opinion to a majority of its sister states, in matters of ordinary or doubtful policy, yet, in momentous

regulations like the present, which so vitally wound the best rights of the citizen, it would consider a silent acquiescence as highly criminal: That although this commonwealth, as a party to the federal compact, will bow to the laws of the Union, yet it does, at the same time, declare that it will not now, or ever hereafter, cease to oppose in a constitutional manner every attempt, at what quarter soever offered, to violate that compact. And, finally, in order that no pretext or arguments may be drawn from a supposed acquiescence on the part of this commonwealth in the constitutionality of those laws, and be thereby used as precedents for similar future violations of the federal compact—this commonwealth does now enter against them its solemn protest.

Extract, &c. Attest, T. TODD, C. H. R.

In Senate, Nov. 22, 1799—Read and concurred in.

Attest, B. THURSTON, C. S.

Washington's Farewell Address to the People of the United States, Sept. 17, 1796.

Accepted as a Platform for the People of the Nation, regardless of party.

FRIENDS AND FELLOW-CITIZENS:—

The period for a new election of a citizen to administer the executive government of the United

States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed to decline being considered among the number of those out of whom a choice is to be made. I beg you, at the same time, to do me the justice to be assured that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that in withdrawing the tender of service, which silence, in my situation, might imply, I am influenced by no diminution of zeal for your future interests; no deficiency of grateful respect of your past kindness; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in, the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns, external as

well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded, whatever partiality may be retained for my services, that, in the present circumstances of our country, you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust, I will only say, that I have with good intentions contributed towards the organization and administration of the government the best exertions of which a very fallible judgment was capable. Not unconscious in the outset of the inferiority of my qualifications, experience, in my own eyes—perhaps still more in the eyes of others—has strengthened the motives to diffidence of myself; and every day the increasing weight of years admonishes me, more and more, that the abode of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services, they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is intended to terminate the career of my public life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering, though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be

remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to mislead; amidst appearances sometimes dubious, vicissitudes of fortune often discouraging; in situations in which, not unfrequently, want of success has countenanced the spirit of criticism,—the constancy of your support was the essential prop of the efforts, and a guarantee of the plans, by which they were effected. Profoundly penetrated by this new idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows, that Heaven may continue to you the choicest tokens of its beneficence; that union and brotherly affection may be perpetual; that the free Constitution, which is the work of your hands, may be sacredly maintained; that its administration, in every department, may be stamped with wisdom and virtue; that in fine, the happiness of the people of these states, under the auspices of liberty, may be made complete, by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory of recommending it to the applause, the affection, and the adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop; but a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments, which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be afforded to you with the more freedom, as you can only see in them the disinterested warning

of a parting friend, who can possibly have no personal motive to bias his counsel; nor can I forget, as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people, is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence—the support of your tranquillity at home, your peace abroad, of your safety, of your prosperity, of that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters, much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively, (though often covertly and insidiously) directed,—it is of infinite moment that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourself to think and speak of it as of the palladium of your political safety and prosperity, watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy

and interest. Citizens, by birth or choice, of a common country, that country has a right to concentrate your affections. The name of *American*, which belongs to you in your national capacity, must always exalt the just pride of patriotism, more than appellations derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together; the independence and liberty you possess are the work of joint counsels and joint efforts, of common dangers, sufferings, and successes. But these considerations, however powerfully they address themselves to your sensibility, are generally outweighed by those which apply more immediately to your interest; here every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The North, in an unrestrained intercourse with the South, protected by the equal laws of a common government, finds, in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry. The South, in the same intercourse benefiting by the agency of the North, sees its agriculture grow, and its commerce expanded. Turning partly into its own channels the seamen of the North, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength to which itself is unequally adapted. The East, in like intercourse with the West, already finds, and in the progressive improvement of interior communication, by land and by water, will more and more find, a valuable vent

for the commodities which each brings from abroad or manufactures at home. The West derives from the East supplies requisite to its growth or comfort, and what is perhaps of still greater consequence, it must, of necessity, owe the secure enjoyment of indispensable outlets for its own productions, to the weight, influence, and the maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interests as one nation. Any other tenure by which the West can hold this essential advantage, whether derived from its own separate strength, or from an apostate and unnatural connexion with any foreign power, must be intrinsically precarious.

While, then, every part of our country thus feels an immediate and particular interest in union, all the parts combined cannot fail to find, in the united mass of means and efforts, greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and what is of inestimable value, they must derive from union an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries, not tied together by the same government; which their own rivalship alone would be sufficient to produce, but which opposite foreign alliances, attachments and intrigues, would stimulate and embitter. Hence, likewise, they will avoid the necessity of those overgrown military establishments, which, under any form of government, are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty; in this sense it is that your union ought to be considered as a main prop of your liberty, and that the love of one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind, and exhibit the continuance of the Union as a primary object of patriotic desire. Is there a doubt, whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation, in such a case, were criminal. We are authorized to hope, that a proper organization of the whole, with the auxiliary agency of governments for the respective sub-divisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to Union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who, in any quarter, may endeavor to weaken its bands.

In contemplating the causes which may disturb our Union, it occurs as a matter of serious concern, that any ground should have been furnished for characterizing parties by geographical discriminations—Northern and Southern—Atlantic and Western: whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts, is to misrepresent the opinions and aims of other districts. You cannot shield yourselves too much against the jealousies and heart-burnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by paternal affection. The inhabitants of our Western country have lately had a useful lesson on this head; they have seen in the negotiation by the executive, and in the unanimous ratification by the Senate, of the treaty with Spain, and in the

universal satisfaction at that event throughout the United States, decisive proof how unfounded were the suspicions propagated among them, of a policy in the general government, and in the Atlantic States, unfriendly to their interest in regard to the Mississippi—that with Great Britain, and that with Spain, which secure to them everything they could desire in respect to our foreign relations, towards confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the Union by which they were procured? Will they not henceforth be deaf to those advisers, if such there are, who would sever them from their brethren, and connect them with aliens?

To the efficacy and permanency of your Union a government of the whole is indispensable. No alliance, however strict between the parties, can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances, in all time, have experienced. Sensible of this momentous truth, you have improved upon your first essay, by the adoption of a Constitution of government, better calculated than your former for an intimate union, and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed—adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers —uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political system is the right of the people to make

and to alter their Constitutions of government; but the Constitution which at any time exists, till changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power and right of the people to establish government, presupposes the duty of every individual to obey the established government.

All obstruction to the execution of laws, all combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive to this fundamental principle, and of fatal tendency. They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the nation, the will of a party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill-concerted and incongruous projects of fashion, rather than the organ of consistent and wholesome plans, digested by common counsels and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying, afterwards, the very engines which had lifted them to unjust dominion.

Towards the preservation of your government, and the permanency of your present happy state, it is requisite, not only that you steadily discountenance

irregular oppositions to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretexts. One method of assault may be to effect, in the forms of the Constitution, alterations which will impair the energy of the system, and thus to undermine what cannot be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments as of other human institutions; that experience is the surest standard by which to test the real tendency of the existing constitution of a country; that facility in changes, upon the credit of mere hypothesis and opinion exposes to perpetual change, from the endless variety of hypothesis and opinion; and remember, especially, that for the efficient management of your common interests, in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed, and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprise of faction, to confine each member of the society within the limits described by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of parties in the state with particular reference to the founding of them on geographical discriminations. Let me now take a more comprehensive view, and warn you, in the most solemn manner, against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our

nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge, natural to party dissensions, which, in different ages and countries, has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads, at length, to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of this kind (which, nevertheless, ought not to be entirely out of sight), the common and continual mischiefs of the spirit of party are sufficient to make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils, and enfeeble the public administration. It agitates the community with ill-founded jealousies and false alarms; kindles the animosity of one part against another; foments, occasionally, riot and insurrection. It opens the door to foreign influence and corruption, which find a facilitated access to the government itself, through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties, in free countries, are useful checks upon the administration of the government, and serve to keep alive the spirit of liberty. This, within certain limits, is probably true; and in governments of a monarchical cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent its bursting into a flame, lest, instead of warming, it should consume.

It is important, likewise, that the habits of thinking, in a free country, should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding, in the exercise of the powers of one department, to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power, and proneness to abuse it, which predominates in the human heart, is sufficient to satisfy us of the truth of this position.

The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal, against invasions by the others, has been evinced by experiments, ancient and modern; some of them in our own country, and under our own eyes. To preserve them must be as

necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be, in any particular, wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance, in permanent evil, any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and cherish them. A volume could not trace all their connexions with private and public felicity. Let it simply be asked, where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition, that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principles. It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who, that is a sincere friend to it, can look with indifference upon attempts to shake the foundation

of the fabric?

Promote then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it; avoiding, likewise, the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions in time of peace to discharge the debts which unavoidable wars may have occasioned; not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of these maxims belongs to your representatives, but it is necessary that public opinion should co-operate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that toward the payments of debts there must be revenues; that to have revenue there must be taxes; that no taxes can be devised, which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper objects (which is always a choice of difficulties) ought to be a decisive moment for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measure for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice towards all nations; cultivate peace and harmony with all; religion and

morality enjoin this conduct; and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and at no distant period a great nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt that, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it? Can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan, nothing is more essential than that permanent, inveterate antipathies against particular nations, and passionate attachment for others, should be excluded: and that in place of them, just and amicable feelings towards all should be cultivated. The nation which indulges towards another an habitual hatred, or an habitual fondness, is, in some degree, a slave. It is a slave to its animosity or to its affection; either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another, disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and untractable, when accidental or trifling occasions of dispute occur. Hence frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill-will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts, through passion, what reason would reject; at other times it makes the animosity of the

nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty, of nations has been the victim.

So likewise a passionate attachment of one nation to another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducement or justification. It leads also to concessions to the favorite nation of privileges denied to others, which is apt doubly to injure the nation making the concessions; by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill-will, and a disposition to retaliate, in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted, or deluded citizens (who devote themselves to the favorite nation) facility to betray, or sacrifice the interest of their own country, without odium; sometimes even with popularity; gilding with the appearance of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the art of seduction, to mislead public opinion, to influence or awe the public councils? Such an attachment of a small or weak, towards a great and powerful nation, dooms

the former to be the satellite of the latter.

Against the insidious wiles of foreign influence (I conjure you to believe me, fellow-citizens), the jealousy of a free people ought to be constantly awake; since history and experience prove that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial; else it becomes the instrument of the very influence to be avoided, instead of a defence against it. Excessive partiality for one foreign nation, and excessive dislike for another, cause those whom they actuate to see danger only on one side, and serve to veil, and even second, the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little political connexion as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. There let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain

one people under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation; when we may choose peace or war, as our interests, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalship, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliances with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than to private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But, in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves, by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting

the natural cause of things; diffusing and diversifying, by gentle means, the streams of commerce, by forcing nothing; establishing, with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinions will permit, but temporary, and liable to be, from time to time, abandoned or varied, as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another; that it must pay, with a portion of its independence, for whatever it may accept under that character; that by such acceptance it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon, real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our nation from running the course which has hitherto marked the destiny of nations; but if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigues, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records, and other evidences of my conduct, must witness to you and the world. To myself, the assurance of my own conscience is, that I have at least believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 23d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both Houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest to take a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance, and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe, that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding neutral conduct may be inferred, without anything more, from the obligation which justice and humanity impose on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and unity towards other nations.

The inducements of interests, for observing that conduct, will best be referred to your own reflections

and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though, in reviewing the incidents of my administration, I am unconscious of intentional error; I am, nevertheless, too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope, that my country will never come to view them with indulgence; and that, after forty-five years of my life dedicated to its service with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this, as in other things, and actuated by that fervent love towards it which is so natural to a man who views in it the native soil of himself and his progenitors for several generations, I anticipate, with pleasing expectation, that retreat in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow-citizens, the benign influence of good laws under a free government—the ever favorite object of my heart—and happy reward, as I trust, of our mutual cares, labors, and dangers.

GEORGE WASHINGTON.

United States, 17th of Sept., 1796.

1800.—No Federal Platform.

Republican Platform, Philadelphia.

Adopted in Congressional Caucus.

1. An inviolable preservation of the Federal constitution, according to the true sense in which it was adopted by the states, that in which it was advocated by its friends, and not that which its enemies apprehended, who, therefore, became its enemies.

2. Opposition to monarchizing its features by the forms of its administration, with a view to conciliate a transition, first, to a president and senate for life; and, secondly, to an hereditary tenure of those offices, and thus to worm out the elective principle.

3. Preservation to the states of the powers not yielded by them to the Union, and to the legislature of the Union its constitutional share in division of powers; and resistance, therefore, to existing movements for transferring all the powers of the states to the general government, and all of those of that government to the executive branch.

4. A rigorously frugal administration of the government, and the application of all the possible savings of the public revenue to the liquidation of the public debt; and resistance, therefore, to all measures looking to a multiplication of officers and salaries, merely to create partisans and to augment the public debt, on the principle of its being a public blessing.

5. Reliance for internal defense solely upon the militia, till actual invasion, and for such a naval force only as may be sufficient to protect our coasts and harbors from depredations; and opposition, therefore, to the policy of a standing army in time of peace which may overawe the public sentiment, and to a navy, which, by its own expenses, and the wars in which it will implicate us, will grind us with public burdens and sink us under them.

6. Free commerce with all nations, political connection with none, and little or no diplomatic establishment.

7. Opposition to linking ourselves, by new treaties, with the quarrels of Europe, entering their fields of slaughter to preserve their balance, or joining in the confederacy of kings to war against the principles of liberty.

8. Freedom of religion, and opposition to all maneuvers to bring about a legal ascendency of one sect over another.

9. Freedom of speech and of the press; and opposition, therefore, to all violations of the constitution, to silence, by force, and not by reason, the complaints or criticisms, just or unjust, of our citizens against the conduct of their public agents.

10. Liberal naturalization laws, under which the well disposed of all nations who may desire to embark their fortunes with us and share with us the public burdens, may have that opportunity, under moderate restrictions, for the development of honest intention, and severe ones to guard against the usurpation of our flag.

11. Encouragement of science and the arts in all their branches, to the end that the American people may perfect their independence of all foreign

monopolies, institutions and influences.

1801–1811.—No Platforms.

(*No Convention or Caucus held.*)

1812.—No Republican Platform.

No Federal Platform.

Clintonian Platform.

New York, August 17.

1. Opposition to nominations of chief magistrates by congressional caucuses, as well because such practices are the exercise of undelegated authority, as of their repugnance to the freedom of elections.

2. Opposition to all customs and usages in both the executive and legislative departments which have for their object the maintenance of an official regency to prescribe tenets of political faith, the line of conduct to be deemed fidelity or recreancy to republican principles, and to perpetuate in themselves or families the offices of the Federal government.

3. Opposition to all efforts on the part of particular states to monopolize the principal offices of the government, as well because of their certainty to destroy the harmony which ought to prevail amongst all the constituent parts of the Union, as of their leanings toward a form of oligarchy entirely at variance with the theory of republican government; and, consequently, particular opposition to continuing a citizen of Virginia in the executive

office another term, unless she can show that she enjoys a corresponding monopoly of talents and patriotism, after she has been honored with the presidency for twenty out of twenty-four years of our constitutional existence, and when it is obvious that the practice has arrayed the agricultural against the commercial interests of the country.

4. Opposition to continuing public men for long periods in offices of delicate trust and weighty responsibility as the reward of public services, to the detriment of all or any particular interest in, or section of, the country; and, consequently, to the continuance of Mr. Madison in an office which, in view of our pending difficulties with Great Britain, requires an incumbent of greater decision, energy and efficiency.

5. Opposition to the lingering inadequacy of preparation for the war with Great Britain, now about to ensue, and to the measure which allows uninterrupted trade with Spain and Portugal, which, as it can not be carried on under our flag, gives to Great Britain the means of supplying her armies with provisions, of which they would otherwise be destitute, and thus affording aid and comfort to our enemy.

6. Averment of the existing necessity for placing the country in a condition for aggressive action for the conquest of the British American Provinces and for the defence of our coasts and exposed frontiers: and of the propriety of such a levy of taxes as will raise the necessary funds for the emergency.

7. Advocacy of the election of De Witt Clinton as the surest method of relieving the country from all the evils existing and prospective, for the reason that his great talents and inflexible patriotism guaranty a

firm and unyielding maintenance of our national sovereignty, and the protection of those commercial interests which were flagging under the weakness and imbecility of the administration.

1815.—Resolutions passed by the Hartford Convention, January 4.

Resolved, That it be and is hereby recommended to the legislatures of the several states represented in this convention, to adopt all such measures as may be necessary effectually to protect the citizens of said states from the operation and effects of all acts which have been or may be passed by the Congress of the United States, which shall contain provisions subjecting the militia or other citizens to forcible drafts, conscriptions, or impressments not authorized by the constitution of the United States.

Resolved, That it be and is hereby recommended to the said legislatures, to authorize an immediate and an earnest application to be made to the government of the United States, requesting their consent to some arrangement whereby the said states may, separately or in concert, be empowered to assume upon themselves the defense of their territory against the enemy, and a reasonable portion of the taxes collected within said states may be paid into the respective treasuries thereof, and appropriated to the balance due said states and to the future defense of the same. The amount so paid into said treasuries to be credited, and the disbursements made as aforesaid to be charged to the United States.

Resolved, That it be and hereby is recommended to the legislatures of the aforesaid states, to pass laws where it has not already been done, authorizing the

governors or commanders-in-chief of their militia to make detachments from the same, or to form voluntary corps, as shall be most convenient and conformable to their constitutions, and to cause the same to be well armed, equipped, and held in readiness for service, and upon request of the governor of either of the other states, to employ the whole of such detachment or corps, as well as the regular forces of the state, or such part thereof as may be required, and can be spared consistently with the safety of the state, in assisting the state making such request to repel any invasion thereof which shall be made or attempted by the public enemy.

Resolved, That the following amendments of the constitution of the United States be recommended to the states represented as aforesaid, to be proposed by them for adoption by the state legislatures, and in such cases as may be deemed expedient by a convention chosen by the people of each state. And it is further recommended that the said states shall persevere in their efforts to obtain such amendments, until the same shall be effected.

First. Representatives and direct taxes shall be apportioned among the several states which may be included within this Union, according to their respective numbers of free persons, including those bound to serve for a term of years, and excluding Indians not taxed, and all other persons;

Second. No new state shall be admitted into the Union by Congress, in virtue of the power granted in the constitution, without the concurrence of two-thirds of both houses;

Third. Congress shall not have power to lay an embargo on the ships or vessels of the citizens of the United States, in the ports or harbors thereof, for

more than sixty days;

Fourth. Congress shall not have power, without the concurrence of two-thirds of both houses, to interdict the commercial intercourse between the United States and any foreign nation or the dependencies thereof;

Fifth. Congress shall not make nor declare war, nor authorize acts of hostility against any foreign nation, without the concurrence of two-thirds of both houses, except such acts of hostility be in defense of the territories of the United States when actually invaded;

Sixth. No person who shall hereafter be naturalized shall be eligible as a member of the Senate or House of Representatives of the United States, or capable of holding any civil office under the authority of the United States;

Seventh. The same person shall not be elected President of the United States a second time, nor shall the President be elected from the same state two terms in succession.

Resolved, That if the application of these states to the government of the United States, recommended in a foregoing resolution, should be unsuccessful, and peace should not be concluded, and the defense of these states should be neglected, as it has been since the commencement of the war, it will, in the opinion of this convention, be expedient for the legislatures of the several states to appoint delegates to another convention, to meet at Boston, in the state of Massachusetts, on the third Monday of June next, with such powers and instructions as the exigency or a crisis so momentous may require.

Resolved, That the Honorable George Cabot, the Honorable Chauncey Goodrich, the Honorable Daniel

Lyman, or any two of them, be authorized to call another meeting of this convention, to be holden in Boston at any time before new delegates shall be chosen as recommended in the above resolution, if in their judgment the situation of the country shall urgently require it.

From 1813–1829.—No Platforms by either political party, except that at Hartford by Federalists, given above.

1830.—Anti-masonic resolution,

Philadelphia, September.

Resolved, That it is recommended to the people of the United States, opposed to secret societies, to meet in convention on Monday, the 26th day of September, 1831, at the city of Baltimore, by delegates equal in number to their representatives in both Houses of Congress, to make nominations of suitable candidates for the offices of President and Vice-President, to be supported at the next election, and for the transaction of such other business as the cause of Anti-Masonry may require.

1832.—National Democratic Platform, adopted at a ratification Meeting,

at Washington City, May 11.

Resolved, That an adequate protection to American industry is indispensable to the prosperity of the country; and that an abandonment of the policy at this period would be attended with consequences ruinous to the best interests of the nation.

Resolved, That a uniform system of internal improvements, sustained and supported by the general government, is calculated to secure, in the highest degree, the harmony, the strength and permanency of the republic.

Resolved, That the indiscriminate removal of public officers for a mere difference of political opinion, is a gross abuse of power; and that the doctrine lately boldly preached in the United States Senate, that "to the victors belong the spoils of the vanquished," is detrimental to the interests, corrupting to the morals, and dangerous to the liberties of the country.

1836.—"Locofoco" Platform,

New York, January.

We hold these truths to be self-evident, that all men are created free and equal; that they are endowed by their Creator with certain inalienable rights, among which are life, liberty, and the pursuit of happiness; that the true foundation of republican government is the equal rights of every citizen in his person and property, and in their management; that the idea is quite unfounded that on entering into society we give up any natural right; that the rightful power of all legislation is to declare and enforce only our natural rights and duties, and to take none of them from us; that no man has the natural right to

commit aggressions on the equal rights of another, and this is all from which the law ought to restrain him; that every man is under the natural duty of contributing to the necessities of society, and this all the law should enforce on him; that when the laws have declared and enforced all this, they have fulfilled their functions.

We declare unqualified hostility to bank notes and paper money as a circulating medium, because gold and silver is the only safe and constitutional currency; hostility to any and all monopolies by legislation, because they are violations of equal rights of the people; hostility to the dangerous and unconstitutional creation of vested rights or prerogatives by legislation, because they are usurpations of the people's sovereign rights; no legislative or other authority in the body politic can rightfully, by charter or otherwise, exempt any man or body of men, in any case whatever, from trial by jury and the jurisdiction or operation of the laws which govern the community.

We hold that each and every law or act of incorporation, passed by preceding legislatures, can be rightfully altered and repealed by their successors; and that they should be altered or repealed, when necessary for the public good, or when required by a majority of the people.

1836.—Whig Resolutions,

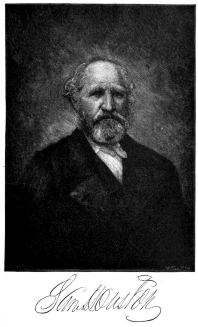
Albany, N. Y., February 3.

Resolved, That in support of our cause, we invite all citizens opposed to Martin Van Buren and the Baltimore nominees.

Resolved, That Martin Van Buren, by intriguing with the executive to obtain his influence to elect him to the presidency, has set an example dangerous to our freedom and corrupting to our free institutions.

Resolved, That the support we render to William H. Harrison is by no means given to him solely on account of his brilliant and successful services as leader of our armies during the last war, but that in him we view also the man of high intellect, the stern patriot, uncontaminated by the machinery of hackneyed politicians—a man of the school of Washington.

Resolved, That in Francis Granger we recognize one of our most distinguished fellow-citizens, whose talents we admire, whose patriotism we trust, and whose principles we sanction.



1839.—Abolition Resolution,

Warsaw, N. Y., November 13.

Resolved, That, in our judgment, every consideration of duty and expediency which ought to control the action of Christian freemen, requires of the Abolitionists of the United States to organize a distinct and independent political party, embracing all the necessary means for nominating candidates for office and sustaining them by public suffrage.

Abolition Platforms.

The first national platform of the Abolition party upon which it went into the contest in 1840, favored the abolition of slavery in the District of Columbia and Territories; the inter-state slave-trade, and a general opposition to slavery to the full extent of constitutional power.

In 1848, that portion of the party which did not support the Buffalo nominees took the ground of affirming the constitutional authority and duty of the General Government to abolish slavery in the States.

Under the head of "Buffalo," the platform of the Free Soil party, which nominated Mr. Van Buren, will be found.

1840.—Democratic Platform,

Baltimore, May 5.

Resolved, That the Federal government is one of limited powers, derived solely from the constitution, and the grants of power shown therein ought to be strictly construed by all the departments and agents of the government, and that it is inexpedient and

dangerous to exercise doubtful constitutional powers.

2. *Resolved*, That the constitution does not confer upon the general government the power to commence and carry on a general system of internal improvements.

3. *Resolved*, That the constitution does not confer authority upon the Federal government, directly or indirectly, to assume the debts of the several states, contracted for local internal improvements or other state purposes; nor would such assumption be just or expedient.

4. *Resolved*, That justice and sound policy forbid the Federal government to foster one branch of industry to the detriment of another, or to cherish the interests of one portion to the injury of another portion of our common country—that every citizen and every section of the country has a right to demand and insist upon an equality of rights and privileges, and to complete and ample protection of persons and property from domestic violence or foreign aggression.

5. *Resolved*, That it is the duty of every branch of the government to enforce and practice the most rigid economy in conducting our public affairs, and that no more revenue ought to be raised than is required to defray the necessary expenses of the government.

6. *Resolved*, That Congress has no power to charter a United States bank; that we believe such an institution one of deadly hostility to the best interests of the country, dangerous to our republican institutions and the liberties of the people, and calculated to place the business of the country within the control of a concentrated money power, and above the laws and the will of the people.

7. *Resolved*, That Congress has no power under the constitution, to interfere with or control the domestic institutions of the several states; and that such states are the sole and proper judges of everything pertaining to their own affairs, not prohibited by the constitution; that all efforts, by Abolitionists or others, made to induce Congress to interfere with questions of slavery, or to take incipient steps in relation thereto, are calculated to lead to the most alarming and dangerous consequences, and that all such efforts have an inevitable tendency to diminish the happiness of the people, and endanger the stability and permanence of the Union, and ought not to be countenanced by any friend to our political institutions.

8. *Resolved*, That the separation of the moneys of the government from banking institutions is indispensable for the safety of the funds of the government and the rights of the people.

9. *Resolved*, That the liberal principles embodied by Jefferson in the Declaration of Independence, and sanctioned in the constitution, which makes ours the land of liberty and the asylum of the oppressed of every nation, have ever been cardinal principles in the democratic faith; and every attempt to abridge the present privilege of becoming citizens, and the owners of soil among us, ought to be resisted with the same spirit which swept the alien and sedition laws from our statute book.

Whereas, Several of the states which have nominated Martin Van Buren as a candidate for the presidency, have put in nomination different individuals as candidates for Vice-President, thus indicating a diversity of opinion as to the person best entitled to the nomination; and whereas, some of the said states are not represented in this convention;

therefore,

Resolved, That the convention deem it expedient at the present time not to choose between the individuals in nomination, but to leave the decision to their republican fellow-citizens in the several states, trusting that before the election shall take place, their opinions will become so concentrated as to secure the choice of a Vice-President by the electoral college.

1843.—Liberty Platform.

Buffalo, August 30.

1. *Resolved*, That human brotherhood is a cardinal principle of true democracy, as well as of pure Christianity, which spurns all inconsistent limitations; and neither the political party which repudiates it, nor the political system which is not based upon it, can be truly democratic or permanent.

2. *Resolved*, That the Liberty party, placing itself upon this broad principle, will demand the absolute and unqualified divorce of the general government from slavery, and also the restoration of equality of rights among men, in every state here the party exists, or may exist.

3. *Resolved*, That the Liberty party has not been organized for any temporary purpose by interested politicians, but has arisen from among the people in consequence of a conviction, hourly gaining ground, that no other party in the country represents the true principles of American liberty, or the true spirit of the constitution of the United States.

4. *Resolved*, That the Liberty party has not been organized merely for the overthrow of slavery; its first decided effort must, indeed, be directed against slaveholding as the grossest and most revolting manifestation of despotism, but it will also carry out the principle of equal rights into all its practical consequences and applications, and support every just measure conducive to individual and social freedom.

5. *Resolved*, That the Liberty party is not a sectional party but a national party; was not originated in a desire to accomplish a single object, but in a comprehensive regard to the great interests of the whole country; is not a new party, nor a third

party, but is the party of 1776, reviving the principles of that memorable era, and striving to carry them into practical application.

6. *Resolved*, That it was understood in the times of the declaration and the constitution, that the existence of slavery in some of the states was in derogation of the principles of American liberty, and a deep stain upon the character of the country, and the implied faith of the states and the nation was pledged that slavery should never be extended beyond its then existing limits, but should be gradually, and yet, at no distant day, wholly abolished by state authority.

7. *Resolved*, That the faith of the states and the nation thus pledged, was most nobly redeemed by the voluntary abolition of slavery in several of the states, and by the adoption of the ordinance of 1787, for the government of the territory northwest of the river Ohio, then the only territory in the United States, and consequently the only territory subject in this respect to the control of Congress, by which ordinance slavery was forever excluded from the vast regions which now compose the states of Ohio, Indiana, Illinois, Michigan, and the territory of Wisconsin, and an incapacity to bear up any other than freemen was impressed on the soil itself.

8. *Resolved*, That the faith of the states and the nation thus pledged, has been shamefully violated by the omission, on the part of many of the states, to take any measures whatever for the abolition of slavery within their respective limits; by the continuance of slavery in the District of Columbia, and in the territories of Louisiana and Florida; by the legislation of Congress; by the protection afforded by national legislation and negotiation to slaveholding in American vessels, on the high seas, employed in

the coastwise Slave Traffic; and by the extension of slavery far beyond its original limits, by acts of Congress admitting new slave states into the Union.

9. *Resolved*, That the fundamental truths of the Declaration of Independence, that all men are endowed by their Creator with certain inalienable rights, among which are life, liberty, and the pursuit of happiness, was made the fundamental law of our national government, by that amendment of the constitution which declares that no person shall be deprived of life, liberty, or property, without due process of law.

10. *Resolved*, That we recognize as sound the doctrine maintained by slaveholding jurists, that slavery is against natural rights, and strictly local, and that its existence and continuance rests on no other support than state legislation, and not on any authority of Congress.

11. *Resolved*, That the general government has, under the constitution, no power to establish or continue slavery anywhere, and therefore that all treaties and acts of Congress establishing, continuing or favoring slavery in the District of Columbia, in the territory of Florida, or on the high seas, are unconstitutional, and all attempts to hold men as property within the limits of exclusive national jurisdiction ought to be prohibited by law.

12. *Resolved*, That the provisions of the constitution of the United States which confers extraordinary political powers on the owners of slaves, and thereby constituting the two hundred and fifty thousand slaveholders in the slave states a privileged aristocracy; and the provisions for the reclamation of fugitive slaves from service, are anti-republican in their character, dangerous to the

liberties of the people, and ought to be abrogated.

13. *Resolved*, That the practical operation of the second of these provisions, is seen in the enactment of the act of Congress respecting persons escaping from their masters, which act, if the construction given to it by the Supreme Court of the United States in the case of Prigg vs. Pennsylvania be correct, nullifies the *habeas corpus* acts of all the states, takes away the whole legal security of personal freedom, and ought, therefore, to be immediately repealed.

14. *Resolved*, That the peculiar patronage and support hitherto extended to slavery and slaveholding, by the general government, ought to be immediately withdrawn, and the example and influence of national authority ought to be arrayed on the side of liberty and free labor.

15. *Resolved*, That the practice of the general government, which prevails in the slave states, of employing slaves upon the public works, instead of free laborers, and paying aristocratic masters, with a view to secure or reward political services, is utterly indefensible and ought to be abandoned.

16. *Resolved*, That freedom of speech and of the press, and the right of petition, and the right of trial by jury, are sacred and inviolable; and that all rules, regulations and laws, in derogation of either, are oppressive, unconstitutional, and not to be endured by a free people.

17. *Resolved*, That we regard voting, in an eminent degree, as a moral and religious duty, which, when exercised, should be by voting for those who will do all in their power for immediate emancipation.

18. *Resolved*, That this convention recommend to the friends of liberty in all those free states where any inequality of rights and privileges exists on

account of color, to employ their utmost energies to remove all such remnants and effects of the slave system.

Whereas, The constitution of these United States is a series of agreements, covenants or contracts between the people of the United States, each with all, and all with each; and,

Whereas, It is a principle of universal morality, that the moral laws of the Creator are paramount to all human laws; or, in the language of an Apostle, that "we ought to obey God rather than men;" and,

Whereas, The principle of common law—that any contract, covenant, or agreement, to do an act derogatory to natural right, is vitiated and annulled by its inherent immorality—has been recognized by one of the justices of the Supreme Court of the United States, who in a recent case expressly holds that "*any* contract that rests upon such a basis is *void*;" and,

Whereas, The third clause of the second section of the fourth article of the constitution of the United States, when construed as providing for the surrender of a fugitive slave, *does* "rest upon such a basis," in that it is a contract to rob a man of a natural right—namely, his natural right to his own liberty—and is therefore absolutely *void*. Therefore,

19. *Resolved*, That we hereby give it to be distinctly understood by this nation and the world, that, as abolitionists, considering that the strength of our cause lies in its righteousness, and our hope for it in our conformity to the laws of God, and our respect for the rights of man, we owe it to the Sovereign Ruler of the Universe, as a proof of our allegiance to Him, in all our civil relations and offices, whether as private citizens, or public functionaries sworn to

support the constitution of the United States, to regard and to treat the third clause of the fourth article of that instrument, whenever applied to the case of a fugitive slave, as utterly null and void, and consequently as forming no part of the constitution of the United States, whenever we are called upon or sworn to support it.

20. *Resolved*, That the power given to Congress by the constitution, to provide for calling out the militia to suppress insurrection, does not make it the duty of the government to maintain slavery by military force, much less does it make it the duty of the citizens to form a part of such military force; when freemen unsheathe the sword it should be to strike for liberty, not for despotism.

21. *Resolved*, That to preserve the peace of the citizens, and secure the blessings of freedom, the legislature of each of the free states ought to keep in force suitable statutes rendering it penal for any of its inhabitants to transport, or aid in transporting from such state, any person sought to be thus transported, merely because subject to the slave laws of any other state; this remnant of independence being accorded to the free states by the decision of the Supreme Court, in the case of Prigg *vs.* the state of Pennsylvania.

1844.—Whig Platform.

Baltimore, May 1.

1. *Resolved*, That these principles may be summed as comprising a well regulated national currency: a tariff for revenue to defray the necessary expenses of the government, and discriminating with special reference to the protection of the domestic labor of

the country; the distribution of the proceeds from the sales of the public lands; a single term for the presidency; a reform of executive usurpations; and generally such an administration of the affairs of the country as shall impart to every branch of the public service the greatest practical efficiency, controlled by a well regulated and wise economy.

1844.—Democratic Platform.

Baltimore, May 27.

Resolutions 1, 2, 3, 4, 5, 6, 7, 8 and 9, of the platform of 1840, were reaffirmed, to which were added the following:

10. *Resolved*, That the proceeds of the public lands ought to be sacredly applied to the national objects specified in the constitution, and that we are opposed to the laws lately adopted, and to any law for the distribution of such proceeds among the states, as alike inexpedient in policy and repugnant to the constitution.

11. *Resolved*, That we are decidedly opposed to taking from the President the qualified veto power by which he is enabled, under restrictions and responsibilities amply sufficient to guard the public interest, to suspend the passage of a bill whose merits can not secure the approval of two-thirds of the Senate and House of Representatives, until the judgment of the people can be obtained thereon, and which has thrice saved the American people from the corrupt and tyrannical domination of the bank of the United States.

12. *Resolved*, That our title to the whole of the territory of Oregon is clear and unquestionable; that

no portion of the same ought to be ceded to England or any other power, and that the reoccupation of Oregon and the reannexation of Texas at the earliest practicable period, are great American measures, which this convention recommends to the cordial support of the democracy of the Union.

1848.—Democratic Platform.

Baltimore, May 22.

1. *Resolved*, That the American democracy place their trust in the intelligence, the patriotism, and the discriminating justice of the American people.

2. *Resolved*, That we regard this as a distinctive feature of our political creed, which we are proud to maintain before the world, as the great moral element in a form of government springing from and upheld by the popular will; and contrast it with the creed and practice of federalism, under whatever name or form, which seeks to palsy the will of the constituent, and which conceives no imposture too monstrous for the popular credulity.

3. *Resolved*, Therefore, that entertaining these views, the Democratic party of this Union, through the delegates assembled in general convention of the states, coming together in a spirit of concord, of devotion to the doctrines and faith of a free representative government, and appealing to their fellow-citizens for the rectitude of their intentions, renew and reassert before the American people, the declaration of principles avowed by them on a former occasion, when, in general convention, they presented their candidates for the popular suffrage.

Resolutions 1, 2, 3 and 4, of the platform of 1840,

were reaffirmed.

8. *Resolved*, That it is the duty of every branch of the government to enforce and practice the most rigid economy in conducting our public affairs, and that no more revenue ought to be raised than is required to defray the necessary expenses of the government, and for the gradual but certain extinction of the debt created by the prosecution of a just and necessary war.

Resolution 5, of the platform of 1840, was enlarged by the following:

And that the results of democratic legislation, in this and all other financial measures, upon which issues have been made between the two political parties of the country, have demonstrated to careful and practical men of all parties, their soundness, safety and utility in all business pursuits.

Resolutions 7, 8 and 9, of the platform of 1840, were here inserted.

13. *Resolved*, That the proceeds of the public lands ought to be sacredly applied to the national objects specified in the constitution; and that we are opposed to any law for the distribution of such proceeds among the states as alike inexpedient in policy and repugnant to the constitution.

14. *Resolved*, That we are decidedly opposed to taking from the President the qualified veto power, by which he is enabled, under restrictions and responsibilities amply sufficient to guard the public interests, to suspend the passage of a bill whose merits can not secure the approval of two-thirds of the Senate and House of Representatives, until the judgment of the people can be obtained thereon, and which has saved the American people from the corrupt and tyrannical domination of the Bank of the

United States, and from a corrupting system of general internal improvements.

15. *Resolved*, That the war with Mexico, provoked on her part by years of insult and injury, was commenced by her army crossing the Rio Grande, attacking the American troops, and invading our sister state of Texas, and upon all the principles of patriotism and the laws of nations, it is a just and necessary war on our part, in which every American citizen should have shown himself on the side of his country, and neither morally nor physically, by word or by deed, have given "aid and comfort to the enemy."

16. *Resolved*, That we would be rejoiced at the assurance of peace with Mexico, founded on the just principles of indemnity for the past and security for the future; but that while the ratification of the liberal treaty offered to Mexico remains in doubt, it is the duty of the country to sustain the administration and to sustain the country in every measure necessary to provide for the vigorous prosecution of the war, should that treaty be rejected.

17. *Resolved*, That the officers and soldiers who have carried the arms of their country into Mexico, have crowned it with imperishable glory. Their unconquerable courage, their daring enterprise, their unfaltering perseverance and fortitude when assailed on all sides by innumerable foes and that more formidable enemy—the diseases of the climate—exalt their devoted patriotism into the highest heroism, and give them a right to the profound gratitude of their country, and the admiration of the world.

18. *Resolved*, That the Democratic National

Convention of thirty states composing the American Republic, tender their fraternal congratulations to the National Convention of the Republic of France, now assembled as the free suffrage representative of the sovereignty of thirty-five millions of Republicans, to establish government on those eternal principles of equal rights, for which their La Fayette and our Washington fought side by side in the struggle for our national independence; and we would especially convey to them, and to the whole people of France, our earnest wishes for the consolidation of their liberties, through the wisdom that shall guide their councils, on the basis of a democratic constitution, not derived from the grants or concessions of kings or dynasties, but originating from the only true source of political power recognized in the states of this Union—the inherent and inalienable right of the people, in their sovereign capacity, to make and to amend their forms of government in such manner as the welfare of the community may require.

19. *Resolved*, That in view of the recent development of this grand political truth, of the sovereignty of the people and their capacity and power for self-government, which is prostrating thrones and erecting republics on the ruins of despotism in the old world, we feel that a high and sacred duty is devolved, with increased responsibility, upon the Democratic party of this country, as the party of the people, to sustain and advance among us constitutional liberty, equality, and fraternity, by continuing to resist all monopolies and exclusive legislation for the benefit of the few at the expense of the many, and by a vigilant and constant adherence to those principles and compromises of the constitution, which are broad enough and strong enough to embrace and uphold

the Union as it was, the Union as it is, and the Union as it shall be in the full expansion of the energies and capacity of this great and progressive people.

20. *Resolved*, That a copy of these resolutions be forwarded, through the American minister at Paris, to the National Convention of the Republic of France.

21. *Resolved*, That the fruits of the great political triumph of 1844, which elected James K. Polk and George M. Dallas, President and Vice-President of the United States, have fulfilled the hopes of the democracy of the Union in defeating the declared purposes of their opponents in creating a National Bank; in preventing the corrupt and unconstitutional distribution of the land proceeds from the common treasury of the Union for local purposes; in protecting the currency and labor of the country from ruinous fluctuations, and guarding the money of the country for the use of the people by the establishment of the constitutional treasury; in the noble impulse given to the cause of free trade by the repeal of the tariff of ’42, and the creation of the more equal, honest, and productive tariff of 1846; and that, in our opinion, it would be a fatal error to weaken the bands of a political organization by which these great reforms have been achieved, and risk them in the hands of their known adversaries, with whatever delusive appeals they may solicit our surrender of that vigilance which is the only safeguard of liberty.

22. *Resolved*, That the confidence of the democracy of the Union in the principles, capacity, firmness, and integrity of James K. Polk, manifested by his nomination and election in 1844, has been signally justified by the strictness of his adherence to sound democratic doctrines, by the purity of purpose, the energy and ability, which have characterized his

administration in all our affairs at home and abroad; that we tender to him our cordial congratulations upon the brilliant success which has hitherto crowned his patriotic efforts, and assure him in advance, that at the expiration of his presidential term he will carry with him to his retirement, the esteem, respect and admiration of a grateful country.

23. *Resolved*, That this convention hereby present to the people of the United States Lewis Cass, of Michigan, as the candidate of the Democratic party for the office of President, and William O. Butler, of Kentucky, for Vice-President of the United States.

1848.—Whig Principles Adopted at a Ratification Meeting,

Philadelphia, June 9.

1. *Resolved*, That the Whigs of the United States, here assembled by their representatives, heartily ratify the nominations of General Zachary Taylor as President, and Millard Fillmore as Vice-President, of the United States, and pledge themselves to their support.

2. *Resolved*, That in the choice of General Taylor as the Whig candidate for President, we are glad to discover sympathy with a great popular sentiment throughout the nation—a sentiment which having its origin in admiration of great military success, has been strengthened by the development, in every action and every word, of sound conservative opinions, and of true fidelity to the great example of former days, and to the principles of the constitution as administered by its founders.

3. *Resolved*, That General Taylor, in saying that,

had he voted in 1844, he would have voted the Whig ticket, gives us the assurance—and no better is needed from a consistent and truth-speaking man—that his heart was with us at the crisis of our political destiny, when Henry Clay was our candidate, and when not only Whig principles were well defined and clearly asserted, but Whig measures depended on success. The heart that was with us then is with us now, and, we have a soldier's word of honor, and a life of public and private virtue, as the security.

4. *Resolved*, That we look on General Taylor's administration of the government as one conducive of peace, prosperity and union; of peace, because no one better knows, or has greater reason to deplore, what he has seen sadly on the field of victory, the horrors of war, and especially of a foreign and aggressive war; of prosperity, now more than ever needed to relieve the nation from a burden of debt, and restore industry—agricultural, manufacturing, and commercial—to its accustomed and peaceful functions and influences; of union, because we have a candidate whose very position as a southwestern man, reared on the banks of the great stream whose tributaries, natural and artificial, embrace the whole Union, renders the protection of the interests of the whole country his first trust, and whose various duties in past life have been rendered, not on the soil, or under the flag of any state or section, but over the wide frontier, and under the broad banner of the nation.

5. *Resolved*, That standing, as the Whig party does, on the broad and firm platform of the constitution, braced up by all its inviolable and sacred guarantees and compromises, and cherished in the affections, because protective of the interests of the people, we are proud to have as the exponent of our opinions,

one who is pledged to construe it by the wise and generous rules which Washington applied to it, and who has said—and no Whig desires any other assurance—that he will make Washington's administration his model.

6. *Resolved*, That as Whigs and Americans, we are proud to acknowledge our gratitude for the great military services which, beginning at Palo Alto, and ending at Buena Vista, first awakened the American people to a just estimate of him who is now our Whig candidate. In the discharge of a painful duty—for his march into the enemy's country was a reluctant one; in the command of regulars at one time, and volunteers at another, and of both combined; in the decisive though punctual discipline of his camp, where all respected and loved him; in the negotiation of terms for a dejected and desperate enemy; in the exigency of actual conflict when the balance was perilously doubtful—we have found him the same—brave, distinguished, and considerate, no heartless spectator of bloodshed, no trifler with human life or human happiness; and we do not know which to admire most, his heroism in withstanding the assaults of the enemy in the most hopeless fields of Buena Vista—mourning in generous sorrow over the graves of Ringgold, of Clay, of Hardin—or in giving, in the heat of battle, terms of merciful capitulation to a vanquished foe at Monterey, and not being ashamed to avow that he did it to spare women and children, helpless infancy and more helpless age, against whom no American soldier ever wars. Such a military man, whose triumphs are neither remote nor doubtful, whose virtues these trials have tested, we are proud to make our candidate.

7. *Resolved*, That in support of this nomination, we

ask our Whig friends throughout the nation to unite, to co-operate zealously, resolutely, with earnestness, in behalf of our candidate, whom calumny can not reach, and with respectful demeanor to our adversaries, whose candidates have yet to prove their claims on the gratitude of the nation.

1848.—Buffalo Platform.

Utica, June 22.

Whereas, We have assembled in convention as a union of freemen, for the sake of freedom, forgetting all past political difference, in a common resolve to maintain the rights of free labor against the aggression of the slave power, and to secure free soil to a free people; and,

Whereas, The political conventions recently assembled at Baltimore and Philadelphia—the one stifling the voice of a great constituency, entitled to be heard in its deliberations, and the other abandoning its distinctive principles for mere availability—have dissolved the national party organization heretofore existing, by nominating for the chief magistracy of the United States, under the slaveholding dictation, candidates, neither of whom can be supported by the opponents of slavery extension, without a sacrifice of consistency, duty, and self-respect; and,

Whereas, These nominations so made, furnish the occasion, and demonstrate the necessity of the union of the people under the banner of free democracy, in a solemn and formal declaration of their independence of the slave power, and of their fixed determination to rescue the Federal government from its control,

1. *Resolved, therefore*, That we, the people here assembled, remembering the example of our fathers in the days of the first Declaration of Independence, putting our trust in God for the triumph of our cause, and invoking His guidance in our endeavors to advance it, do now plant ourselves upon the national platform of freedom, in opposition to the sectional platform of slavery.

2. *Resolved*, That slavery in the several states of this Union which recognize its existence, depends upon the state laws alone, which can not be repealed or modified by the Federal government, and for which laws that government is not responsible. We therefore propose no interference by Congress with slavery within the limits of any state.

3. *Resolved*, That the proviso of Jefferson, to prohibit the existence of slavery, after 1800, in all the territories of the United States, southern and northern; the votes of six states and sixteen delegates in Congress of 1784, for the proviso, to three states and seven delegates against it; the actual exclusion of slavery from the Northwestern Territory, by the Ordinance of 1787, unanimously adopted by the states in Congress; and the entire history of that period, clearly show that it was the settled policy of the nation not to extend, nationalize or encourage, but to limit, localize and discourage, slavery; and to this policy, which should never have been departed from, the government ought to return.

4. *Resolved*, That our fathers ordained the constitution of the United States, in order, among other great national objects, to establish justice, promote the general welfare, and secure the blessings of liberty; but expressly denied to the Federal government, which they created, all constitutional power to deprive any person of life,

liberty, or property, without due legal process.

5. *Resolved*, That in the judgment of this convention, Congress has no more power to make a slave than to make a king; no more power to institute or establish slavery than to institute or establish a monarchy; no such power can be found among those specifically conferred by the constitution, or derived by just implication from them.

6. *Resolved*, That it is the duty of the Federal government to relieve itself from all responsibility for the existence or continuance of slavery wherever the government possesses constitutional power to legislate on that subject, and it is thus responsible for its existence.

7. *Resolved*, That the true, and, in the judgment of this convention, the only safe means of preventing the extension of slavery into territory now free, is to prohibit its extension in all such territory by an act of Congress.

8. *Resolved*, That we accept the issue which the slave power has forced upon us; and to their demand for more slave states, and more slave territory, our calm but final answer is, no more slave states and no more slave territory. Let the soil of our extensive domains be kept free for the hardy pioneers of our own land, and the oppressed and banished of other lands, seeking homes of comfort and fields of enterprise in the new world.

9. *Resolved*, That the bill lately reported by the committee of eight in the Senate of the United States, was no compromise, but an absolute surrender of the rights of the non-slaveholders of all the states; and while we rejoice to know that a measure which, while opening the door for the introduction of

slavery into the territories now free, would also have opened the door to litigation and strife among the future inhabitants thereof, to the ruin of their peace and prosperity, was defeated in the House of Representatives, its passage, in hot haste, by a majority, embracing several senators who voted in open violation of the known will of their constituents, should warn the people to see to it that their representatives be not suffered to betray them. There must be no more compromises with slavery; if made, they must be repealed.

10. *Resolved*, That we demand freedom and established institutions for our brethren in Oregon, now exposed to hardships, peril, and massacre, by the reckless hostility of the slave power to the establishment of free government and free territories; and not only for them, but for our brethren in California and New Mexico.

11. *Resolved*, It is due not only to this occasion, but to the whole people of the United States, that we should also declare ourselves on certain other questions of national policy; therefore,

12. *Resolved*, That we demand cheap postage for the people; a retrenchment of the expenses and patronage of the Federal government; the abolition of all unnecessary offices and salaries; and the election by the people of all civil officers in the service of the government, so far as the same may be practicable.

13. *Resolved*, that river and harbor improvements, when demanded by the safety and convenience of commerce with foreign nations, or among the several states, are objects of national concern, and that it is the duty of Congress, in the exercise of its constitutional power, to provide therefor.

14. *Resolved*, That the free grant to actual settlers, in consideration of the expenses they incur in making settlements in the wilderness, which are usually fully equal to their actual cost, and of the public benefits resulting therefrom, of reasonable portions of the public lands, under suitable limitations, is a wise and just measure of public policy, which will promote in various ways the interests of all the states of this Union; and we, therefore, recommend it to the favorable consideration of the American People.

15. *Resolved*, That the obligations of honor and patriotism require the earliest practical payment of the national debt, and we are, therefore, in favor of such a tariff of duties as will raise revenue adequate to defray the expenses of the Federal government, and to pay annual installments of our debt and the interest thereon.

16. *Resolved*, That we inscribe on our banner, "Free Soil, Free Speech, Free Labor, and Free Men," and under it we will fight on, and fight ever, until a triumphant victory shall reward our exertions.

1852.—Democratic Platform.

Baltimore, June 1.

Resolutions 1, 2, 3, 4, 5, 6 and 7, of the platform of 1848, were reaffirmed, to which were added the following:

8. *Resolved*, That it is the duty of every branch of the government to enforce and practice the most rigid economy in conducting our public affairs, and that no more revenue ought to be raised than is required to defray the necessary expenses of the government, and for the gradual but certain

extinction of the public debt.

9. *Resolved*, That Congress has no power to charter a National Bank; that we believe such an institution one of deadly hostility to the best interests of the country, dangerous to our republican institutions and the liberties of the people, and calculated to place the business of the country within the control of a concentrated money power, and that above the laws and will of the people; and that the results of Democratic legislation, in this and all other financial measures, upon which issues have been made between the two political parties of the country, have demonstrated to candid and practical men of all parties, their soundness, safety, and utility, in all business pursuits.

10. *Resolved*, That the separation of the moneys of the government from banking institutions is indispensable for the safety of the funds of the government and the rights of the people.

11. *Resolved*, That the liberal principles embodied by Jefferson in the Declaration of Independence, and sanctioned in the constitution, which makes ours the land of liberty and the asylum of the oppressed of every nation, have ever been cardinal principles in the Democratic faith; and every attempt to abridge the privilege of becoming citizens and the owners of the soil among us, ought to be resisted with the same spirit that swept the alien and sedition laws from our statute books.

12. *Resolved*, That Congress has no power under the constitution to interfere with, or control, the domestic institutions of the several states, and that such states are the sole and proper judges of everything appertaining to their own affairs, not prohibited by the constitution; that all efforts of the

Abolitionists or others, made to induce Congress to interfere with questions of slavery, or to take incipient steps in relation thereto, are calculated to lead to the most alarming and dangerous consequences; and that all such efforts have an inevitable tendency to diminish the happiness of the people, and endanger the stability and permanency of the Union, and ought not to be countenanced by any friend of our political institutions.

13. *Resolved*, That the foregoing proposition covers, and is intended to embrace, the whole subject of slavery agitation in Congress; and therefore the Democratic party of the Union, standing on this national platform, will abide by, and adhere to, a faithful execution of the acts known as the Compromise measures settled by last Congress, "the act for reclaiming fugitives from service labor" included; which act, being designed to carry out an express provision of the constitution, can not, with fidelity thereto, be repealed, nor so changed as to destroy or impair its efficiency.

14. *Resolved*, That the Democratic party will resist all attempts at renewing in Congress, or out of it, the agitation of the slavery question, under whatever shape or color the attempt may be made.

[Here resolutions 13 and 14, of the platform of 1848, were inserted.]

17. *Resolved*, That the Democratic party will faithfully abide by and uphold the principles laid down in the Kentucky and Virginia resolutions of 1792 and 1798, and in the report of Mr. Madison to the Virginia Legislature in 1799; that it adopts those principles as constituting one of the main foundations of its political creed, and is resolved to carry them out in their obvious meaning and import.

18. *Resolved*, That the war with Mexico, upon all the principles of patriotism and the law of nations, was a just and necessary war on our part, in which no American citizen should have shown himself opposed to his country, and neither morally nor physically, by word or deed, given aid and comfort to the enemy.

19. *Resolved*, That we rejoice at the restoration of friendly relations with our sister Republic of Mexico, and earnestly desire for her all the blessings and prosperity which we enjoy under republican institutions, and we congratulate the American people on the results of that war which have so manifestly justified the policy and conduct of the Democratic party, and insured to the United States indemnity for the past and security for the future.

20. *Resolved*, That, in view of the condition of popular institutions in the old world, a high and sacred duty is devolved with increased responsibility upon the Democracy of this country, as the party of the people, to uphold and maintain the rights of every state, and thereby the union of states, and to sustain and advance among them constitutional liberty, by continuing to resist all monopolies and exclusive legislation for the benefit of the few at the expense of the many, and by a vigilant and constant adherence to those principles and compromises of the constitution which are broad enough and strong enough to embrace and uphold the Union as it is, and the Union as it should be, in the full expansion of the energies and capacity of this great and progressive people.

1852.—Whig Platform.

Baltimore, June 16.

The Whigs of the United States, in convention assembled adhering to the great conservative principles by which they are controlled and governed, and now as ever relying upon the intelligence of the American people, with an abiding confidence in their capacity for self-government and their devotion to the constitution and the Union, do proclaim the following as the political sentiments and determination for the establishment and maintenance of which their national organization as a party was effected:

First. The government of the United States is of a limited character, and is confined to the exercise of powers expressly granted by the constitution, and such as may be necessary and proper for carrying the granted powers into full execution, and that powers not granted or necessarily implied are reserved to the states respectively and to the people.

Second. The state governments should be held secure to their reserved rights, and the General Government sustained in its constitutional powers, and that the Union should be revered and watched over as the palladium of our liberties.

Third. That while struggling freedom everywhere enlists the warmest sympathy of the Whig party, we still adhere to the doctrines of the Father of his Country, as announced in his Farewell Address, of keeping ourselves free from all entangling alliances with foreign countries, and of never quitting our own to stand upon foreign ground; that our mission as a republic is not to propagate our opinions, or impose on other countries our forms of government, by artifice or force, but to teach by example, and show by our success, moderation and justice, the blessings

of self-government, and the advantages of free institutions.

Fourth. That, as the people make and control the government, they should obey its constitution, laws and treaties as they would retain their self-respect and the respect which they claim and will enforce from foreign powers.

Fifth. Governments should be conducted on the principles of the strictest economy; and revenue sufficient for the expenses thereof, in time of peace, ought to be derived mainly from a duty on imports, and not from direct taxes; and on laying such duties sound policy requires a just discrimination, and, when practicable, by specific duties, whereby suitable encouragement may be afforded to American industry, equally to all classes and to all portions of the country.

Sixth. The constitution vests in Congress the power to open and repair harbors, and remove obstructions from navigable rivers, whenever such improvements are necessary for the common defense, and for the protection and facility of commerce with foreign nations or among the states, said improvements being in every instance national and general in their character.

Seventh. The Federal and state governments are parts of one system, alike necessary for the common prosperity, peace and security, and ought to be regarded alike with a cordial, habitual and immovable attachment. Respect for the authority of each, and acquiescence in the just constitutional measures of each, are duties required by the plainest considerations of national, state and individual welfare.

Eighth. That the series of acts of the 32d Congress,

the act known as the Fugitive Slave Law included, are received and acquiesced in by the Whig party of the United States as a settlement in principle and substance of the dangerous and exciting questions which they embrace; and, so far as they are concerned, we will maintain them, and insist upon their strict enforcement, until time and experience shall demonstrate the necessity of further legislation to guard against the evasion of the laws on the one hand and the abuse of their powers on the other—not impairing their present efficiency; and we deprecate all further agitation of the question thus settled, as dangerous to our peace, and will discountenance all efforts to continue or renew such agitation whenever, where-ever or however the attempt may be made; and we will maintain the system as essential to the nationality of the Whig party, and the integrity of the Union.

1852.—Free-soil Platform.

Pittsburg, August 11.

Having assembled in national convention as the free democracy of the United States, united by a common resolve to maintain right against wrong, and freedom against slavery; confiding in the intelligence, patriotism, and discriminating justice of the American people; putting our trust in God for the triumph of our cause, and invoking His guidance in our endeavors to advance it, we now submit to the candid judgment of all men, the following declaration of principles and measures:

1. That governments, deriving their just powers from the consent of the governed, are instituted among men to secure to all those inalienable rights

of life, liberty, and the pursuit of happiness, with which they are endowed by their Creator, and of which none can be deprived by valid legislation, except for crime.

2. That the true mission of American democracy is to maintain the liberties of the people, the sovereignty of the states, and the perpetuity of the Union, by the impartial application of public affairs, without sectional discriminations, of the fundamental principles of human rights, strict justice, and an economical administration.

3. That the Federal government is one of limited powers derived solely from the constitution, and the grants of power therein ought to be strictly construed by all the departments and agents of the government, and it is inexpedient and dangerous to exercise doubtful constitutional powers.

4. That the constitution of the United States, ordained to form a more perfect Union, to establish justice, and secure the blessings of liberty, expressly denies to the general government all power to deprive any person of life, liberty, or property, without due process of law; and, therefore, the government, having no more power to make a slave than to make a king, and no more power to establish slavery than to establish a monarchy, should at once proceed to relieve itself from all responsibility for the existence of slavery, wherever it possesses constitutional power to legislate for its extinction.

5. That, to the persevering and importunate demands of the slave power for more slave states, new slave territories, and the nationalization of slavery, our distinct and final answer is—no more slave states, no slave territory, no nationalized slavery, and no national legislation for the

extradition of slaves.

6. That slavery is a sin against God, and a crime against man, which no human enactment nor usage can make right; and that Christianity, humanity, and patriotism alike demand its abolition.

7. That the Fugitive Slave Act of 1850 is repugnant to the constitution, to the principles of the common law, to the spirit of Christianity, and to the sentiments of the civilized world; we, therefore, deny its binding force on the American people, and demand its immediate and total repeal.

8. That the doctrine that any human law is a finality, and not subject to modification or repeal, is not in accordance with the creed of the founders of our government, and is dangerous to the liberties of the people.

9. That the acts of Congress, known as the Compromise measures of 1850, by making the admission of a sovereign state contingent upon the adoption of other measures demanded by the special interests of slavery; by their omission to guarantee freedom in the free territories; by their attempt to impose unconstitutional limitations on the powers of Congress and the people to admit new states; by their provisions for the assumption of five millions of the state debt of Texas, and for the payment of five millions more, and the cession of large territory to the same state under menace, as an inducement to the relinquishment of a groundless claim; and by their invasion of the sovereignty of the states and the liberties of the people, through the enactment of an unjust, oppressive, and unconstitutional fugitive slave law, are proved to be inconsistent with all the principles and maxims of democracy, and wholly inadequate to the settlement of the questions of

which they are claimed to be an adjustment.

10. That no permanent settlement of the slavery question can be looked for except in the practical recognition of the truth that slavery is sectional and freedom national; by the total separation of the general government from slavery, and the exercise of its legitimate and constitutional influence on the side of freedom; and by leaving to the states the whole subject of slavery and the extradition of fugitives from service.

11. That all men have a natural right to a portion of the soil; and that as the use of the soil is indispensable to life, the right of all men to the soil is as sacred as their right to life itself.

12. That the public lands of the United States belong to the people and should not be sold to individuals nor granted to corporations, but should be held as a sacred trust for the benefit of the people, and should be granted in limited quantities, free of cost, to landless settlers.

13. That due regard for the Federal constitution, a sound administrative policy, demand that the funds of the general government be kept separate from banking institutions; that inland and ocean postage should be reduced to the lowest possible point; that no more revenue should be raised than is required to defray the strictly necessary expenses of the public service and to pay off the public debt; and that the power and patronage of the government should be diminished by the abolition of all unnecessary offices, salaries and privileges, and by the election of the people of all civil officers in the service of the United States, so far as may be consistent with the prompt and efficient transaction of the public business.

14. That river and harbor improvements, when necessary to the safety and convenience of commerce with foreign nations, or among the several states, are objects of national concern; and it is the duty of Congress, in the exercise of its constitutional powers, to provide for the same.

15. That emigrants and exiles from the old world should find a cordial welcome to homes of comfort and fields of enterprise in the new; and every attempt to abridge their privilege of becoming citizens and owners of soil among us ought to be resisted with inflexible determination.

16. That every nation has a clear right to alter or change its own government, and to administer its own concerns in such manner as may best secure the rights and promote the happiness of the people; and foreign interference with that right is a dangerous violation of the law of nations, against which all independent governments should protest, and endeavor by all proper means to prevent; and especially is it the duty of the American government, representing the chief republic of the world, to protest against, and by all proper means to prevent, the intervention of kings and emperors against nations seeking to establish for themselves republican or constitutional governments.

17. That the independence of Hayti ought to be recognized by our government, and our commercial relations with it placed on the footing of the most favored nations.

18. That as by the constitution, “the citizens of each state shall be entitled to all the privileges and immunities of citizens in the several states,” the practice of imprisoning colored seamen of other states, while the vessels to which they belong lie in

port, and refusing the exercise of the right to bring such cases before the Supreme Court of the United States, to test the legality of such proceedings, is a flagrant violation of the constitution, and an invasion of the rights of the citizens of other states, utterly inconsistent with the professions made by the slaveholders, that they wish the provisions of the constitution faithfully observed by every state in the Union.

19. That we recommend the introduction into all treaties hereafter to be negotiated between the United States and foreign nations, of some provision for the amicable settlement of difficulties by a resort to decisive arbitrations.

20. That the free democratic party is not organized to aid either the Whig or Democratic wing of the great slave compromise party of the nation, but to defeat them both; and that repudiating and renouncing both as hopelessly corrupt and utterly unworthy of confidence, the purpose of the Free Democracy is to take possession of the Federal government and administer it for the better protection of the rights and interests of the whole people.

21. That we inscribe on our banner Free Soil, Free Speech, Free Labor, and Free Men, and under it will fight on and fight ever, until a triumphant victory shall reward our exertions.

22. That upon this platform, the convention presents to the American people, as a candidate for the office of President of the United States, John P. Hale, of New Hampshire, and as a candidate for the office of Vice-President of the United States, George W. Julian, of Indiana, and earnestly commend them to the support of all freemen and all parties.

1856.—The American Platform.

Adopted at Philadelphia February 21.

1. An humble acknowledgment to the Supreme Being for His protecting care vouchsafed to our fathers in their successful revolutionary struggle, and hitherto manifested to us, their descendants, in the preservation of the liberties, the independence, and the union of these states.

2. The perpetuation of the Federal Union and constitution, as the palladium of our civil and religious liberties, and the only sure bulwarks of American independence.

3. *Americans must rule America*; and to this end *native*-born citizens should be selected for all state, federal, and municipal offices of government employment, in preference to all others. *Nevertheless*,

4. Persons born of American parents residing temporarily abroad, should be entitled to all the rights of native-born citizens.

5. No person should be selected for political station (whether of native or foreign birth), who recognizes any allegiance or obligation of any description to any foreign prince, potentate, or power, or who refuses to recognize the federal and state constitutions (each within its sphere) as paramount to all other laws, as rules of political action.

6. The unequaled recognition and maintenance of the reserved rights of the several states, and the cultivation of harmony and fraternal good will between the citizens of the several states, and, to this end, non-interference by Congress with questions appertaining solely to the individual states, and non-intervention by each state with the affairs of any

other state.

7. The recognition of the right of native-born and naturalized citizens of the United States, permanently residing in any territory thereof, to frame their constitution and laws, and to regulate their domestic and social affairs in their own mode, subject only to the provisions of the federal constitution, with the privilege of admission into the Union whenever they have the requisite population for one Representative in Congress: *Provided, always*, that none but those who are citizens of the United States under the constitution and laws thereof, and who have a fixed residence in any such territory, ought to participate in the formation of the constitution or in the enactment of laws for said territory or state.

8. An enforcement of the principles that no state or territory ought to admit others than citizens to the right of suffrage or of holding political offices of the United States.

9. A change in the laws of naturalization, making a continued residence of twenty-one years, of all not heretofore provided for, an indispensable requisite for citizenship hereafter, and excluding all paupers and persons convicted of crime from landing upon our shores; but no interference with the vested rights of foreigners.

10. Opposition to any union between church and state; no interference with religious faith or worship; and no test oaths for office.

11. Free and thorough investigation into any and all alleged abuses of public functionaries, and a strict economy in public expenditures.

12. The maintenance and enforcement of all laws constitutionally enacted, until said laws shall be

repealed, or shall be declared null and void by competent judicial authority.

13. Opposition to the reckless and unwise policy of the present administration in the general management of our national affairs, and more especially as shown in removing “Americans” (by designation) and conservatives in principle, from office, and placing foreigners and ultraists in their places; as shown in a truckling subserviency to the stronger, and an insolent and cowardly bravado towards the weaker powers; as shown in reopening sectional agitation, by the repeal of the Missouri Compromise; as shown in granting to unnaturalized foreigners the right of suffrage in Kansas and Nebraska; as shown in its vacillating course on the Kansas and Nebraska question; as shown in the corruptions which pervade some of the departments of the government; as shown in disgracing meritorious naval officers through prejudice or caprice; and as shown in the blundering mismanagement of our foreign relations.

14. Therefore, to remedy existing evils and prevent the disastrous consequences otherwise resulting therefrom, we would build up the “American Party” upon the principles hereinbefore stated.

15. That each state council shall have authority to amend their several constitutions, so as to abolish the several degrees, and substitute a pledge of honor, instead of other obligations, for fellowship and admission into the party.

16. A free and open discussion of all political principles embraced in our platform.

1856.—Democratic Platform,

Adopted at Cincinnati, June 6.

Resolved, That the American democracy place their trust in the intelligence, the patriotism, and discriminating justice of the American people.

Resolved, That we regard this as a distinctive feature of our political creed, which we are proud to maintain before the world as a great moral element in a form of government springing from and upheld by the popular will; and we contrast it with the creed and practice of federalism, under whatever name or form, which seeks to palsy the will of the constituent, and which conceives no imposture too monstrous for the popular credulity.

Resolved, therefore, That entertaining these views, the Democratic party of this Union, through their delegates, assembled in general convention, coming together in a spirit of concord, of devotion to the doctrines and faith of a free representative government, and appealing to their fellow-citizens for the rectitude of their intentions, renew and reassert, before the American people, the declaration of principles avowed by them, when, on former occasions, in general convention, they have presented their candidates for the popular suffrage.

1. That the Federal government is one of limited power, derived solely from the constitution, and the grants of power made therein ought to be strictly construed by all the departments and agents of the government, and that it is inexpedient and dangerous to exercise doubtful constitutional powers.

2. That the constitution does not confer upon the general government the power to commence and carry on a general system of internal improvements.

3. That the constitution does not confer authority upon the Federal government, directly or indirectly,

to assume the debts of the several states, contracted for local and internal improvements or other state purposes; nor would such assumption be just or expedient.

4. That justice, and sound policy forbid the Federal government to foster one branch of industry to the detriment of another, or to cherish the interests of one portion of our common country; that every citizen and every section of the country has a right to demand and insist upon an equality of rights and privileges, and a complete and ample protection of persons and property from domestic violence and foreign aggression.

5. That it is the duty of every branch of the government to enforce and practice the most rigid economy in conducting our public affairs, and that no more revenue ought to be raised than is required to defray the necessary expenses of the government and gradual but certain extinction of the public debt.

6. That the proceeds of the public lands ought to be sacredly applied to the national objects specified in the constitution, and that we are opposed to any law for the distribution of such proceeds among the states, as alike inexpedient in policy and repugnant to the constitution.

7. That Congress has no power to charter a national bank; that we believe such an institution one of deadly hostility to the best interests of this country, dangerous to our republican institutions and the liberties of the people, and calculated to place the business of the country within the control of a concentrated money power and above the laws and will of the people; and the results of the democratic legislation in this and all other financial measures upon which issues have been made between the two

political parties of the country, have demonstrated to candid and practical men of all parties their soundness, safety, and utility in all business pursuits.

8. That the separation of the moneys of the government from banking institutions is indispensable to the safety of the funds of the government and the rights of the people.

9. That we are decidedly opposed to taking from the President the qualified veto power, by which he is enabled, under restrictions and responsibilities amply sufficient to guard the public interests, to suspend the passage of a bill whose merits can not secure the approval of two-thirds of the Senate and House of Representatives, until the judgment of the people can be obtained thereon, and which has saved the American people from the corrupt and tyrannical dominion of the Bank of the United States and from a corrupting system of general internal improvements.

10. That the liberal principles embodied by Jefferson in the Declaration of Independence, and sanctioned in the Constitution, which makes ours the land of liberty and the asylum of the oppressed of every nation, have ever been cardinal principles in the democratic faith; and every attempt to abridge the privilege of becoming citizens and owners of soil among us, ought to be resisted with the same spirit which swept the alien and sedition laws from our statute books.

And whereas, Since the foregoing declaration was uniformly adopted by our predecessors in national conventions, an adverse political and religious test has been secretly organized by a party claiming to be exclusively Americans, and it is proper that the American democracy should clearly define its relations thereto; and declare its determined

opposition to all secret political societies, by whatever name they may be called—

Resolved, That the foundation of this union of states having been laid in, and its prosperity, expansion, and pre-eminent example in free government built upon, entire freedom of matters of religious concernment, and no respect of persons in regard to rank or place of birth, no party can justly be deemed national, constitutional, or in accordance with American principles, which bases its exclusive organization upon religious opinions and accidental birthplace. And hence a political crusade in the nineteenth century, and in the United States of America, against Catholics and foreign born, is neither justified by the past history or future prospects of the country, nor in unison with the spirit of toleration and enlightened freedom which peculiarly distinguishes the American system of popular government.

Resolved, That we reiterate with renewed energy of purpose the well-considered declarations of former conventions upon the sectional issue of domestic slavery, and concerning the reserved rights of the states—

1. That Congress has no power under the constitution to interfere with or control the domestic institutions of the several states, and that all such states are the sole and proper judges of everything appertaining to their own affairs not prohibited by the constitution; that all efforts of the Abolitionists or others, made to induce Congress to interfere with questions of slavery, or to take incipient steps in relation thereto, are calculated to lead to the most alarming and dangerous consequences, and that all such efforts have an inevitable tendency to diminish the happiness of the people and endanger the

stability and permanency of the Union, and ought not to be countenanced by any friend of our political institutions.

2. That the foregoing proposition covers and was intended to embrace the whole subject of slavery agitation in Congress, and therefore the Democratic party of the Union, standing on this national platform, will abide by and adhere to a faithful execution of the acts known as the compromise measures, settled by the Congress of 1850—"the act for reclaiming fugitives from service or labor" included; which act, being designed to carry out an express provision of the constitution, can not, with fidelity thereto, be repealed, or so changed as to destroy or impair its efficiency.

3. That the Democratic party will resist all attempts at renewing in Congress, or out of it, the agitation of the slavery question, under whatever shape or color the attempt may be made.

4. That the Democratic party will faithfully abide by and uphold the principles laid down in the Kentucky and Virginia resolutions of 1792 and 1798, and in the report of Mr. Madison to the Virginia legislature in 1799; that it adopts these principles as constituting one of the main foundations of its political creed, and is resolved to carry them out in their obvious meaning and import.

And that we may more distinctly meet the issue on which a sectional party, subsisting exclusively on slavery agitation, now relies to test the fidelity of the people, north and south, to the constitution and the Union—*

1. *Resolved*, That claiming fellowship with and desiring the co-operation of all who regard the preservation of the Union under the constitution as

the paramount issue, and repudiating all sectional parties and platforms concerning domestic slavery which seek to embroil the states and incite to treason and armed resistance to law in the territories, and whose avowed purpose, if consummated, must end in civil war and disunion, the American democracy recognize and adopt the principles contained in the organic laws establishing the territories of Nebraska and Kansas, as embodying the only sound and safe solution of the slavery question, upon which the great national idea of the people of this whole country can repose in its determined conservation of the Union, and non-interference of Congress with slavery in the territories or in the District of Columbia.

2. That this was the basis of the compromise of 1850, confirmed by both the Democratic and Whig parties in national conventions, ratified by the people in the election of 1852, and rightly applied to the organization of the territories in 1854.

3. That by the uniform application of the Democratic principle to the organization of territories and the admission of new states, with or without domestic slavery, as they may elect, the equal rights of all the states will be preserved intact, the original compacts of the constitution maintained inviolate, and the perpetuity and expansion of the Union insured to its utmost capacity of embracing, in peace and harmony, every future American state that may be constituted or annexed with a republican form of government.

Resolved, That we recognize the right of the people of all the territories, including Kansas and Nebraska, acting through the legally and fairly expressed will of the majority of the actual residents, and whenever the number of their inhabitants justifies it, to form a

constitution, with or without domestic slavery, and be admitted into the Union upon terms of perfect equality with the other states.

Resolved, finally, That in view of the condition of the popular institutions in the old world (and the dangerous tendencies of sectional agitation, combined with the attempt to enforce civil and religious disabilities against the rights of acquiring and enjoying citizenship in our own land), a high and sacred duty is devolved, with increased responsibility, upon the Democratic party of this country, as the party of the Union, to uphold and maintain the rights of every state, and thereby the union of the states, and to sustain and advance among us constitutional liberty, by continuing to resist all monopolies and exclusive legislation for the benefit of the few at the expense of the many, and by a vigilant and constant adherence to those principles and compromises of the constitution which are broad enough and strong enough to embrace and uphold the Union as it was, the Union as it is, and the Union as it shall be, in the full expression of the energies and capacity of this great and progressive people.

1. *Resolved*, That there are questions connected with the foreign policy of this country which are inferior to no domestic questions whatever. The time has come for the people of the United States to declare themselves in favor of free seas and progressive free trade throughout the world, and, by solemn manifestations, to place their moral influence at the side of their successful example.

2. *Resolved*, That our geographical and political position with reference to the other states of this continent, no less than the interest of our commerce and the development of our growing power, requires that we should hold sacred the principles involved in

the Monroe doctrine. Their bearing and import admit of no misconstruction, and should be applied with unbending rigidity.

3. *Resolved*, That the great highway which nature, as well as the assent of states most immediately interested in its maintenance, has marked out for free communication between the Atlantic and Pacific oceans, constitutes one of the most important achievements realized by the spirit of modern times, in the unconquerable energy of our people; and that result would be secured by a timely and efficient exertion of the control which we have the right to claim over it; and no power on earth should be suffered to impede or clog its progress by any interference with relations that may suit our policy to establish between our government and the governments of the states within whose dominions it lies; we can under no circumstances surrender our preponderance in the adjustment of all questions arising out of it.

4. *Resolved*, That in view of so commanding an interest, the people of the United States cannot but sympathize with the efforts which are being made by the people of Central America to regenerate that portion of the continent which covers the passage across the inter-oceanic isthmus.

5. *Resolved*, That the Democratic party will expect of the next administration that every proper effort be made to insure our ascendency in the Gulf of Mexico, and to maintain permanent protection to the great outlets through which are emptied into its waters the products raised out of the soil and the commodities created by the industry of the people of our western valleys and of the Union at large.

6. *Resolved*, That the administration of Franklin

Pierce has been true to Democratic principles, and, therefore, true to the great interests of the country; in the face of violent opposition, he has maintained the laws at home and vindicated the rights of American citizens abroad, and, therefore, we proclaim our unqualified admiration of his measures and policy.

1856.—Republican Platform,

Adopted at Philadelphia, June 17.

This convention of delegates, assembled in pursuance of a call addressed to the people of the United States, without regard to past political differences or divisions, who are opposed to the repeal of the Missouri Compromise, to the policy of the present administration, to the extension of slavery into free territory; in favor of admitting Kansas as a free state, of restoring the action of the Federal government to the principles of Washington and Jefferson; and who purpose to unite in presenting candidates for the offices of President and Vice-President, do resolve as follows:

Resolved, That the maintenance of the principles promulgated in the Declaration of Independence, and embodied in the federal constitution, is essential to the preservation of our Republican institutions, and that the federal constitution, the rights of the states, and the union of the states, shall be preserved.

Resolved, That with our republican fathers we hold it to be a self-evident truth that all men are endowed with the inalienable rights to life, liberty, and the pursuit of happiness, and that the primary object and ulterior design of our Federal government were, to secure these rights to all persons within its exclusive

jurisdiction; that as our republican fathers, when they had abolished slavery in all our national territory, ordained that no person should be deprived of life, liberty, or property, without due process of law, it becomes our duty to maintain this provision of the constitution against all attempts to violate it for the purpose of establishing slavery in any territory of the United States, by positive legislation, prohibiting its existence or extension therein. That we deny the authority of Congress, of a territorial legislature, of any individual or association of individuals, to give legal existence to slavery in any territory of the United States, while the present constitution shall be maintained.

Resolved, That the constitution confers upon Congress sovereign power over the territories of the United States for their government, and that in the exercise of this power it is both the right and the imperative duty of Congress to prohibit in the territories those twin relics of barbarism—polygamy and slavery.

Resolved, That while the constitution of the United States was ordained and established, in order to form a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty, and contains ample provisions for the protection of the life, liberty, and property of every citizen, the dearest constitutional rights of the people of Kansas have been fraudulently and violently taken from them; their territory has been invaded by an armed force; spurious and pretended legislative, judicial, and executive officers have been set over them, by whose usurped authority, sustained by the military power of the government, tyrannical and unconstitutional laws have been enacted and

enforced; the rights of the people to keep and bear arms have been infringed; test oaths of an extraordinary and entangling nature have been imposed, as a condition of exercising the right of suffrage and holding office; the right of an accused person to a speedy and public trial by an impartial jury has been denied; the right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures, has been violated; they have been deprived of life, liberty, and property without due process of law; that the freedom of speech and of the press has been abridged; the right to choose their representatives has been made of no effect; murders, robberies, and arsons have been instigated or encouraged, and the offenders have been allowed to go unpunished; that all these things have been done with the knowledge, sanction, and procurement of the present national administration; and that for this high crime against the constitution, the Union, and humanity, we arraign the administration, the President, his advisers, agents, supporters, apologists, and accessories, either before or after the facts, before the country and before the world; and that it is our fixed purpose to bring the actual perpetrators of these atrocious outrages, and their accomplices, to a sure and condign punishment hereafter.

Resolved, That Kansas should be immediately admitted as a state of the Union with her present free constitution, as at once the most effectual way of securing to her citizens the enjoyment of the rights and privileges to which they are entitled, and of ending the civil strife now raging in her territory.

Resolved, That the highwayman's plea that "might makes right," embodied in the Ostend circular, was in every respect unworthy of American diplomacy,

and would bring shame and dishonor upon any government or people that gave it their sanction.

Resolved, That a railroad to the Pacific ocean, by the most central and practicable route, is imperatively demanded by the interests of the whole country, and that the Federal government ought to render immediate and efficient aid in its construction, and, as an auxiliary thereto, the immediate construction of an emigrant route on the line of the railroad.

Resolved, That appropriations of Congress for the improvement of rivers and harbors of a national character, required for the accommodation and security of our existing commerce, are authorized by the constitution, and justified by the obligation of government to protect the lives and property of its citizens.

Resolved, That we invite the affiliation and co-operation of the men of all parties, however differing from us in other respects, in support of the principles herein declared; and believing that the spirit of our institutions, as well as the constitution of our country, guarantees liberty of conscience and equality of rights among citizens, we oppose all proscriptive legislation affecting their security.

1856.—Whig Platform.

Baltimore, September 13.

Resolved, That the Whigs of the United States, now here assembled, hereby declare their reverence for the constitution of the United States, their unalterable attachment to the National Union, and a fixed determination to do all in their power to

preserve them for themselves and their posterity. They have no new principles to announce; no new platform to establish; but are content to broadly rest —where their fathers rested—upon the constitution of the United States, wishing no safer guide, no higher law.

Resolved, That we regard with the deepest interest and anxiety the present disordered condition of our national affairs—a portion of the country ravaged by civil war, large sections of our population embittered by mutual recriminations; and we distinctly trace these calamities to the culpable neglect of duty by the present national administration.

Resolved, That the government of the United States was formed by the conjunction in political unity of widespread geographical sections, materially differing, not only in climate and products, but in social and domestic institutions; and that any cause that shall permanently array the different sections of the Union in political hostility and organize parties founded only on geographical distinctions, must inevitably prove fatal to a continuance of the National Union.

Resolved, That the Whigs of the United States declare, as a fundamental article of political faith, an absolute necessity for avoiding geographical parties. The danger, so clearly discerned by the Father of his Country, has now become fearfully apparent in the agitation now convulsing the nation, and must be arrested at once if we would preserve our constitution and our Union from dismemberment, and the name of America from being blotted out from the family of civilized nations.

Resolved, That all who revere the constitution and the Union, must look with alarm at the parties in the

field in the present presidential campaign—one claiming only to represent sixteen northern states, and the other appealing mainly to the passions and prejudices of the southern states; that the success of either faction must add fuel to the flame which now threatens to wrap our dearest interests in a common ruin.

Resolved, That the only remedy for an evil so appalling is to support a candidate pledged to neither of the geographical sections nor arrayed in political antagonism, but holding both in a just and equal regard. We congratulate the friends of the Union that such a candidate exists in Millard Fillmore.

Resolved, That, without adopting or referring to the peculiar doctrines of the party which has already selected Mr. Fillmore as a candidate, we look to him as a well tried and faithful friend of the constitution and the Union, eminent alike for his wisdom and firmness—for his justice and moderation in our foreign relations—calm and pacific temperament, so well becoming the head of a great nation—for his devotion to the constitution in its true spirit—his inflexibility in executing the laws but, beyond all these attributes, in possessing the one transcendent merit of being a representative of neither of the two sectional parties now struggling for political supremacy.

Resolved, That, in the present exigency of political affairs, we are not called upon to discuss the subordinate questions of administration in the exercising of the constitutional powers of the government. It is enough to know that civil war is raging, and that the Union is in peril; and we proclaim the conviction that the restoration of Mr. Fillmore to the presidency will furnish the best if not the only means of restoring peace.

1860.—Constitutional Union Platform.

Baltimore, May 9.

Whereas, Experience has demonstrated that platforms adopted by the partisan conventions of the country have had the effect to mislead and deceive the people, and at the same time to widen the political divisions of the country, by the creation and encouragement of geographical and sectional parties; therefore,

Resolved, That it is both the part of patriotism and of duty to *recognize* no political principles other than THE CONSTITUTION OF THE COUNTRY, THE UNION OF THE STATES, AND THE ENFORCEMENT OF THE LAWS; and that as representatives of the Constitutional Union men of the country, in national convention assembled, we hereby pledge ourselves to maintain, protect, and defend, separately and unitedly, these great principles of public liberty and national safety against all enemies at home and abroad, believing that thereby peace may once more be restored to the country, the rights of the people and of the states re-established, and the government again placed in that condition of justice, fraternity, and equality, which, under the example and constitution of our fathers, has solemnly bound every citizen of the United States to maintain a more perfect union, establish justice, insure domestic tranquillity, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity.

1860.—Republican Platform,

Chicago, May 17.

Resolved, That we, the delegated representatives of the Republican electors of the United States, in convention assembled, in discharge of the duty we owe to our constituents and our country, unite in the following declarations:

1. That the history of the nation, during the last four years, has fully established the propriety and necessity of the organization and perpetuation of the Republican party, and that the causes which called it into existence are permanent in their nature, and now, more than ever before, demand its peaceful and constitutional triumph.

2. That the maintenance of the principles promulgated in the Declaration of Independence and embodied in the federal constitution, "That all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed," is essential to the preservation of our republican institutions; and that the federal constitution, the rights of the states, and the union of the states, must and shall be preserved.

3. That to the union of the states this nation owes its unprecedented increase in population, its surprising development of material resources, its rapid augmentation of wealth, its happiness at home and its honor abroad; and we hold in abhorrence all schemes for disunion, come from whatever source they may; and we congratulate the country that no Republican member of Congress has uttered or countenanced the threats of disunion so often made by Democratic members, without rebuke and with applause from their political associates; and we denounce those threats of disunion, in case of a

popular overthrow of their ascendency, as denying the vital principles of a free government, and as an avowal of contemplated treason, which it is the imperative duty of an indignant people sternly to rebuke and forever silence.

4. That the maintenance inviolate of the rights of the states, and especially the right of each state to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of powers on which the perfection and endurance of our political fabric depends; and we denounce the lawless invasion, by armed force, of the soil of any state or territory, no matter under what pretext, as among the gravest of crimes.

5. That the present Democratic administration has far exceeded our worst apprehensions, in its measureless subserviency to the exactions of a sectional interest, as especially evinced in its desperate exertions to force the infamous Lecompton constitution upon the protesting people of Kansas; in construing the personal relations between master and servant to involve an unqualified property in persons; in its attempted enforcement, everywhere, on land and sea, through the intervention of Congress and of the federal courts, of the extreme pretensions of a purely local interest; and in its general and unvarying abuse of the power entrusted to it by a confiding people.

6. That the people justly view with alarm the reckless extravagance which pervades every department of the Federal government; that a return to rigid economy and accountability is indispensable to arrest the systematic plunder of the public treasury by favored partisans; while the recent startling developments of frauds and corruptions at

the federal metropolis, show that an entire change of administration is imperatively demanded.

7. That the new dogma, that the constitution, of its own force, carries slavery into any or all of the territories of the United States, is a dangerous political heresy, at variance with the explicit provisions of that instrument itself, with contemporaneous exposition, and with legislative and judicial precedent—is revolutionary in its tendency, and subversive of the peace and harmony of the country.

8. That the normal condition of all the territory of the United States is that of freedom; that as our republican fathers, when they had abolished slavery in all our national territory, ordained that "no person shall be deprived of life, liberty, or property, without due process of law," it becomes our duty, by legislation, whenever such legislation is necessary, to maintain this provision of the constitution against all attempts to violate it; and we deny the authority of Congress, of a territorial legislature, or of any individuals, to give legal existence to slavery in any territory of the United States.

9. That we brand the recent reopening of the African slave trade, under the cover of our national flag, aided by perversions of judicial power, as a crime against humanity and a burning shame to our country and age; and we call upon Congress to take prompt and efficient measures for the total and final suppression of that execrable traffic.

10. That in the recent vetoes, by their federal governors, of the acts of the legislatures of Kansas and Nebraska, prohibiting slavery in those territories, we find a practical illustration of the boasted Democratic principle of non-intervention and

popular sovereignty, embodied in the Kansas-Nebraska bill, and a demonstration of the deception and fraud involved therein.

11. That Kansas should, of right, be immediately admitted as a state under the constitution recently formed and adopted by her people, and accepted by the House of Representatives.

12. That, while providing revenue for the support of the general government by duties upon imports, sound policy requires such an adjustment of these imports as to encourage the development of the industrial interest of the whole country; and we commend that policy of national exchanges which secures to the working men liberal wages, to agriculture remunerative prices, to mechanics and manufacturers an adequate reward for their skill, labor, and enterprise, and to the nation commercial prosperity and independence.

13. That we protest against any sale or alienation to others of the public lands held by actual settlers, and against any view of the homestead policy which regards the settlers as paupers or suppliants for public bounty; and we demand the passage by Congress of the complete and satisfactory homestead measure which has already passed the House.

14. That the republican party is opposed to any change in our naturalization laws, or any state legislation by which the rights of citizenship hitherto accorded to immigrants from foreign lands shall be abridged or impaired; and in favor of giving a full and efficient protection to the rights of all classes of citizens, whether native or naturalized, both at home and abroad.

15. That appropriations by Congress for river and harbor improvements of a national character,

required for the accommodation and security of an existing commerce, are authorized by the constitution and justified by the obligations of government to protect the lives and property of its citizens.

16. That a railroad to the Pacific ocean is imperatively demanded by the interest of the whole country; that the Federal government ought to render immediate and efficient aid in its construction; and that as preliminary thereto, a daily overland mail should be promptly established.

17. Finally, having thus set forth our distinctive principles and views, we invite the co-operation of all citizens, however differing on other questions, who substantially agree with us in their affirmance and support.

1860.—Democratic (Douglas) Platform,

Charleston, April 23, and Baltimore, June 18.

1. *Resolved*, That we, the Democracy of the Union, in convention assembled, hereby declare our affirmance of the resolutions unanimously adopted and declared as a Platform of principles by the Democratic convention at Cincinnati, in the year 1856, believing that democratic principles are unchangeable in their nature when applied to the same subject-matters; and we recommend, as the only further resolutions, the following:

Inasmuch as differences of opinion exist in the Democratic party as to the nature and extent of the powers of a territorial legislature, and as to the powers and duties of Congress, under the constitution of the United States, over the institution

of slavery within the territories:

2. *Resolved*, That the Democratic party will abide by the decisions of the Supreme Court of the United States on the questions of constitutional law.

3. *Resolved*, That it is the duty of the United States to afford ample and complete protection to all its citizens, whether at home or abroad, and whether native or foreign.

4. *Resolved*, That one of the necessities of the age, in a military, commercial, and postal point of view, is speedy communication between the Atlantic and Pacific states; and the Democratic party pledge such constitutional government aid as will insure the construction of a railroad to the Pacific coast at the earliest practicable period.

5. *Resolved*, That the Democratic party are in favor of the acquisition of the island of Cuba, on such terms as shall be honorable to ourselves and just to Spain.

6. *Resolved*, That the enactments of state legislatures to defeat the faithful execution of the Fugitive Slave Law are hostile in character, subversive of the constitution, and revolutionary in their effect.

7. *Resolved*, That it is in accordance with the true interpretation of the Cincinnati platform, that, during the existence of the territorial governments, the measure of restriction, whatever it may be, imposed by the federal constitution on the power of the territorial legislature over the subject of domestic relations, as the same has been, or shall hereafter be, finally determined by the Supreme Court of the United States, shall be respected by all good citizens, and enforced with promptness and fidelity by every branch of the general government.

1860.—Democratic (Breckinridge) Platform.

Charleston and Baltimore.

Resolved, That the platform adopted by the Democratic party at Cincinnati be affirmed, with following explanatory resolutions:

1. That the government of a territory, organized by an act of Congress, is provisional and temporary; and, during its existence, all citizens of the United States have an equal right to settle, with their property, in the territory, without their rights, either of person or property, being destroyed or impaired by congressional or territorial legislation.

2. That it is the duty of the Federal government, in all its departments, to protect, when necessary, the rights of persons and property in the territories, and wherever else its constitutional authority extends.

3. That when the settlers in a territory having an adequate population form a state constitution in pursuance of law, the right of sovereignty commences, and, being consummated by admission into the Union, they stand on an equal footing with the people of other states, and the state thus organized ought to be admitted into the Federal Union, whether its constitution prohibits or recognizes the institution of slavery.

4. That the Democratic party are in favor of the acquisition of the island of Cuba, on such terms as shall be honorable to ourselves and just to Spain, at the earliest practicable moment.

5. That the enactments of state legislatures to defeat the faithful execution of the Fugitive Slave Law are hostile in character, subversive of the constitution, and revolutionary in their effect.

6. That the Democracy of the United States recognize it as the imperative duty of this government to protect the naturalized citizen in all his rights, whether at home or in foreign lands, to the same extent as its native-born citizens.

Whereas, One of the greatest necessities of the age, in a political, commercial, postal, and military point of view, is a speedy communication between the Pacific and Atlantic coasts; therefore, be it

Resolved, That the Democratic party do hereby pledge themselves to use every means in their power to secure the passage of some bill, to the extent of the constitutional authority of Congress, for the construction of a Pacific railroad from the Mississippi river to the Pacific ocean, at the earliest practicable moment.

1864.—Radical Platform.

Cleveland, May 31.

1. That the Federal Union shall be preserved.

2. That the constitution and laws of the United States must be observed and obeyed.

3. That the Rebellion must be suppressed by force of arms, and without compromise.

4. That the rights of free speech, free press and the *habeas corpus* be held inviolate, save in districts where martial law has been proclaimed.

5. That the Rebellion has destroyed slavery; and the federal constitution should be so amended as to prohibit its re-establishment, and to secure to all men absolute equality before the law.

6. That integrity and economy are demanded, at all times in the administration of the government,

and that in time of war the want of them is criminal.

7. That the right of asylum, except for crime and subject to law, is a recognized principle of American liberty; and that any violation of it can not be overlooked, and must not go unrebuked.

8. That the national policy known as the "Monroe Doctrine" has become a recognized principle; and that the establishment of an anti-republican government on this continent by any foreign power can not be tolerated.

9. That the gratitude and support of the nation are due to the faithful soldiers and the earnest leaders of the Union army and navy, for their heroic achievements and deathless valor in defense of our imperiled country and of civil liberty.

10. That the one-term policy for the presidency, adopted by the people, is strengthened by the force of the existing crisis, and should be maintained by constitutional amendment.

11. That the constitution should be so amended that the President and Vice-President shall be elected by a direct vote of the people.

12. That the question of the reconstruction of the rebellious states belongs to the people, through their representatives in Congress, and not to the Executive.

13. That the confiscation of the lands of the rebels, and their distribution among the soldiers and actual settlers, is a measure of justice.

1864.—Republican Platform.

Baltimore, June 7.

Resolved, That it is the highest duty of every American citizen to maintain, against all their

enemies, the integrity of the union and the paramount authority of the constitution and laws of the United States; and that, laying aside all differences of political opinions, we pledge ourselves, as Union men, animated by a common sentiment and aiming at a common object, to do everything in our power to aid the government in quelling, by force of arms, the Rebellion now raging against its authority, and in bringing to the punishment due to their crimes the rebels and traitors arrayed against it.

Resolved, That we approve the determination of the government of the United States not to compromise with rebels, nor to offer them any terms of peace, except such as may be based upon an "unconditional surrender" of their hostility and a return to their allegiance to the constitution and laws of the United States; and that we call upon the government to maintain this position, and to prosecute the war with the utmost possible vigor to the complete suppression of the Rebellion, in full reliance upon the self-sacrificing patriotism, the heroic valor, and the undying devotion of the American people to the country and its free institutions.

Resolved, That as slavery was the cause, and now constitutes the strength, of this Rebellion, and as it must be always and everywhere hostile to the principles of republican government, justice and the national safety demand its utter and complete extirpation from the soil of the Republic; and that we uphold and maintain the acts and proclamations by which the government, in its own defense, has aimed a death-blow at the gigantic evil. We are in favor, furthermore, of such an amendment to the constitution, to be made by the people in conformity with its provisions, as shall terminate and forever

prohibit the existence of slavery within the limits or the jurisdiction of the United States.

Resolved, That the thanks of the American people are due to the soldiers and sailors of the army and navy, who have periled their lives in defense of their country and in vindication of the honor of its flag; that the nation owes to them some permanent recognition of their patriotism and their valor, and ample and permanent provision for those of their survivors who have received disabling and honorable wounds in the service of the country; and that the memories of those who have fallen in its defense shall be held in grateful and everlasting remembrance.

Resolved, That we approve and applaud the practical wisdom, the unselfish patriotism, and the unswerving fidelity to the constitution and the principles of American liberty with which Abraham Lincoln has discharged, under circumstances of unparalleled difficulty, the great duties and responsibilities of the presidential office; that we approve and indorse, as demanded by the emergency and essential to the preservation of the nation, and as within the provisions of the constitution, the measures and acts which he has adopted to defend the nation against its open and secret foes; that we approve, especially, the Proclamation of Emancipation, and the employment, as Union soldiers, of men heretofore held in slavery; and that we have full confidence in his determination to carry these, and all other constitutional measures essential to the salvation of the country, into full and complete effect.

Resolved, That we deem it essential to the general welfare that harmony should prevail in the national councils, and we regard as worthy of public

confidence and official trust those only who cordially indorse the principles proclaimed in these resolutions, and which should characterize the administration of the government.

Resolved, That the government owes to all men employed in its armies, without regard to distinction of color, the full protection of the laws of war; and that any violation of these laws, or of the usages of civilized nations in the time of war, by the rebels now in arms, should be made the subject of prompt and full redress.

Resolved, That foreign immigration, which in the past has added so much to the wealth, development of resources, and increase of power to this nation—the asylum of the oppressed of all nations—should be fostered and encouraged by a liberal and just policy.

Resolved, That we are in favor of the speedy construction of the railroad to the Pacific coast.

Resolved, That the national faith, pledged for the redemption of the public debt, must be kept inviolate; and that, for this purpose, we recommend economy and rigid responsibility in the public expenditures and a vigorous and just system of taxation; and that it is the duty of every loyal state to sustain the credit and promote the use of the national currency.

Resolved, That we approve the position taken by the government, that the people of the United States can never regard with indifference the attempt of any European power to overthrow by force, or to supplant by fraud, the institutions of any republican government on the western continent, and that they will view with extreme jealousy, as menacing to the peace and independence of this, our country, the efforts of any such power to obtain new footholds for

monarchical governments, sustained by a foreign military force, in near proximity to the United States.

1864.—Democratic Platform.

Chicago, August 29.

Resolved, That in the future, as in the past, we will adhere with unswerving fidelity to the Union under the constitution, as the only solid foundation of our strength, security, and happiness as a people, and as a framework of government equally conducive to the welfare and prosperity of all the states, both northern and southern.

Resolved, That this convention does explicitly declare, as the sense of the American people, that after four years of failure to restore the Union by the experiment of war, during which, under the pretense of a military necessity of a war power higher than the constitution, the constitution itself has been disregarded in every part, and public liberty and private right alike trodden down, and the material prosperity of the country essentially impaired, justice, humanity, liberty, and the public welfare demand that immediate efforts be made for a cessation of hostilities, with a view to an ultimate convention of all the states, or other peaceable means, to the end that, at the earliest practicable moment, peace may be restored on the basis of the federal union of all the states.

Resolved, That the direct interference of the military authority of the United States in the recent elections held in Kentucky, Maryland, Missouri, and Delaware, was a shameful violation of the constitution; and the repetition of such acts in the approaching election will be held as revolutionary,

and resisted with all the means and power under our control.

Resolved, That the aim and object of the Democratic party is to preserve the Federal Union and the rights of the states unimpaired; and they hereby declare that they consider the administrative usurpation of extraordinary and dangerous powers not granted by the constitution, the subversion of the civil by the military law in states not in insurrection, the arbitrary military arrest, imprisonment, trial, and sentence of American citizens in states where civil law exists in full force, the suppression of freedom of speech and of the press, the denial of the right of asylum, the open and avowed disregard of state rights, the employment of unusual test oaths, and the interference with and denial of the right of the people to bear arms in their defense, as calculated to prevent a restoration of the Union and the perpetuation of a government deriving its just powers from the consent of the governed.

Resolved, That the shameful disregard of the administration to its duty in respect to our fellow-citizens who now are, and long have been, prisoners of war, in a suffering condition, deserves the severest reprobation, on the score alike of public policy and common humanity.

Resolved, That the sympathy of the Democratic party is heartily and earnestly extended to the soldiery of our army and the sailors of our navy, who are and have been in the field and on the sea under the flag of their country; and, in the event of our attaining power, they will receive all the care and protection, regard and kindness, that the brave soldiers of the Republic have so nobly earned.

1868. Republican Platform.

Chicago, May 20.

1. We congratulate the country on the assured success of the reconstruction policy of Congress, as evinced by the adoption, in the majority of the states lately in rebellion, of constitutions securing equal civil and political rights to all; and it is the duty of the government to sustain those institutions and to prevent the people of such states from being remitted to a state of anarchy.

2. The guarantee by Congress of equal suffrage to all loyal men at the south was demanded by every consideration of public safety, of gratitude, and of justice, and must be maintained; while the question of suffrage in all the loyal states properly belongs to the people of those states.

3. We denounce all forms of repudiation as a national crime; and the national honor requires the payment of the public indebtedness in the uttermost good faith to all creditors at home and abroad, not only according to the letter but the spirit of the laws under which it was contracted.

4. It is due to the labor of the nation that taxation should be equalized and reduced as rapidly as the national faith will permit.

5. The national debt, contracted as it has been for the preservation of the Union for all time to come, should be extended over a fair period for redemption; and it is the duty of Congress to reduce the rate of interest thereon whenever it can be honestly done.

6. That the best policy to diminish our burden of debts is to so improve our credit that capitalists will seek to loan us money at lower rates of interest than

we now pay, and must continue to pay, so long as repudiation, partial or total, open or covert, is threatened or suspected.

7. The government of the United States should be administered with the strictest economy; and the corruptions which have been so shamefully nursed and fostered by Andrew Johnson call loudly for radical reform.

8. We profoundly deplore the tragic death of Abraham Lincoln, and regret the accession to the presidency of Andrew Johnson, who has acted treacherously to the people who elected him and the cause he was pledged to support; who has usurped high legislative and judicial functions; who has refused to execute the laws; who has used his high office to induce other officers to ignore and violate the laws; who has employed his executive powers to render insecure the property, the peace, liberty, and life of the citizen; who has abused the pardoning power; who has denounced the national legislature as unconstitutional; who has persistently and corruptly resisted, by every means in his power, every proper attempt at the reconstruction of the states lately in rebellion; who has perverted the public patronage into an engine of wholesale corruption; and who has been justly impeached for high crimes and misdemeanors, and properly pronounced guilty thereof by the vote of thirty-five Senators.

9. The doctrine of Great Britain and other European powers, that because a man is once a subject he is always so, must be resisted at every hazard by the United States, as a relic of feudal times, not authorized by the laws of nations, and at war with our national honor and independence. Naturalized citizens are entitled to protection in all

their rights of citizenship as though they were native-born; and no citizen of the United States, native or naturalized, must be liable to arrest and imprisonment by any foreign power for acts done or words spoken in this country; and, if so arrested and imprisoned, it is the duty of the government to interfere in his behalf.

10. Of all who were faithful in the trials of the late war, there were none entitled to more special honor than the brave soldiers and seamen who endured the hardships of campaign and cruise, and imperiled their lives in the service of the country. The bounties and pensions provided by the laws for these brave defenders of the nation are obligations never to be forgotten; the widows and orphans of the gallant dead are the wards of the people—a sacred legacy bequeathed to the nation's protecting care.

11. Foreign immigration, which in the past has added so much to the wealth, development, and resources, and increase of power to this Republic, the asylum of the oppressed of all nations, should be fostered and encouraged by a liberal and just policy.

12. This convention declares itself in sympathy with all oppressed people who are struggling for their rights.

13. That we highly commend the spirit of magnanimity and forbearance with which men who have served in the Rebellion, but who now frankly and honestly co-operate with us in restoring the peace of the country and reconstructing the southern state governments upon the basis of impartial justice and equal rights, are received back into the communion of the loyal people; and we favor the removal of the disqualifications and restrictions imposed upon the late rebels, in the same measure as

the spirit of disloyalty shall die out, and as may be consistent with the safety of the loyal people.

14. That we recognize the great principles laid down in the immortal Declaration of Independence, as the true foundation of democratic government; and we hail with gladness every effort toward making these principles a living reality on every inch of American soil.

1868.—Democratic Platform.

New York, July 4.

The Democratic party, in national convention assembled, reposing its trust in the intelligence, patriotism, and discriminating justice of the people, standing upon the constitution as the foundation and limitation of the powers of the government and the guarantee of the liberties of the citizen, and recognizing the questions of slavery and secession as having been settled, for all time to come, by the war or voluntary action of the southern states in constitutional conventions assembled, and never to be revived or re-agitated, do, with the return of peace, demand—

1. Immediate restoration of all the states to their rights in the Union under the constitution, and of civil government to the American people.

2. Amnesty for all past political offenses, and the regulation of the elective franchise in the states by their citizens.

3. Payment of all the public debt of the United States as rapidly as practicable—all money drawn from the people by taxation, except so much as is requisite for the necessities of the government,

economically administered, being honestly applied to such payment; and where the obligations of the government do not expressly state upon their face, or the law under which they were issued does not provide that they shall be paid in coin, they ought, in right and in justice, to be paid in the lawful money of the United States.

4. Equal taxation of every species of property according to its real value, including government bonds and other public securities.

5. One currency for the government and the people, the laborer and the office-holder, the pensioner and the soldier, the producer and the bondholder.

6. Economy in the administration of the government; the reduction of the standing army and navy; the abolition of the Freedmen's Bureau and all political instrumentalities designed to secure negro supremacy; simplification of the system and discontinuance of inquisitorial modes of assessing and collecting internal revenue; that the burden of taxation may be equalized and lessened, and the credit of the government and the currency made good; the repeal of all enactments for enrolling the state militia into national forces in time of peace; and a tariff for revenue upon foreign imports, and such equal taxation under the internal revenue laws as will afford incidental protection to domestic manufactures, and as will, without impairing the revenue, impose the least burden upon, and best promote and encourage, the great industrial interests of the country.

7. Reform of abuses in the administration; the expulsion of corrupt men from office; the abrogation of useless offices; the restoration of rightful authority

to, and the independence of, the executive and judicial departments of the government; the subordination of the military to the civil power, to the end that the usurpations of Congress and the despotism of the sword may cease.

8. Equal rights and protection for naturalized and native-born citizens, at home and abroad; the assertion of American nationality which shall command the respect of foreign powers, and furnish an example and encouragement to people struggling for national integrity, constitutional liberty and individual rights; and the maintenance of the rights of naturalized citizens against the absolute doctrine of immutable allegiance and the claims of foreign powers to punish them for alleged crimes committed beyond their jurisdiction.

In demanding these measures and reforms, we arraign the Radical party for its disregard of right and the unparalleled oppression and tyranny which have marked its career. After the most solemn and unanimous pledge of both Houses of Congress to prosecute the war exclusively for the maintenance of the government and the preservation of the Union under the constitution, it has repeatedly violated the most sacred pledge under which alone was rallied that noble volunteer army which carried our flag to victory. Instead of restoring the Union, it has, so far as in its power, dissolved it, and subjected ten states, in time of profound peace, to military despotism and negro supremacy. It has nullified there the right of trial by jury; it has abolished the *habeas corpus*, that most sacred writ of liberty; it has overthrown the freedom of speech and press; it has substituted arbitrary seizures and arrests, and military trials and secret star-chamber inquisitions, for the constitutional tribunals; it has disregarded, in time of

peace, the right of the people to be free from searches and seizures; it has entered the post and telegraph offices, and even the private rooms of individuals, and seized their private papers and letters, without any specific charge or notice of affidavit, as required by the organic law. It has converted the American capitol into a bastile; it has established a system of spies and official espionage to which no constitutional monarchy of Europe would now dare to resort. It has abolished the right of appeal, on important constitutional questions, to the supreme judicial tribunals, and threatens to curtail or destroy its original jurisdiction, which is irrevocably vested by the constitution; while the learned Chief Justice has been subjected to the most atrocious calumnies, merely because he would not prostitute his high office to the support of the false and partisan charges preferred against the President. Its corruption and extravagance have exceeded anything known in history; and, by its frauds and monopolies, it has nearly doubled the burden of the debt created by the war. It has stripped the President of his constitutional power of appointment, even of his own cabinet. Under its repeated assaults, the pillars of the government are rocking on their base; and should it succeed in November next, and inaugurate its President, we will meet, as a subjected and conquered people, amid the ruins of liberty and the scattered fragments of the constitution.

And we do declare and resolve that ever since the people of the United States threw off all subjection to the British crown, the privilege and trust of suffrage have belonged to the several states, and have been granted, regulated, and controlled exclusively by the political power of each state respectively; and that any attempt by Congress, on any pretext whatever,

to deprive any state of this right, or interfere with its exercise, is a flagrant usurpation of power which can find no warrant in the constitution, and, if sanctioned by the people, will subvert our form of government, and can only end in a single, centralized, and consolidated, government, in which the separate existence of the states will be entirely absorbed, and an unqualified despotism be established in place of a federal union of co-equal states. And that we regard the construction acts (so called) of Congress as usurpations, and unconstitutional, revolutionary, and void.

That our soldiers and sailors, who carried the flag of our country to victory against the most gallant and determined foe, must ever be gratefully remembered, and all the guarantees given in their favor must be faithfully carried into execution.

That the public lands should be distributed as widely as possible among the people, and should be disposed of either under the pre-emption of homestead lands or sold in reasonable quantities, and to none but actual occupants, at the minimum price established by the government. When grants of public lands may be allowed, necessary for the encouragement of important public improvements, the proceeds of the sale of such lands, and not the lands themselves, should be so applied.

That the President of the United States, Andrew Johnson, in exercising the power of his high office in resisting the aggressions of Congress upon the constitutional rights of the states and the people, is entitled to the gratitude of the whole American people; and, on behalf of the Democratic party, we tender him our thanks for his patriotic efforts in that regard.

Upon this platform, the Democratic party appeal to every patriot, including all the conservative element and all who desire to support the constitution and restore the Union, forgetting all past differences of opinion, to unite with us in the present great struggle for the liberties of the people; and that to all such, to whatever party they may have heretofore belonged, we extend the right hand of fellowship, and hail all such, co-operating with us, as friends and brethren.

Resolved, That this convention sympathizes cordially with the workingmen of the United States in their efforts to protect the rights and interests of the laboring classes of the country.

Resolved, That the thanks of the convention are tendered to Chief Justice Salmon P. Chase, for the justice, dignity, and impartiality with which he presided over the court of impeachment on the trial of President Andrew Johnson.

1872.—Labor Reform Platform.

Columbus, February 21.

We hold that all political power is inherent in the people, and free government founded on their authority and established for their benefit; that all citizens are equal in political rights, entitled to the largest religious and political liberty compatible with the good order of society, as also the use and enjoyment of the fruits of their labor and talents; and no man or set of men is entitled to exclusive separable endowments and privileges or immunities from the government, but in consideration of public services; and any laws destructive of these fundamental principles are without moral binding force, and should be repealed. And believing that all the evils resulting from unjust legislation now affecting the industrial classes can be removed by the adoption of the principles contained in the following declaration: therefore,

Resolved, That it is the duty of the government to establish a just standard of distribution of capital and labor, by providing a purely national circulating medium, based on the faith and resources of the nation, issued directly to the people without the intervention of any system of banking corporations, which money shall be legal tender in the payment of all debts, public and private, and interchangeable, at the option of the holder, for government bonds bearing a rate of interest not to exceed 3.65 per

cent., subject to future legislation by Congress.

2. That the national debt should be paid in good faith, according to the original contract, at the earliest option of the government, without mortgaging the property of the people or the future exigencies of labor to enrich a few capitalists at home and abroad.

3. That justice demands that the burdens of government should be so adjusted as to bear equally on all classes, and that the exemption from taxation of government bonds bearing extravagant rates of interest, is a violation of all just principles of revenue laws.

4. That the public lands of the United States belong to the people, and should not be sold to individuals nor granted to corporations, but should be held as a sacred trust for the benefit of the people, and should be granted to landless settlers only, in amounts not exceeding one hundred and sixty acres of land.

5. That Congress should modify the tariff so as to admit free such articles of common use as we can neither produce nor grow, and lay duties for revenue mainly upon articles of luxury and upon such articles of manufacture as will, we having the raw materials, assist in further developing the resources of the country.

6. That the presence in our country of Chinese laborers, imported by capitalists in large numbers for servile use is an evil entailing want and its attendant train of misery and crime on all classes of the American people, and should be prohibited by legislation.

7. That we ask for the enactment of a law by which all mechanics and day-laborers employed by

or on behalf of the government, whether directly or indirectly, through persons, firms, or corporations, contracting with the state, shall conform to the reduced standard of eight hours a day, recently adopted by Congress for national employes; and also for an amendment to the acts of incorporation for cities and towns, by which all laborers and mechanics employed at their expense shall conform to the same number of hours.

8. That the enlightened spirit of the age demands the abolition of the system of contract labor in our prisons and other reformatory institutions.

9. That the protection of life, liberty, and property are the three cardinal principles of government, and the first two are more sacred than the latter; therefore, money needed for prosecuting wars should, as it is required, be assessed and collected from the wealthy of the country, and not entailed as a burden on posterity.

10. That it is the duty of the government to exercise its power over railroads and telegraph corporations, that they shall not in any case be privileged to exact such rates of freight, transportation, or charges, by whatever name, as may bear unduly or unequally upon the producer or consumer.

11. That there should be such a reform in the civil service of the national government as will remove it beyond all partisan influence, and place it in the charge and under the direction of intelligent and competent business men.

12. That as both history and experience teach us that power ever seeks to perpetuate itself by every and all means, and that its prolonged possession in the hands of one person is always dangerous to the

interests of a free people, and believing that the spirit of our organic laws and the stability and safety of our free institutions are best obeyed on the one hand, and secured on the other, by a regular constitutional change in the chief of the country at each election; therefore, we are in favor of limiting the occupancy of the presidential chair to one term.

13. That we are in favor of granting general amnesty and restoring the Union at once on the basis of equality of rights and privileges to all, the impartial administration of justice being the only true bond of union to bind the states together and restore the government of the people.

14. That we demand the subjection of the military to the civil authorities, and the confinement of its operations to national purposes alone.

15. That we deem it expedient for Congress to supervise the patent laws so as to give labor more fully the benefit of its own ideas and inventions.

16. That fitness, and not political or personal considerations, should be the only recommendation to public office, either appointive or elective; and any and all laws looking to the establishment of this principle are heartily approved.

1872.—Prohibition Platform.

Columbus, Ohio, February 22.

The preamble recites that protection and allegiance are reciprocal duties; and every citizen who yields obediently to the full commands of government should be protected in all enjoyment of personal security, personal liberty, and private property. That the traffic in intoxicating drinks

greatly impairs the personal security and personal liberty of a great mass of citizens, and renders private property insecure. That all political parties are hopelessly unwilling to adopt an adequate policy on this question: Therefore, as a national convention, we adopt the following declaration of principles:

That while we acknowledge the pure patriotism and profound statesmanship of those patriots who laid the foundation of this government, securing at once the rights of the states severally and their inseparable union by the federal constitution, we would not merely garnish the sepulchres of our republican fathers, but we do hereby renew our pledges of solemn fealty to the imperishable principles of civil and religious liberty embodied in the Declaration of Independence and our federal constitution.

That the traffic in intoxicating beverages is a dishonor to Christian civilization, a political wrong of unequalled enormity, subversive of ordinary objects of government, not capable of being regulated or restrained by any system of license whatever, and imperatively demands, for its suppression, effective legal prohibition, both by state and national legislation.

That there can be no greater peril to a nation than existing party competition for the liquor vote. That any party not opposed to the traffic, experience shows will engage in this competition—will court the favor of criminal classes—will barter away the public morals, the purity of the ballot, and every object of good government, for party success.

That, as prohibitionists, we will individually use all efforts to persuade men from the use of intoxicating liquors; and we invite all persons to

assist in this movement.

That competence, honesty, and sobriety are indispensable qualifications for holding office.

That removals from public office for mere political differences of opinion are wrong.

That fixed and moderate salaries of public officers should take the places of fees and perquisites; and that all means should be taken to prevent corruption and encourage economy.

That the President and Vice-President should be elected directly by the people.

That we are in favor of a sound national currency, adequate to the demands of business, and convertible into gold and silver at the will of the holder, and the adoption of every measure compatible with justice and public safety to appreciate our present currency to the gold standard.

That the rates of ocean and inland postage, and railroad telegraph lines and water transportation, should be made as low as possible by law.

That we are opposed to all discrimination in favor of capital against labor, as well as all monopoly and class legislation.

That the removal of the burdens imposed in the traffic in intoxicating drinks will emancipate labor, and will practically promote labor reform.

That suffrage should be granted to all persons, without regard to sex.

That the fostering and extension of common schools is a primary duty of the government.

That a liberal policy should be pursued to promote foreign immigration.

1872.—Liberal Republican Platform.

Cincinnati, May 1.

We, the Liberal Republicans of the United States, in national convention assembled at Cincinnati, proclaim the following principles as essential to just government.

1. We recognize the equality of all men before the law, and hold that it is the duty of government, in its dealings with the people, to mete out equal and exact justice to all, of whatever nativity, race, color, or persuasion, religious or political.

2. We pledge ourselves to maintain the union of these states, emancipation, and enfranchisement, and to oppose any reopening of the questions settled by the thirteenth, fourteenth, and fifteenth amendments of the constitution.

3. We demand the immediate and absolute removal of all disabilities imposed on account of the Rebellion, which was finally subdued seven years ago, believing that universal amnesty will result in complete pacification in all sections of the country.

4. Local self-government, with impartial suffrage, will guard the rights of all citizens more securely than any centralized power. The public welfare requires the supremacy of the civil over the military authority, and the freedom of person under the protection of the *habeas corpus.* We demand for the individual the largest liberty consistent with public order, for the state self-government, and for the nation a return to the methods of peace and the constitutional limitations of power.

5. The civil service of the government has become a mere instrument of partisan tyranny and personal ambition, and an object of selfish greed. It is a

scandal and reproach upon free institutions, and breeds a demoralization dangerous to the perpetuity of republican government. We, therefore, regard a thorough reform of the civil service as one of the most pressing necessities of the hour; that honesty, capacity, and fidelity constitute the only valid claims to public employment; that the offices of the government cease to be a matter of arbitrary favoritism and patronage, and that public station shall become again a post of honor. To this end, it is imperatively required that no President shall be a candidate for re-election.

6. We demand a system of federal taxation which shall not unnecessarily interfere with the industry of the people, and which shall provide the means necessary to pay the expenses of the government, economically administered, the pensions, the interest on the public debt, and a moderate reduction annually of the principal thereof; and recognizing that there are in our midst honest but irreconcilable differences of opinion with regard to the respective systems of protection and free trade, we remit the discussion of the subject to the people in their congressional districts and the decision of Congress thereon, wholly free from Executive interference or dictation.

7. The public credit must be sacredly maintained, and we denounce repudiation in every form and guise.

8. A speedy return to specie payment is demanded alike by the highest considerations of commercial morality and honest government.

9. We remember with gratitude the heroism and sacrifices of the soldiers and sailors of the Republic; and no act of ours shall ever detract from their justly

earned fame or the full rewards of their patriotism.

10. We are opposed to all further grants of lands to railroads or other corporations. The public domain should be held sacred to actual settlers.

11. We hold that it is the duty of the government, in its intercourse with foreign nations, to cultivate the friendships of peace, by treating with all on fair and equal terms, regarding it alike dishonorable either to demand what is not right or submit to what is wrong.

12. For the promotion and success of these vital principles and the support of the candidates nominated by this convention, we invite and cordially welcome the co-operation of all patriotic citizens, without regard to previous political affiliations.

1872.—Democratic Platform.

Baltimore, July 9.

We, the Democratic electors of the United States, in convention assembled, do present the following principles, already adopted at Cincinnati, as essential to just government:

[Here followed the "Liberal Republican Platform;" which see above.]

1872.—Republican Platform,

Philadelphia, June 5.

The Republican party of the United States, assembled in national convention in the city of Philadelphia, on the 5th and 6th days of June, 1872,

again declares its faith, appeals to its history, and announces its position upon the questions before the country;

1. During eleven years of supremacy it has accepted, with grand courage, the solemn duties of the time. It suppressed a gigantic rebellion, emancipated four millions of slaves, decreed the equal citizenship of all, and established universal suffrage. Exhibiting unparalleled magnanimity, it criminally punished no man for political offenses, and warmly welcomed all who proved their loyalty by obeying the laws and dealing justly with their neighbors. It has steadily decreased, with firm hand, the resultant disorders of a great war, and initiated a wise and humane policy toward the Indians. The Pacific railroad and similar vast enterprises have been generously aided and successfully conducted, the public lands freely given to actual settlers, immigration protected and encouraged, and a full acknowledgment of the naturalized citizen's rights secured from European powers. A uniform national currency has been provided, repudiation frowned down, the national credit sustained under the most extraordinary burdens, and new bonds negotiated at lower rates. The revenues have been carefully collected and honestly applied. Despite annual large reductions of the rates of taxation, the public debt has been reduced during General Grant's presidency at the rate of a hundred millions a year, great financial crises have been avoided, and peace and plenty prevail throughout the land. Menacing foreign difficulties have been peacefully and honorably compromised, and the honor and power of the nation kept in high respect throughout the world. This glorious record of the past is the party's best pledge for the future. We believe the people will not intrust

the government to any party or combination of men composed chiefly of those who have resisted every step of this beneficent progress.

2. The recent amendments to the national constitution should be cordially sustained because they are right, not merely tolerated because they are law, and should be carried out according to their spirit by appropriate legislation, the enforcement of which can safely be intrusted only to the party that secured those amendments.

3. Complete liberty and exact equality in the enjoyment of all civil, political, and public rights should be established and effectually maintained throughout the Union by efficient and appropriate state and federal legislation. Neither the law nor its administration should admit any discrimination in respect to citizens by reason of race, creed, color, or previous condition of servitude.

4. The national government should seek to maintain honorable peace with all nations, protecting its citizens everywhere, and sympathizing with all peoples who strive for greater liberty.

5. Any system of civil service under which the subordinate positions of the government are considered rewards for mere party zeal is fatally demoralizing; and we, therefore, favor a reform of the system, by laws which shall abolish the evils of patronage, and make honesty, efficiency, and fidelity the essential qualifications for public positions, without practically creating a life tenure of office.

6. We are opposed to further grants of the public lands to corporations and monopolies, and demand that the national domain be set apart for free homes for the people.

7. The annual revenue, after paying current

expenditures, pensions, and the interest on the public debt, should furnish a moderate balance for the reduction of the principal; and that revenue, except so much as may be derived from a tax upon tobacco and liquors, should be raised by duties upon importations, the details of which should be so adjusted as to aid in securing remunerative wages to labor, and promote the industries, prosperity, and growth of the whole country.

8. We hold in undying honor the soldiers and sailors whose valor saved the Union. Their pensions are a sacred debt of the nation, and the widows and orphans of those who died for their country are entitled to the care of a generous and grateful people. We favor such additional legislation as will extend the bounty of the government to all our soldiers and sailors who were honorably discharged, and who in the line of duty became disabled, without regard to the length of service or the cause of such discharge.

9. The doctrine of Great Britain and other European powers concerning allegiance—"once a subject always a subject"—having at last, through the efforts of the Republican party, been abandoned, and the American idea of the individual's right to transfer allegiance having been accepted by European nations, it is the duty of our government to guard with jealous care the rights of adopted citizens against the assumption of unauthorized claims by their former governments, and we urge continued careful encouragement and protection of voluntary immigration.

10. The franking privilege ought to be abolished, and a way prepared for a speedy reduction in the rates of postage.

11. Among the questions which press for attention is that which concerns the relations of capital and labor; and the Republican party recognizes the duty of so shaping legislation as to secure full protection and the amplest field for capital, and for labor, the creator of capital, the largest opportunities and a just share of the mutual profits of these two great servants of civilization.

12. We hold that Congress and the President have only fulfilled an imperative duty in their measures for the suppression of violence and treasonable organizations in certain lately rebellious regions, and for the protection of the ballot-box; and, therefore, they are entitled to the thanks of the nation.

13. We denounce repudiation of the public debt, in any form or disguise, as a national crime. We witness with pride the reduction of the principal of the debt, and of the rates of interest upon the balance, and confidently expect that our excellent national currency will be perfected by a speedy resumption of specie payment.

14. The Republican party is mindful of its obligations to the loyal women of America for their noble devotion to the cause of freedom. Their admission to wider fields of usefulness is viewed with satisfaction; and the honest demand of any class of citizens for additional rights should be treated with respectful consideration.

15. We heartily approve the action of Congress in extending amnesty to those lately in rebellion, and rejoice in the growth of peace and fraternal feeling throughout the land.

16. The Republican party proposes to respect the rights reserved by the people to themselves as carefully as the powers delegated by them to the

states and to the federal government. It disapproves of the resort to unconstitutional laws for the purpose of removing evils, by interference with rights not surrendered by the people to either the state or national government.

17. It is the duty of the general government to adopt such measures as may tend to encourage and restore American commerce and shipbuilding.

18. We believe that the modest patriotism, the earnest purpose, the sound judgment, the practical wisdom, the incorruptible integrity, and the illustrious services of Ulysses S. Grant have commended him to the heart of the American people; and with him at our head, we start to-day upon a new march to victory.

19. Henry Wilson, nominated for the Vice-Presidency, known to the whole land from the early days of the great struggle for liberty as an indefatigable laborer in all campaigns, an incorruptible legislator and representative man of American institutions, is worthy to associate with our great leader and share the honors which we pledge our best efforts to bestow upon them.

1872.—Democratic (Straight-out) Platform,

Louisville, Ky., September 3.

Whereas, A frequent recurrence to first principles and eternal vigilance against abuses are the wisest provisions for liberty, which is the source of progress, and fidelity to our constitutional system is the only protection for either: therefore,

Resolved, That the original basis of our whole political structure is consent in every part thereof.

The people of each state voluntarily created their state, and the states voluntarily formed the Union; and each state provided by its written constitution for everything a state could do for the protection of life, liberty, and property within it; and each state, jointly with the others, provided a federal union for foreign and inter-state relations.

Resolved, That all governmental powers, whether state or federal, are trust powers coming from the people of each state, and that they are limited to the written letter of the constitution and the laws passed in pursuance of it; which powers must be exercised in the utmost good faith, the constitution itself stating in what manner they may be altered and amended.

Resolved, That the interests of labor and capital should not be permitted to conflict, but should be harmonized by judicious legislation. While such a conflict continues, labor, which is the parent of wealth, is entitled to paramount consideration.

Resolved, That we proclaim to the world that principle is to be preferred to power; that the Democratic party is held together by the cohesion of time-honored principles, which they will never surrender in exchange for all the offices which Presidents can confer. The pangs of the minorities are doubtless excruciating; but we welcome an eternal minority, under the banner inscribed with our principles, rather than an almighty and everlasting majority, purchased by their abandonment.

Resolved, That, having been betrayed at Baltimore into a false creed and a false leadership by the convention, we repudiate both, and appeal to the people to approve our platform, and to rally to the

polls and support the true platform and the candidates who embody it.

1875.—The American National Platform,

Adopted in Mass Meeting, Pittsburg, June 9.

We hold:

1. That ours is a Christian and not a heathen nation, and that the God of the Christian Scriptures is the author of civil government.

2. That God requires and man needs a Sabbath.

3. That the prohibition of the importation, manufacture, and sale of intoxicating drinks as a beverage, is the true policy on the temperance question.

4. The charters of all secret lodges granted by our federal and state legislatures should be withdrawn, and their oaths prohibited by law.

5. That the civil equality secured to all American citizens by articles 13th, 14th, and 15th of our amended constitution should be preserved inviolate.

6. That arbitration of differences with nations is the most direct and sure method of securing and perpetuating a permanent peace.

7. That to cultivate the intellect without improving the morals of men is to make mere adepts and experts: therefore, the Bible should be associated with books of science and literature in all our educational institutions.

8. That land and other monopolies should be discountenanced.

9. That the government should furnish the people with an ample and sound currency and a return to

specie payment, as soon as practicable.

10. That maintenance of the public credit, protection to all loyal citizens, and justice to Indians are essential to the honor and safety of our nation.

11. And, finally, we demand for the American people the abolition of electoral colleges, and a direct vote for President and Vice-President of the United States.

[Their candidates were James B. Walker, Wheaton, Illinois, for President; and Donald Kirkpatrick, Syracuse, New York, for Vice-President.]

1876.—Prohibition Reform Platform,

Cleveland, Ohio, May 17.

The Prohibition Reform party of the United States, organized in the name of the people, to revive, enforce, and perpetuate in the government the doctrines of the Declaration of Independence, submit, in this centennial year of the republic, for the suffrages of all good citizens, the following platform of national reforms and measures:

First. The legal prohibition in the District of Columbia, the territories, and in every other place subject to the laws of Congress, of the importation, exportation, manufacture, and traffic of all alcoholic beverages, as high crimes against society; an amendment of the national constitution, to render these prohibitory measures universal and permanent; and the adoption of treaty stipulations with foreign powers, to prevent the importation and exportation of all alcoholic beverages.

Second. The abolition of class legislation, and of special privileges in the government, and the

adoption of equal suffrage and eligibility to office, without distinction of race, religious creed, property, or sex.

Third. The appropriation of the public lands, in limited quantities, to actual settlers only; the reduction of the rates of inland and ocean postage; of telegraphic communication; of railroad and water transportation and travel, to the lowest practical point, by force of laws, wisely and justly framed, with reference, not only to the interest of capital employed, but to the higher claims of the general good.

Fourth. The suppression, by laws, of lotteries and gambling in gold, stocks, produce, and every form of money and property, and the penal inhibition of the use of the public mails for advertising schemes of gambling and lotteries.

Fifth. The abolition of those foul enormities, polygamy and the social evil; and the protection of purity, peace, and happiness of homes, by ample and efficient legislation.

Sixth. The national observance of the Christian Sabbath, established by laws prohibiting ordinary labor and business in all departments of public service and private employment (works of necessity, charity, and religion excepted) on that day.

Seventh. The establishment, by mandatory provisions in national and state constitutions, and by all necessary legislation, of a system of free public schools for the universal and forced education of all the youth of the land.

Eighth. The free use of the Bible, not as a ground of religious creeds, but as a text-book of the purest morality, the best liberty, and the noblest literature in our public schools, that our children may grow up

in its light, and that its spirit and principles may pervade our nation.

Ninth. The separation of the government in all its departments and institutions, including the public schools and all funds for their maintenance, from the control of every religious sect or other association, and the protection alike of all sects by equal laws, with entire freedom of religious faith and worship.

Tenth. The introduction into all treaties hereafter negotiated with foreign governments of a provision for the amicable settlement of international difficulties by arbitration.

Eleventh. The abolition of all barbarous modes and instruments of punishment; the recognition of the laws of God and the claims of humanity in the discipline of jails and prisons, and of that higher and wiser civilization worthy of our age and nation, which regards the reform of criminals as a means for the prevention of crime.

Twelfth. The abolition of executive and legislative patronage, and the election of President, Vice-President, United States Senators, and of all civil officers, so far as practicable, by the direct vote of the people.

Thirteenth. The practice of a friendly and liberal policy to immigrants from all nations, the guaranty to them of ample protection, and of equal rights and privileges.

Fourteenth. The separation of the money of government from all banking institutions. The national government, only, should exercise the high prerogative of issuing paper money, and that should be subject to prompt redemption on demand, in gold and silver, the only equal standards of value recognized by the civilized world.

Fifteenth. The reduction of the salaries of public officers in a just ratio with the decline of wages and market prices; the abolition of sinecures, unnecessary offices, and official fees and perquisites; the practice of strict economy in government expenses; and a free and thorough investigation into any and all alleged abuses of public trusts.

1876.—Independent (Greenback) Platform,

Indianapolis, Ind., May 17.

The Independent party is called into existence by the necessities of the people, whose industries are prostrated, whose labor is deprived of its just reward by a ruinous policy which the Republican and Democratic parties refuse to change; and, in view of the failure of these parties to furnish relief to the depressed industries of the country, thereby disappointing the just hopes and expectations of the suffering people, we declare our principles, and invite all independent and patriotic men to join our ranks in this movement for financial reform and industrial emancipation.

First. We demand the immediate and unconditional repeal of the specie resumption act of January 14, 1875, and the rescue of our industries from ruin and disaster resulting from its enforcement; and we call upon all patriotic men to organize in every congressional district of the country, with a view of electing representatives to Congress who will carry out the wishes of the people in this regard and stop the present suicidal and destructive policy of contraction.

Second. We believe that a United States note, issued directly by the government, and convertible,

on demand, into United States obligations, bearing a rate of interest not exceeding one cent a day on each one hundred dollars, and exchangeable for United States notes at par, will afford the best circulating medium ever devised. Such United States notes should be full legal tenders for all purposes, except for the payment of such obligations as are, by existing contracts, especially made payable in coin; and we hold that it is the duty of the government to provide such a circulating medium, and insist, in the language of Thomas Jefferson, that "bank paper must be suppressed, and the circulation restored to the nation, to whom it belongs."

Third. It is the paramount duty of the government, in all its legislation, to keep in view the full development of all legitimate business, agricultural, mining, manufacturing, and commercial.

Fourth. We most earnestly protest against any further issue of gold bonds for sale in foreign markets, by which we would be made, for a long period, "hewers of wood and drawers of water" to foreigners, especially as the American people would gladly and promptly take at par all bonds the government may need to sell, provided they are made payable at the option of the holder, and bearing interest at 3.65 per cent. per annum or even a lower rate.

Fifth. We further protest against the sale of government bonds for the purpose of purchasing silver to be used as a substitute for our more convenient and less fluctuating fractional currency, which, although well calculated to enrich owners of silver mines, yet in operation it will still further oppress, in taxation, an already overburdened people.

1876.—Republican Platform,

Cincinnati, Ohio, June 14.

When, in the economy of Providence, this land was to be purged of human slavery, and when the strength of the government of the people, by the people, and for the people, was to be demonstrated, the Republican party came into power. Its deeds have passed into history, and we look back to them with pride. Incited by their memories to high aims for the good of our country and mankind, and looking to the future with unfaltering courage, hope, and purpose, we, the representatives of the party, in national convention assembled, make the following declaration of principles:

1. The United States of America is a nation, not a league. By the combined workings of the national and state governments, under their respective constitutions, the rights of every citizen are secured, at home and abroad, and the common welfare promoted.

2. The Republican party has preserved these governments to the hundredth anniversary of the nation's birth, and they are now embodiments of the great truths spoken at its cradle—"That all men are created equal; that they are endowed by their Creator with certain inalienable rights, among which are life, liberty, and the pursuit of happiness; that for the attainment of these ends governments have been instituted among men, deriving their just powers from the consent of the governed." Until these truths are cheerfully obeyed, or, if need be, vigorously enforced, the work of the Republican party is unfinished.

3. The permanent pacification of the southern

section of the Union, and the complete protection of all its citizens in the free enjoyment of all their rights, is a duty to which the Republican party stands sacredly pledged. The power to provide for the enforcement of the principles embodied in the recent constitutional amendments is vested, by those amendments, in the Congress of the United States; and we declare it to be the solemn obligation of the legislative and executive departments of the government to put into immediate and vigorous exercise all their constitutional powers for removing any just causes of discontent on the part of any class, and for securing to every American citizen complete liberty and exact equality in the exercise of all civil, political, and public rights. To this end we imperatively demand a Congress and a Chief Executive whose courage and fidelity to these duties shall not falter until these results are placed beyond dispute or recall.

4. In the first act of Congress signed by President Grant, the national government assumed to remove any doubt of its purpose to discharge all just obligations to the public creditors, and "solemnly pledged its faith to make provision at the earliest practicable period for the redemption of the United States notes in coin." Commercial prosperity, public morals, and national credit demand that this promise be fulfilled by a continuous and steady progress to specie payment.

5. Under the constitution, the President and heads of departments are to make nominations for office, the Senate is to advise and consent to appointments, and the House of Representatives is to accuse and prosecute faithless officers. The best interest of the public service demand that these distinctions be respected; that Senators and Representatives who

may be judges and accusers should not dictate appointments to office. The invariable rule in appointments should have reference to the honesty, fidelity, and capacity of the appointees, giving to the party in power those places where harmony and vigor of administration require its policy to be represented, but permitting all others to be filled by persons selected with sole reference to the efficiency of the public service, and the right of all citizens to share in the honor of rendering faithful service to the country.

6. We rejoice in the quickened conscience of the people concerning political affairs, and will hold all public officers to a rigid responsibility, and engage that the prosecution and punishment of all who betray official trusts shall be swift, thorough, and unsparing.

7. The public school system of the several states is the bulwark of the American Republic; and, with a view to its security and permanence, we recommend an amendment to the constitution of the United States, forbidding the application of any public funds or property for the benefit of any schools or institutions under sectarian control.

8. The revenue necessary for current expenditures, and the obligations of the public debt, must be largely derived from duties upon importations, which, so far as possible, should be adjusted to promote the interests of American labor and advance the prosperity of the whole country.

9. We reaffirm our opposition to further grants of the public lands to corporations and monopolies, and demand that the national domain be devoted to free homes for the people.

10. It is the imperative duty of the government so

to modify existing treaties with European governments, that the same protection shall be afforded to the adopted American citizen that is given to the native-born; and that all necessary laws should be passed to protect emigrants in the absence of power in the states for that purpose.

11. It is the immediate duty of Congress to fully investigate the effect of the immigration and importation of Mongolians upon the moral and material interests of the country.

12. The Republican party recognizes, with approval, the substantial advances recently made towards the establishment of equal rights for women by the many important amendments effected by Republican legislatures in the laws which concern the personal and property relations of wives, mothers, and widows, and by the appointment and election of women to the superintendence of education, charities, and other public trusts. The honest demands of this class of citizens for additional rights, privileges, and immunities, should be treated with respectful consideration.

13. The constitution confers upon Congress sovereign power over the territories of the United States for their government; and in the exercise of this power it is the right and duty of Congress to prohibit and extirpate, in the territories, that relic of barbarism—polygamy; and we demand such legislation as shall secure this end and the supremacy of American institutions in all the territories.

14. The pledges which the nation has given to her soldiers and sailors must be fulfilled, and a grateful people will always hold those who imperiled their lives for the country's preservation in the kindest remembrance.

15. We sincerely deprecate all sectional feeling and tendencies. We, therefore, note with deep solicitude that the Democratic party counts, as its chief hope of success, upon the electoral vote of a united south, secured through the efforts of those who were recently arrayed against the nation; and we invoke the earnest attention of the country to the grave truth that a success thus achieved would reopen sectional strife, and imperil national honor and human rights.

16. We charge the Democratic party with being the same in character and spirit as when it sympathized with treason; with making its control of the House of Representatives the triumph and opportunity of the nation's recent foes; with reasserting and applauding, in the national capital, the sentiments of unrepentant rebellion; with sending Union soldiers to the rear, and promoting Confederate soldiers to the front; with deliberately proposing to repudiate the plighted faith of the government; with being equally false and imbecile upon the overshadowing financial questions; with thwarting the ends of justice by its partisan mismanagement and obstruction of investigation; with proving itself through the period of its ascendency in the lower house of Congress, utterly incompetent to administer the government; and we warn the country against trusting a party thus alike unworthy, recreant, and incapable.

17. The national administration merits commendation for its honorable work in the management of domestic and foreign affairs, and President Grant deserves the continued hearty gratitude of the American people for his patriotism and his eminent services in war and in peace.

18. We present, as our candidates for President and Vice-President of the United States, two

distinguished statesmen, of eminent ability and character, and conspicuously fitted for those high offices, and we confidently appeal to the American people to intrust the administration of their public affairs to Rutherford B. Hayes and William A. Wheeler.

1876.—Democratic Platform.

St. Louis, Mo., June 27.

We, the delegates of the Democratic party of the United States, in national convention assembled, do hereby declare the administration of the Federal government to be in urgent need of immediate reform; do hereby enjoin upon the nominees of this convention, and of the Democratic party in each state, a zealous effort and co-operation to this end; and do hereby appeal to our fellow-citizens of every former political connection to undertake, with us, this first and most pressing patriotic duty.

For the Democracy of the whole country, we do here reaffirm our faith in the permanence of the Federal Union, our devotion to the constitution of the United States, with its amendments universally accepted as a final settlement of the controversies that engendered civil war, and do here record our steadfast confidence in the perpetuity of republican self-government.

In absolute acquiescence in the will of the majority —the vital principle of republics; in the supremacy of the civil over the military authority; in the total separation of church and state, for the sake alike of civil and religious freedom; in the equality of all citizens before just laws of their own enactment; in the liberty of individual conduct, unvexed by

sumptuary laws; in the faithful education of the rising generation, that they may preserve, enjoy, and transmit these best conditions of human happiness and hope—we behold the noblest products of a hundred years of changeful history; but while upholding the bond of our Union and great charter of these our rights, it behooves a free people to practice also that eternal vigilance which is the price of liberty.

Reform is necessary to rebuild and establish in the hearts of the whole people the Union, eleven years ago happily rescued from the danger of a secession of states, but now to be saved from a corrupt centralism which, after inflicting upon ten states the rapacity of carpet-bag tyranny, has honey-combed the offices of the Federal government itself, with incapacity, waste, and fraud; infected states and municipalities with the contagion of misrule; and locked fast the prosperity of an industrious people in the paralysis of "hard times."

Reform is necessary to establish a sound currency, restore the public credit, and maintain the national honor.

We denounce the failure, for all these eleven years of peace, to make good the promise of the legal tender notes, which are a changing standard of value in the hands of the people, and the non-payment of which is a disregard of the plighted faith of the nation.

We denounce the improvidence which, in eleven years of peace, has taken from the people, in federal taxes, thirteen times the whole amount of the legal-tender notes, and squandered four times their sum in useless expense without accumulating any reserve for their redemption.

We denounce the financial imbecility and immorality of that party which, during eleven years of peace, has made no advance toward resumption, no preparation for resumption, but, instead, has obstructed resumption, by wasting our resources and exhausting all our surplus income; and, while annually professing to intend a speedy return to specie payments, has annually enacted fresh hindrances thereto. As such hindrance we denounce the resumption clause of 1875, and we here demand its repeal.

We demand a judicious system of preparation, by public economies, by official retrenchments, and by wise finance, which shall enable the nation soon to assure the whole world of its perfect ability and of its perfect readiness to meet any of its promises at the call of the creditor entitled to payment. We believe such a system, well devised, and, above all, intrusted to competent hands for execution, creating, at no time, an artificial scarcity of currency, and at no time alarming the public mind into a withdrawal of that vaster machinery of credit by which ninety-five per cent. of all business transactions are performed. A system open, public, and inspiring general confidence, would, from the day of its adoption, bring healing on its wings to all our harassed industries—set in motion the wheels of commerce, manufactures, and the mechanic arts—restore employment to labor—and, renew, in all its natural sources, the prosperity of the people.

Reform is necessary in the sum and modes of federal taxation, to the end that capital may be set free from distrust and labor lightly burdened.

We denounce the present tariff, levied upon nearly four thousand articles, as a masterpiece of injustice, inequality, and false pretence. It yields a dwindling,

not a yearly rising, revenue. It has impoverished many industries to subsidize a few. It prohibits imports that might purchase the products of American labor. It has degraded American commerce from the first to an inferior rank on the high seas. It has cut down the sales of American manufactures at home and abroad, and depleted the returns of American agriculture—an industry followed by half our people. It costs the people five times more than it produces to the treasury, obstructs the processes of production, and wastes the fruits of labor. It promotes fraud, fosters smuggling, enriches dishonest officials, and bankrupts honest merchants. We demand that all custom-house taxation shall be only for revenue.

Reform is necessary in the scale of public expense —federal, state, and municipal. Our federal taxation has swollen from sixty millions gold, in 1860, to four hundred and fifty millions currency, in 1870; our aggregate taxation from one hundred and fifty-four millions gold, in 1860, to seven hundred and thirty millions currency, in 1870—or, in one decade, from less than five dollars per head to more than eighteen dollars per head. Since the peace, the people have paid to their tax-gatherers more than thrice the sum of the national debt, and more than twice that sum for the Federal government alone. We demand a rigorous frugality in every department and from every officer of the government.

Reform is necessary to put a stop to the profligate waste of public lands, and their diversion from actual settlers, by the party in power, which has squandered 200,000,000 of acres upon railroads alone, and, out of more than thrice that aggregate, has disposed of less than a sixth directly to tillers of the soil.

Reform is necessary to correct the omission of a

Republican Congress, and the errors of our treaties and our diplomacy which have stripped our fellow-citizens of foreign birth and kindred race, recrossing the Atlantic, of the shield of American citizenship, and have exposed our brethren of the Pacific coast to the incursions of a race not sprung from the same great parent stock, and in fact now, by law, denied citizenship through naturalization, as being neither accustomed to the traditions of a progressive civilization nor exercised in liberty under equal laws. We denounce the policy which thus discards the liberty-loving German and tolerates a revival of the coolie trade in Mongolian women, imported for immoral purposes, and Mongolian men, held to perform servile labor contracts and demand such modification of the treaty with the Chinese Empire, or such legislation within constitutional limitations, as shall prevent further importation or immigration of the Mongolian race.

Reform is necessary, and can never be effected but by making it the controlling issue of the elections, and lifting it above the two false issues with which the office-holding class and the party in power seek to smother it:

1. The false issue with which they would enkindle sectarian strife in respect to the public schools, of which the establishment and support belongs exclusively to the several states, and which the Democratic party has cherished from their foundation, and is resolved to maintain, without prejudice or preference for any class, sect, or creed, and without largesses from the treasury to any.

2. The false issue by which they seek to light anew the dying embers of sectional hate between kindred peoples once estranged, but now reunited in one indivisible republic and a common destiny.

Reform is necessary in the civil service. Experience proves that efficient, economical conduct of the governmental business is not possible if its civil service be subject to change at every election, be a prize fought for at the ballot-box, be a brief reward of party zeal, instead of posts of honor assigned for proved competency, and held for fidelity in the public employ; that the dispensing of patronage should neither be a tax upon the time of all our public men, nor the instrument of their ambition. Here, again, promises, falsified in the performance, attest that the party in power can work out no practical or salutary reform.

Reform is necessary, even more, in the higher grades of the public service. President, Vice-President, Judges, Senators, Representatives, Cabinet officers—these, and all others in authority—are the people's servants. Their offices are not a private perquisite; they are a public trust. When the annals of this Republic show the disgrace and censure of a Vice-President; a ate Speaker of the House of Representatives marketing his rulings as a presiding officer; three Senators profiting secretly by their votes as law-makers; five chairmen of the leading committees of the late House of Representatives exposed in jobbery; a late Secretary of the Treasury forcing balances in the public accounts; a late Attorney-General misappropriating public funds; a Secretary of the Navy enriched, or enriching friends, by percentages levied off the profits of contractors with his department; an Ambassador to England concerned in a dishonorable speculation; the President's private secretary barely escaping conviction upon trial for guilty complicity in frauds upon the revenue; a Secretary of War impeached for high crimes and misdemeanors—the demonstration

is complete, that the first step in reform must be the people's choice of honest men from another party, lest the disease of one political organization infect the body politic, and lest by making no change of men or parties we get no change of measures and no real reform.

All these abuses, wrongs, and crimes—the product of sixteen years' ascendency of the Republican party—create a necessity for reform, confessed by the Republicans themselves; but their reformers are voted down in convention and displaced from the cabinet. The party's mass of honest voters is powerless to resist the 80,000 office-holders, its leaders and guides.

Reform can only be had by a peaceful civic revolution. We demand a change of system, a change of administration, a change of parties, that we may have a change of measures and of men.

Resolved, That this convention, representing the Democratic party of the United States, do cordially indorse the action of the present House of Representatives, in reducing and curtailing the expenses of the Federal government, in cutting down salaries and extravagant appropriations, and in abolishing useless offices and places not required by the public necessities; and we shall trust to the firmness of the Democratic members of the House that no committee of conference and no misinterpretation of the rules will be allowed to defeat these wholesome measures of economy demanded by the country.

Resolved, That the soldiers and sailors of the Republic, and the widows and orphans of those who have fallen in battle, have a just claim upon the care, protection, and gratitude of their fellow-citizens.

1878.—National Platform.

Toledo, Ohio, February 22.

Whereas, Throughout our entire country the value of real estate is depreciated, industry paralyzed, trade depressed, business incomes and wages reduced, unparalleled distress inflicted upon the poorer and middle ranks of our people, the land filled with fraud, embezzlement, bankruptcy, crime, suffering, pauperism, and starvation; and

Whereas, This state of things has been brought about by legislation in the interest of, and dictated by, money-lenders, bankers and bondholders; and

Whereas, While we recognize the fact that the men in Congress connected with the old political parties have stood up manfully for the rights of the people, and met the threats of the money power, and the ridicule of an ignorant and subsidized press, yet neither the Republican nor the Democratic parties, in their policies, propose remedies for the existing evils; and

Whereas, The Independent Greenback party, and other associations more or less effective, have been unable, hitherto, to make a formidable opposition to old party organizations; and

Whereas, The limiting of the legal-tender quality of the greenbacks, the changing of currency bonds into coin bonds, the demonetization of the silver dollar, the exempting of bonds from taxation, the contraction of the circulating medium, the proposed forced resumption of specie payments, and the prodigal waste of the public lands, were crimes against the people; and, as far as possible, the results of these criminal acts must be counteracted by judicious legislation:

Therefore, We assemble in national convention and make a declaration of our principles, and invite all patriotic citizens to unite in an effort to secure financial reform and industrial emancipation. The organization shall be known as the "National Party," and under this name we will perfect, without delay, national, state, and local associations, to secure the election to office of such men only as will pledge themselves to do all in their power to establish these principles:

First. It is the exclusive function of the general government to coin and create money and regulate its value. All bank issues designed to circulate as money should be suppressed. The circulating medium, whether of metal or paper, shall be issued by the government, and made a full legal-tender for all debts, duties, and taxes in the United States, at its stamped value.

Second. There shall be no privileged class of creditors. Official salaries, pensions, bonds, and all other debts and obligations, public and private, shall be discharged in the legal-tender money of the United States strictly according to the stipulations of the laws under which they were contracted.

Third. The coinage of silver shall be placed on the same footing as that of gold.

Fourth. Congress shall provide said money adequate to the full employment of labor, the equitable distribution of its products, and the requirement of business, fixing a minimum amount *per capita* of the population as near as may be, and otherwise regulating its value by wise and equitable provisions of law, so that the rate of interest will secure to labor its just reward.

Fifth. It is inconsistent with the genius of popular

government that any species of private property should be exempt from bearing its proper share of the public burdens. Government bonds and money should be taxed precisely as other property, and a graduated income tax should be levied for the support of the government and the payment of its debts.

Sixth. Public lands are the common property of the whole people, and should not be sold to speculators nor granted to railroads or other corporations, but should be donated to actual settlers, in limited quantities.

Seventh. The government should, by general enactments, encourage the development of our agricultural, mineral, mechanical, manufacturing, and commercial resources, to the end that labor may be fully and profitably employed; but no monopolies should be legalized.

Eighth. All useless offices should be abolished, the most rigid economy favored in every branch of the public service, and severe punishment inflicted upon public officers who betray the trusts reposed in them.

Ninth. As educated labor has devised means for multiplying productions by inventions and discoveries, and as their use requires the exercise of mind as well as body, such legislation should be had that the number of hours of daily toil will be reduced, giving to the working classes more leisure for mental improvement and their several enjoyments, and saving them from premature decay and death.

Tenth. The adoption of an American monetary system, as proposed herein, will harmonize all differences in regard to tariff and federal taxation, reduce and equalize the cost of transportation by

land and water, distribute equitably the joint earnings of capital and labor, secure to the producers of wealth the results of their labor and skill, and muster out of service the vast army of idlers, who, under the existing system, grow rich upon the earnings of others, that every man and woman may, by their own efforts, secure a competency, so that overgrown fortunes and extreme poverty will be seldom found within the limits of our republic.

Eleventh. Both national and state governments should establish bureaus of labor and industrial statistics, clothed with the power of gathering and publishing the same.

Twelfth. That the contract system of employing labor in our prisons and reformatory institutions works great injustice to our mechanics and artisans, and should be prohibited.

Thirteenth. The importation of servile labor into the United States from China is a problem of the most serious importance, and we recommend legislation looking to its suppression.

Fourteenth. We believe in the supremacy of law over and above all perishable material, and in the necessity of a party of united people that will rise above old party lines and prejudices. We will not affiliate in any degree with any of the old parties, but, in all cases and localities, will organize anew, as united National men—nominate for office and official positions only such persons as are clearly believers in and identified with this our sacred cause; and, irrespective of creed, color, place of birth, or past condition of political or other servitude, vote only for men who entirely abandon old party lines and organizations.

1879.—National Liberal Platform.

Cincinnati, Ohio, September 14.

1. Total separation of Church and State, to be guaranteed by amendment of the United States constitution; including the equitable taxation of church property, secularization of the public schools, abrogation of Sabbatarian laws, abolition of chaplaincies, prohibition of public appropriations for religious purposes, and all measures necessary to the same general end.

2. National protection for national citizens in their equal civil, political, and religious rights, to be guaranteed by amendment of the United States constitution and afforded through the United States courts.

3. Universal education, the basis of universal suffrage in this secular Republic, to be guaranteed by amendment of the United States constitution, requiring every state to maintain a thoroughly secularized public school system, and to permit no child within its limits to grow up without a good elementary education.

1880.—Independent Republican Principles.

I. Independent Republicans adhere to the republican principles of national supremacy, sound finances, and civil service reform, expressed in the Republican platform of 1876, in the letter of acceptance of President Hayes, and in his message of 1879; and they seek the realization of those principles in practical laws and their efficient administration. This requires,

1. The continuance on the statute book of laws protecting the rights of voters at national elections. But national supremacy affords no pretext for interference with the local rights of communities; and the development of the south from its present defective civilization can be secured only under constitutional methods, such as those of President Hayes.

2. The passage of laws which shall deprive greenbacks of their legal-tender quality, as a first step toward their ultimate withdrawal and cancellation, and shall maintain all coins made legal tender at such weight and fineness as will enable them to be used without discount in the commercial transactions of the world.

3. The repeal of the acts which limit the terms of office of certain government officials to four years; the repeal of the tenure-of-office acts, which limit the power of the executive to remove for cause; the establishment of a permanent civil service commission, or equivalent measures to ascertain, by open competition, and certify to the President or other appointing power the fitness of applicants for nomination or appointment to all non-political offices.

II. Independent Republicans believe that local issues should be independent of party. The words Republican and Democrat should have no weight in determining whether a school or city shall be administered on business principles by capable men. With a view to this, legislation is asked which shall prescribe for the voting for local and for state officers upon separate ballots.

III. Independent Republicans assert that a political party is a co-operation of voters to secure the

practical enactment into legislation of political convictions set forth as its platform. Every voter accepting that platform is a member of that party; any representative of that party opposing the principles or evading the promises of its platform forfeits the support of its voters. No voter should be held by the action or nomination of any caucus or convention of his party against his private judgment. It is his duty to vote against bad measures and unfit men, as the only means of obtaining good ones; and if his party no longer represents its professed principles in its practical workings, it is his duty to vote against it.

IV. Independent Republicans seek good nominations through participation in the primaries and through the defeat of bad nominees; they will labor for the defeat of any local Republican candidate, and, in co-operation with those holding like views elsewhere, for the defeat of any general Republican candidate whom they do not deem fit.

1880. Republican Platform.

Chicago, Illinois, June 2.

The Republican party, in national convention assembled, at the end of twenty years since the Federal government was first committed to its charge, submits to the people of the United States its brief report of its administration:

It suppressed a rebellion which had armed nearly a million of men to subvert the national authority. It reconstructed the union of the states with freedom, instead of slavery, as its corner-stone. It transformed four million of human beings from the likeness of things to the rank of citizens. It relieved Congress

from the infamous work of hunting fugitive slaves, and charged it to see that slavery does not exist.

It has raised the value of our paper currency from thirty-eight per cent. to the par of gold. It has restored, upon a solid basis, payment in coin for all the national obligations, and has given us a currency absolutely good and equal in every part of our extended country. It has lifted the credit of the nation from the point where six per cent. bonds sold at eighty-six to that where four per cent. bonds are eagerly sought at a premium.

Under its administration railways have increased from 31,000 miles in 1860, to more than 82,000 miles in 1879.

Our foreign trade has increased from $700,000,000 to $1,150,000,000 in the same time; and our exports, which were $20,000,000 less than our imports in 1860, were $264,000,000 more than our imports in 1879.

Without resorting to loans, it has, since the war closed, defrayed the ordinary expenses of government, besides the accruing interest on the public debt, and disbursed, annually, over $30,000,000 for soldiers' pensions. It has paid $888,000,000 of the public debt, and, by refunding the balance at lower rates, has reduced the annual interest charge from nearly $151,000,000 to less than $89,000,000.

All the industries of the country have revived, labor is in demand, wages have increased, and throughout the entire country there is evidence of a coming prosperity greater than we have ever enjoyed.

Upon this record, the Republican party asks for the continued confidence and support of the people; and

this convention submits for their approval the following statement of the principles and purposes which will continue to guide and inspire its efforts:

1. We affirm that the work of the last twenty years has been such as to commend itself to the favor of the nation, and that the fruits of the costly victories which we have achieved, through immense difficulties, should be preserved; that the peace regained should be cherished; that the dissevered Union, now happily restored, should be perpetuated, and that the liberties secured to this generation should be transmitted, undiminished, to future generations; that the order established and the credit acquired should never be impaired; that the pensions promised should be paid; that the debt so much reduced should be extinguished by the full payment of every dollar thereof; that the reviving industries should be further promoted; and that the commerce, already so great, should be steadily encouraged.

2. The constitution of the United States is a supreme law, and not a mere contract; out of confederate states it made a sovereign nation. Some powers are denied to the nation, while others are denied to states; but the boundary between the powers delegated and those reserved is to be determined by the national and not by the state tribunals.

3. The work of popular education is one left to the care of the several states, but it is the duty of the national government to aid that work to the extent of its constitutional ability. The intelligence of the nation is but the aggregate of the intelligence in the several states; and the destiny of the nation must be guided, not by the genius of any one state, but by the average genius of all.

4. The constitution wisely forbids Congress to make any law respecting an establishment of religion; but it is idle to hope that the nation can be protected against the influences of sectarianism while each state is exposed to its domination. We, therefore, recommend that the constitution be so amended as to lay the same prohibition upon the legislature of each state, to forbid the appropriation of public funds to the support of sectarian schools.

5. We reaffirm the belief, avowed in 1876, that the duties levied for the purpose of revenue should so discriminate as to favor American labor; that no further grant of the public domain should be made to any railway or other corporation; that slavery having perished in the states, its twin barbarity—polygamy—must die in the territories; that everywhere the protection accorded to citizens of American birth must be secured to citizens by American adoption. That we esteem it the duty of Congress to develop and improve our water-courses and harbors, but insist that further subsidies to private persons or corporations must cease. That the obligations of the republic to the men who preserved its integrity in the day of battle are undiminished by the lapse of fifteen years since their final victory—to do them perpetual honor is, and shall forever be, the grateful privilege and sacred duty of the American people.

6. Since the authority to regulate immigration and intercourse between the United States and foreign nations rests with the Congress of the United States and its treaty-making powers, the Republican party, regarding the unrestricted immigration of the Chinese as an evil of great magnitude, invoke the exercise of that power to restrain and limit that immigration by the enactment of such just, humane, and reasonable provisions as will produce that result.

That the purity and patriotism which characterized the early career of Rutherford B. Hayes in peace and war, and which guided the thoughts of our immediate predecessors to select him for a presidential candidate, have continued to inspire him in his career as chief executive, and that history will accord to his administration the honors which are due to an efficient, just, and courteous discharge of the public business, and will honor his interposition between the people and proposed partisan laws.

8. We charge upon the Democratic party the habitual sacrifice of patriotism and justice to a supreme and insatiable lust for office and patronage. That to obtain possession of the national and state governments, and the control of place and position, they have obstructed all efforts to promote the purity and to conserve the freedom of suffrage; have devised fraudulent certifications and returns; have labored to unseat lawfully-elected members of Congress, to secure, at all hazards, the vote of a majority of the states in the House of Representatives; have endeavored to occupy, by force and fraud the places of trust given to others by the people of Maine, and rescued by the courageous action of Maine's patriotic sons; have, by methods vicious in principle and tyrannical in practice, attached partisan legislation to appropriation bills, upon whose passage the very movements of government depend; have crushed the rights of the individual; have advocated the principle and sought the favor of rebellion against the nation, and have endeavored to obliterate the sacred memories of the war, and to overcome its inestimably valuable results of nationality, personal freedom, and individual equality. Equal, steady, and complete enforcement of the laws, and protection of all our citizens in the

enjoyment of all privileges and immunities guaranteed by the constitution, are the first duties of the nation. The danger of a solid south can only be averted by the faithful performance of every promise which the nation made to the citizen. The execution of the laws, and the punishment of all those who violate them, are the only safe methods by which an enduring peace can be secured, and genuine prosperity established throughout the south. Whatever promises the nation makes, the nation must perform; and the nation can not with safety relegate this duty to the states. The solid south must be divided by the peaceful agencies of the ballot, and all opinions must there find free expression; and to this end honest voters must be protected against terrorism, violence, or fraud. And we affirm it to be the duty and the purpose of the Republican party to use all legitimate means to restore all the states of this Union to the most perfect harmony which may be practicable; and we submit to the practical, sensible people of the United States to say whether it would not be dangerous to the dearest interests of our country, at this time to surrender the administration of the national government to a party which seeks to overthrow the existing policy, under which we are so prosperous, and thus bring distrust and confusion where there is now order, confidence, and hope.

9. The Republican party, adhering to a principle affirmed by its last national convention, of respect for the constitutional rule covering appointments to office, adopts the declaration of President Hayes, that the reform of the civil service should be thorough, radical, and complete. To this end it demands the co-operation of the legislative with the executive department of the government, and that

Congress shall so legislate that fitness, ascertained by proper practical tests, shall admit to the public service; and that the power of removal for cause, with due responsibility for the good conduct of subordinates, shall accompany the power of appointment.

1880.—National (Greenback) Platform,

Chicago, Illinois, June 9.

The civil government should guarantee the divine right of every laborer to the results of his toil, thus enabling the producers of wealth to provide themselves with the means for physical comfort, and facilities for mental, social, and moral culture; and we condemn, as unworthy of our civilization, the barbarism which imposes upon wealth-producers a state of drudgery as the price of a bare animal existence. Notwithstanding the enormous increase of productive power by the universal introduction of labor-saving machinery and the discovery of new agents for the increase of wealth, the task of the laborer is scarcely lightened, the hours of toil are but little shortened, and few producers are lifted from poverty into comfort and pecuniary independence. The associated monopolies, the international syndicates, and other income classes demand dear money, cheap labor, and a strong government, and, hence, a weak people. Corporate control of the volume of money has been the means of dividing society into hostile classes, of an unjust distribution of the products of labor, and of building up monopolies of associated capital, endowed with power to confiscate private property. It has kept money scarce; and the scarcity of money enforces

debt-trade, and public and corporate loans; debt engenders usury, and usury ends in the bankruptcy of the borrower. Other results are—deranged markets, uncertainty in manufacturing enterprises and agriculture, precarious and intermittent employment for the laborer, industrial war, increasing pauperism and crime, and the consequent intimidation and disfranchisement of the producer, and a rapid declension into corporate feudalism. Therefore, we declare—

First. That the right to make and issue money is a sovereign power, to be maintained by the people for their common benefit. The delegation of this right to corporations is a surrender of the central attribute of sovereignty, void of constitutional sanction, and conferring upon a subordinate and irresponsible power an absolute dominion over industry and commerce. All money, whether metallic or paper, should be issued, and its volume controlled, by the government, and not by or through banking corporations; and, when so issued, should be a full legal tender for all debts, public and private.

Second. That the bonds of the United States should not be refunded, but paid as rapidly as practicable, according to contract. To enable the government to meet these obligations, legal-tender currency should be substituted for the notes of the national banks, the national banking system abolished, and the unlimited coinage of silver, as well as gold, established by law.

Third. That labor should be so protected by national and state authority as to equalize its burdens and insure a just distribution of its results. The eight hour law of Congress should be enforced, the sanitary condition of industrial establishments placed under the rigid control, the competition of

contract convict labor abolished, a bureau of labor statistics established, factories, mines, and workshops inspected, the employment of children under fourteen years of age forbidden, and wages paid in cash.

Fourth. Slavery being simply cheap labor, and cheap labor being simply slavery, the importation and presence of Chinese serfs necessarily tends to brutalize and degrade American labor; therefore, immediate steps should be taken to abrogate the Burlingame treaty.

Fifth. Railroad land grants forfeited by reason of non-fulfillment of contract should be immediately reclaimed by the government, and, henceforth, the public domain reserved exclusively as homes for actual settlers.

Sixth. It is the duty of Congress to regulate inter-state commerce. All lines of communication and transportation should be brought under such legislative control as shall secure moderate, fair, and uniform rates for passenger and freight traffic.

Seventh. We denounce as destructive to property and dangerous to liberty the action of the old parties in fostering and sustaining gigantic land, railroad, and money corporations, and monopolies invested with and exercising powers belonging to the government, and yet not responsible to it for the manner of their exercise.

Eighth. That the constitution, in giving Congress the power to borrow money, to declare war, to raise and support armies, to provide and maintain a navy, never intended that the men who loaned their money for an interest-consideration should be preferred to the soldiers and sailors who periled their lives and shed their blood on land and sea in defense of their

country; and we condemn the cruel class legislation of the Republican party, which, while professing great gratitude to the soldier, has most unjustly discriminated against him and in favor of the bondholder.

Ninth. All property should bear its just proportion of taxation, and we demand a graduated income tax.

Tenth. We denounce as dangerous the efforts everywhere manifest to restrict the right of suffrage.

Eleventh. We are opposed to an increase of the standing army in time of peace, and the insidious scheme to establish an enormous military power under the guise of militia laws.

Twelfth. We demand absolute democratic rules for the government of Congress, placing all representatives of the people upon an equal footing, and taking away from committees a veto power greater than that of the President.

Thirteenth. We demand a government of the people, by the people, and for the people, instead of a government of the bondholder, by the bondholder, and for the bondholder; and we denounce every attempt to stir up sectional strife as an effort to conceal monstrous crimes against the people.

Fourteenth. In the furtherance of these ends we ask the co-operation of all fair-minded people. We have no quarrel with individuals, wage no war on classes, but only against vicious institutions. We are not content to endure further discipline from our present actual rulers, who, having dominion over money, over transportation, over land and labor, over the press and the machinery of government, wield unwarrantable power over our institutions and over life and property.

1880.—Prohibition Reform Platform,

Cleveland, Ohio, June 17.

The prohibition Reform party of the United States, organized, in the name of the people, to revive, enforce, and perpetuate in the government the doctrines of the Declaration of Independence, submit, for the suffrage of all good citizens, the following platform of national reforms and measures:

In the examination and discussion of the temperance question, it has been proven, and is an accepted truth, that alcoholic drinks, whether fermented, brewed, or distilled, are poisonous to the healthy human body, the drinking of which is not only needless but hurtful, necessarily tending to form intemperate habits, increasing greatly the number, severity, and fatal termination of diseases, weakening and deranging the intellect, polluting the affections, hardening the heart and corrupting the morals, depriving many of reason and still more of its healthful exercise, and annually bringing down large numbers to untimely graves, producing, in the children of many who drink, a predisposition to intemperance, insanity, and various bodily and mental diseases, causing diminution of strength, feebleness of vision, fickleness of purpose, and premature old age, and inducing, in all future generations, deterioration of moral and physical character. Alcoholic drinks are thus the implacable foe of man as an individual.

First. The legalized importation, manufacture, and sale of intoxicating drinks ministers to their use, and teaches the erroneous and destructive sentiment that such use is right, thus tending to produce and perpetuate the above mentioned evils.

Second. To the home it is an enemy—proving itself to be a disturber and destroyer of its peace, prosperity, and happiness; taking from it the earnings of the husband; depriving the dependent wife and children of essential food, clothing, and education; bringing into it profanity, abuse, and violence; setting at naught the vows of the marriage altar; breaking up the family and sundering the children from the parents, and thus destroying one of the most beneficent institutions of our Creator, and removing the sure foundation of good government, national prosperity, and welfare.

Third. To the community it is equally an enemy—producing vice, demoralization, and wickedness; its places of sale being resorts of gaming, lewdness, and debauchery, and the hiding-place of those who prey upon society; counteracting the efficacy of religious effort, and of all means of intellectual elevation, moral purity, social happiness, and the eternal good of mankind, without rendering any counteracting or compensating benefits; being in its influence and effect evil and only evil, and that continually.

Fourth. To the state it is equally an enemy—legislative inquiries, judicial investigations, and official reports of all penal, reformatory, and dependent institutions showing that the manufacture and sale of such beverages is the promoting cause of intemperance, crime, and pauperism, and of demands upon public and private charity, imposing the larger part of taxation, paralyzing thrift, industry, manufactures, and commercial life, which, but for it, would be unnecessary; disturbing the peace of streets and highways; filling prisons and poor-houses; corrupting politics, legislation, and the execution of the laws; shortening lives; diminishing health, industry, and productive power in manufactures and

art; and is manifestly unjust as well as injurious to the community upon which it is imposed, and is contrary to all just views of civil liberty, as well as a violation of the fundamental maxim of our common law, to use your own property or liberty so as not to injure others.

Fifth. It is neither right nor politic for the state to afford legal protection to any traffic or any system which tends to waste the resources, to corrupt the social habits, and to destroy the health and lives of the people; that the importation, manufacture, and sale of intoxicating beverages is proven to be inimical to the true interests of the individual home, community, and state, and destructive to the order and welfare of society, and ought, therefore, to be classed among crimes to be prohibited.

Sixth. In this time of profound peace at home and abroad, the entire separation of the general government from the drink-traffic, and its prohibition in the District of Columbia, territories, and in all places and ways over which, under the constitution, Congress has control and power, is a political issue of the first importance to the peace and prosperity of the nation. There can be no stable peace and protection to personal liberty, life, or property, until secured by national or state constitutional provisions, enforced by adequate laws.

Seventh. All legitimate industries require deliverance from the taxation and loss which the liquor traffic imposes upon them; and financial or other legislation could not accomplish so much to increase production and cause a demand for labor, and, as a result, for the comforts of living, as the suppression of this traffic would bring to thousands of homes as one of its blessings.

Eighth. The administration of the government and the execution of the laws are through political parties; and we arraign the Republican party, which has been in continuous power in the nation for twenty years, as being false to duty, as false to loudly-proclaimed principles of equal justice to all and special favors to none, and of protection to the weak and dependent, insensible to the mischief which the trade in liquor has constantly inflicted upon industry, trade, commerce, and the social happiness of the people; that 5,652 distilleries, 3,830 breweries, and 175,266 places for the sale of these poisonous liquors, involving an annual waste to the nation of one million five hundred thousand dollars, and the sacrifice of one hundred thousand lives, have, under its legislation, grown up and been fostered as a legitimate source of revenue; that during its history, six territories have been organized and five states been admitted into the Union, with constitutions provided and approved by Congress, but the prohibition of this debasing and destructive traffic has not been provided, nor even the people given, at the time of admission, power to forbid it in any one of them. Its history further shows, that not in a single instance has an original prohibitory law been passed by any state that was controlled by it, while in four states, so governed, the laws found on its advent to power have been repealed. At its national convention in 1872, it declared, as part of its party faith, that "it disapproves of the resort to unconstitutional laws for the purpose of removing evils, by interference with rights not surrendered by the people to either the state or national government," which, the author of this plank says, was adopted by the platform committee with the full and implicit understanding that its purpose was the

discountenancing of all so-called temperance, prohibitory, and Sunday laws.

Ninth. We arraign, also, the Democratic party as unfaithful and unworthy of reliance on this question; for, although not clothed with power, but occupying the relation of an opposition party during twenty years past, strong in numbers and organization, it has allied itself with liquor-traffickers, and become, in all the states of the Union, their special political defenders, and in its national convention in 1876, as an article of its political faith, declared against prohibition and just laws in restraint of the trade in drink, by saying it was opposed to what it was pleased to call "all sumptuary laws." The National party has been dumb on this question.

Tenth. Drink-traffickers, having the history and experience of all ages, climes, and conditions of men, declaring their business destructive of all good—finding no support in the Bible, morals, or reason—appeal to misapplied law for their justification, and intrench themselves behind the evil elements of political party for defense, party tactics and party inertia become battling forces, protecting this evil.

Eleventh. In view of the foregoing facts and history, we cordially invite all voters, without regard to former party affiliations, to unite with us in the use of the ballot for the abolition of the drinking system, under the authority of our national and state governments. We also demand, as a right, that women, having the privileges of citizens in other respects, be clothed with the ballot for their protection, and as a rightful means for the proper settlement of the liquor question.

Twelfth. To remove the apprehension of some who allege that a loss of public revenue would follow the

suppression of the direct trade, we confidently point to the experience of governments abroad and at home, which shows that thrift and revenue from the consumption of legitimate manufactures and commerce have so largely followed the abolition of drink as to fully supply all loss of liquor taxes.

Thirteenth. We recognize the good providence of Almighty God, who has preserved and prospered us as a nation; and, asking for His Spirit to guide us to ultimate success, we all look for it, relying upon His omnipotent arm.

1880.—Democratic Platform,

Cincinnati, Ohio, June 22.

The Democrats of the United States, in convention assembled, declare:

First. We pledge ourselves anew to the constitutional doctrines and traditions of the Democratic party, as illustrated by the teachings and examples of a long line of Democratic statesmen and patriots, and embodied in the platform of the last national convention of the party.

Second. Opposition to centralization, and to that dangerous spirit of encroachment which tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism; no sumptuary laws; separation of the church and state for the good of each; common schools fostered and protected.

Third. Home rule; honest money, consisting of gold and silver, and paper, convertible into coin on demand; the strict maintenance of the public faith; state and national; and a tariff for revenue only; the

subordination of the military to the civil power; and a general and thorough reform of the civil service.

Fourth. The right to a free ballot is a right preservative of all rights; and must and shall be maintained in every part of the United States.

Fifth. The existing administration is the representative of conspiracy only; and its claim of right to surround the ballot-boxes with troops and deputy marshals, to intimidate and obstruct the elections, and the unprecedented use of the veto to maintain its corrupt and despotic power, insults the people and imperils their institutions. We execrate the course of this administration in making places in the civil service a reward for political crime; and demand a reform, by statute, which shall make it forever impossible for a defeated candidate to bribe his way to the seat of a usurper by billeting villains upon the people.

Sixth. The great fraud of 1876–7, by which, upon a false count of the electoral votes of two states, the candidate defeated at the polls was declared to be President, and, for the first time in American history, the will of the people was set aside under a threat of military violence, struck a deadly blow at our system of representative government. The Democratic party, to preserve the country from the horrors of a civil war, submitted for the time, in the firm and patriotic belief that the people would punish the crime in 1880. This issue precedes and dwarfs every other. It imposes a more sacred duty upon the people of the Union than ever addressed the consciences of a nation of freemen.

Seventh. The resolution of Samuel J. Tilden, not again to be a candidate for the exalted place to which he was elected by a majority of his

countrymen, and from which he was excluded by the leaders of the Republican party, is received by the Democrats of the United States with deep sensibility; and they declare their confidence in his wisdom, patriotism, and integrity unshaken by the assaults of the common enemy; and they further assure him that he is followed into the retirement he has chosen for himself by the sympathy and respect of his fellow-citizens, who regard him as one who, by elevating the standard of the public morality, and adorning and purifying the public service, merits the lasting gratitude of his country and his party.

Eighth. Free ships, and a living chance for American commerce upon the seas; and on the land, no discrimination in favor of transportation lines, corporations, or monopolies.

Ninth. Amendments of the Burlingame treaty; no more Chinese immigration, except for travel, education, and foreign commerce, and, therein, carefully guarded.

Tenth. Public money and public credit for public purposes solely, and public land for actual settlers.

Eleventh. The Democratic party is the friend of labor and the laboring man, and pledges itself to protect him alike against the cormorants and the commune.

Twelfth. We congratulate the country upon the honesty and thrift of a Democratic Congress, which has reduced the public expenditure $10,000,000 a year; upon the continuation of prosperity at home and the national honor abroad; and, above all, upon the promise of such a change in the administration of the government as shall insure a genuine and lasting reform in every department of the public service.

Virginia Republican.

[*Adopted August 11.*]

Whereas, It is proper that when the people assemble in convention they should avow distinctly the principles of government on which they stand; now, therefore, be it,

Resolved, That we, the Republicans of Virginia, hereby make a declaration of our allegiance and adhesion to the principles of the Republican party of the country, and our determination to stand squarely by the organization of the Republican party of Virginia, always defending it against the assaults of all persons or parties whatsoever.

Second. That amongst the principles of the Republican party none is of more vital importance to the welfare and interest of the country in all its parts than that which pertains to the sanctity of Government contracts. It therefore becomes the special duty and province of the Republican party of Virginia to guard and protect the credit of our time-honored State, which has been besmirched with repudiation, or received with distrust, by the gross mismanagement of various factions of the Democratic party, which have controlled the legislation of the State.

Third. That the Republican party of Virginia hereby pledges itself to redeem the State from the discredit that now hangs over her in regard to her just obligations for moneys loaned her for constructing her internal improvements and charitable institutions, which, permeating every quarter of the State, bring benefits of far greater value than their cost to our whole people, and we in

the most solemn form pledge the Republican party of the State to the full payment of the whole debt of the State, less the one-third set aside as justly falling on West Virginia; that the industries of the country should be fostered through protective laws, so as to develop our own resources, employ our own labor, create a home market, enhance values, and promote the happiness and prosperity of the people.

Fourth. That the public school system of Virginia is the creature of the Republican party, and we demand that every dollar the Constitution dedicates to it shall be sacredly applied thereto as a means of educating the children of the State, without regard to condition or race.

Fifth. That the elective franchise as an equal right should be based on manhood qualification, and that we favor the repeal of the requirements of the prepayment of the capitation tax as a prerequisite to the franchise as opposed to the Constitution of the United States, and in violation of the condition whereby the State was re-admitted as a member of our Constitutional Union, as well as against the spirit of the Constitution; but demand the imposition of the capitation tax as a source of revenue for the support of the public schools without its disfranchising effects.

Sixth. That we favor the repeal of the disqualification for the elective franchise by a conviction of petty larceny, and of the infamous laws which place it in the power of a single justice of the peace (ofttimes being more corrupt than the criminal before him) to disfranchise his fellow man.

Seventh. Finally, that we urge the repeal of the barbarous law permitting the imposition of stripes as degrading and inhuman, contrary to the genius of a

true and enlightened people, and a relic of barbarism.

[The Convention considered it inexpedient to nominate candidates for State officers.]

Virginia Readjuster.

[*Adopted June 2.*]

First. We recognize our obligation to support the institution for the deaf, dumb and blind, the lunatic asylum, the public free schools and the Government out of the revenues of the State; and we deprecate and denounce that policy of ring rule and subordinated sovereignty which for years borrowed money out of banks at high rates of interest for the discharge of these paramount trusts, while our revenues were left the prey of commercial exchanges, available to the State only at the option of speculators and syndicates.

Second. We reassert our purpose to settle and adjust our State obligations on the principles of the "Bill to re-establish public credit," known as the "Riddleberger bill," passed by the last General Assembly and vetoed by the Governor. We maintain that this measure recognizes the just debt of Virginia, in this, that it assumes two-thirds of all the money Virginia borrowed, and sets aside the other third to West Virginia to be dealt with by her in her own way and at her own pleasure; that it places those of her creditors who have received but 6 per cent. instalments of interest in nine years upon an exact equality with those who by corrupt agencies were enabled to absorb and monopolize our means of payment; that it agrees to pay such rate of interest on our securities as can with certainty be met out of the

revenues of the State, and that it contains all the essential features of finality.

Third. We reassert our adherence to the Constitutional requirements for the "equal and uniform" taxation of property, exempting none except that specified by the Constitution and used exclusively for "religious, charitable and educational purposes."

Fourth. We reassert that the paramount obligation of the various works of internal improvement is to the people of the State, by whose authority they were created, by whose money they were constructed and by whose grace they live; and it is enjoined upon our representative and executive officers to enforce the discharge of that duty; to insure to our people such rates, facilities and connections as will protect every industry and interest against discrimination, tend to the development of our agricultural and mineral resources, encourage the investment of active capital in manufactures and the profitable employment of labor in industrial enterprises, grasp for our city and our whole State those advantages to which by their geographical position they are entitled, and fulfil all the great public ends for which they were designed.

Fifth. The Readjusters hold the right to a free ballot to be the right preservative of all rights, and that it should be maintained in every State in the Union. We believe the capitation tax restriction upon the suffrage in Virginia to be in conflict with the XIVth Amendment to the Constitution of the United States. We believe that it is a violation of that condition of reconstruction wherein the pledge was given not so to amend our State Constitution as to deprive any citizen or class of citizens of a right to vote, except as punishment for such crimes as are felony at common

law. We believe such a prerequisite to voting to be contrary to the genius of our institutions, the very foundation of which is representation as antecedent to taxation. We know that it has been a failure as a measure for the collection of revenue, the pretended reason for its invention in 1876, and we know the base, demoralizing and dangerous uses to which it has been prostituted. We know it contributes to the increase of monopoly power, and to corrupting the voter. For these and other reasons we adhere to the purpose hitherto expressed to provide more effectual legislation for the collection of this tax, dedicated by the Constitution to the public free schools, and to abolish it as a qualification for and restriction upon suffrage.

Sixth. The Readjusters congratulate the whole people of Virginia on the progress of the last few years in developing mineral resources and promoting manufacturing enterprises in the State, and they declare their purpose to aid these great and growing industries by all proper and essential legislation, State and Federal. To this end they will continue their efforts in behalf of more cordial and fraternal relations between the sections and States, and especially for that concord and harmony which will make the country to know how earnestly and sincerely Virginia invites all men into her borders as visitors or to become citizens without fear of social or political ostracism; that every man, from whatever section of country, shall enjoy the fullest freedom of thought, speech, politics and religion, and that the State which first formulated these principles as fundamental in free government is yet the citadel for their exercise and protection.

Virginia Democratic.

[*Adopted August 4.*]

The Conservative-Democratic party of Virginia—Democratic in its Federal relations and Conservative in its State policy—assembled in convention, in view of the present condition of the Union and of this Commonwealth, for the clear and distinct assertion of its political principles, doth declare that we adopt the following articles of political faith:

First. Equality of right and exact justice to all men, special privileges to none; freedom of religion, freedom of the press, and freedom of the person under the protection of the *habeas corpus*; of trial by juries impartially selected, and of a pure, upright and non-partisan judiciary; elections by the people, free from force or fraud of citizens or of the military and civil officers of Government; and the selection for public offices of those who are honest and best fitted to fill them; the support of the State governments in all their rights as the most competent administrations of our domestic concerns and the surest bulwarks against anti-republican tendencies; and the preservation of the General Government in its whole constitutional vigor as the best sheet-anchor of our peace at home and our safety abroad.

Second. That the maintenance of the public credit of Virginia is an essential means to the promotion of her prosperity. We condemn repudiation in every shape and form as a blot upon her honor, a blow at her permanent welfare, and an obstacle to her progress in wealth, influence and power; and that we will make every effort to secure a settlement of the public debt, with the consent of her creditors, which is consistent with her honor and dictated by justice

and sound public policy; that it is eminently desirable and proper that the several classes of the debt now existing should be unified, so that equality, which is equity, may control in the annual payment of interest and the ultimate redemption of principal; that, with a view of securing such equality, we pledge our party to use all lawful authority to secure a settlement of the State debt so that there shall be but one class of the public debt; that we will use all lawful and constitutional means in our power to secure a settlement of the State debt upon the basis of a 3 per cent. bond, and that the Conservative-Democratic party pledges itself, as a part of its policy, not to increase the present rate of taxation.

Third. That we will uphold, in its full constitutional integrity and efficiency, our public school system for the education of both white and colored children—a system inaugurated by the Constitution of the State and established by the action of the Conservative party years before it was required by the Constitution; and will take the most effectual means for the faithful execution of the same by applying to its support all the revenues set apart for that object by the Constitution or otherwise.

Fourth. Upon this declaration of principles we cordially invite the co-operation of all Conservative Democrats, whatever may have been or now are their views upon the public debt, in the election of the nominees of this Convention and in the maintenance of the supremacy of the Democratic party in this State.

Resolved, further, That any intimation, coming from any quarter, that the Conservative-Democratic party of Virginia has been, is now, or proposes to be, opposed to an honest ballot and a fair count, is a calumny upon the State of Virginia as unfounded in

fact as it is dishonorable to its authors.

That special efforts be made to foster and encourage the agricultural, mechanical, mining, manufacturing and other industrial interests of the State.

That, in common with all good citizens of the Union, we reflect with deep abhorrence upon the crime of the man who aimed a blow at the life of the eminent citizen who was called by the constitutional voice of fifty millions of people to be the President of the United States; and we tender to him and to his friends the sympathy and respect of this Convention and of those we represent, in this great calamity, and our hearty desire for his complete restoration to health and return to the discharge of his important duties, for the welfare and honor of our common country.

1884—Democratic Platform.

Adopted by the Chicago Convention, July 10th.

The Democratic party of the Union through its representatives in the National Convention assembled, recognizes that as the Nation grows older new issues are born, of time and progress, and old issues perish. But the fundamental principles of the Democracy approved by the united voice of the people, remain and will ever remain as the best and only security for the continuance of free government. The preservation of personal rights, the equality of all citizens before the law, the reserved rights of the States and the supremacy of the Federal Government within the limits of the Constitution will ever form the true basis of our liberties, and can never be surrendered without destroying that balance of rights

and powers which enables a continent to be developed in peace, and social order to be maintained by means of local self-government. But it is indispensable for the practical application and enforcement of these fundamental principles that the Government should not always be controlled by one political party. Frequent change of administration is as necessary as a constant recurrence to the popular will. Otherwise abuses grow, and the Government, instead of being carried on for the general welfare, becomes an instrumentality for imposing heavy burdens on the many who are governed for the benefit of the few who govern. Public servants thus become arbitrary rulers.

This is now the condition of the country, hence a change is demanded. The Republican party, so far as principle is concerned, is a reminiscence in practice, it is an organization for enriching those who control its machinery. The frauds and jobbery which have been brought to light in every department of the Government are sufficient to have called for reform within the Republican party. Yet those in authority, made reckless by the long possession of power, have succumbed to its corrupting influences, and have placed in nomination a ticket against which the Independent portion of the party are in open revolt. Therefore a change is demanded. Such a change was alike necessary in 1876, but the will of the people was then defeated by a fraud which can never be forgotten nor condoned. Again in 1880 the change demanded by the people was defeated by the lavish use of money, contributed by unscrupulous contractors and shameless jobbers, who had bargained for unlawful profits or for high office.

The Republican party during its legal, its stolen and its bought tenures of power, has steadily

decayed in moral character and political capacity. Its platform promises are now a list of its past failures. It demands the restoration of our navy. It has squandered hundreds of millions to create a navy that does not exist. It calls upon Congress to remove the burdens under which American shipping has been depressed. It imposed and has continued those burdens. It professes the policy of reserving the public lands for small holdings by actual settlers. It has given away the people's heritage till now a few railroads and non-resident aliens, individual and corporate, possess a larger area than that of all our farms between the two seas. It professes a preference for free institutions. It organized and tried to legalize a control of State elections by Federal troops. It professes a desire to elevate labor. It has subjected American workingmen to the competition of convict and imported contract labor. It professes gratitude to all who were disabled or died in the war leaving widows and orphans. It left to a Democratic House of Representatives the first effort to equalize both bounties and pensions. It proffers a pledge to correct the irregularities of our tariff. It created and has continued them. Its own tariff commission confessed the need of more than 20 per cent. reduction. Its Congress gave a reduction of less than 4 per cent. It professes the protection of American manufacturers. It has subjected them to an increasing flood of manufactured goods and a hopeless competition with manufacturing nations, not one of which taxes raw materials. It professes to protect all American industries. It has impoverished many to subsidize a few. It professes the protection of American labor. It has depicted the returns of American agriculture, an industry followed by half our people. It professes the equality of men before the law. Attempting to fix the

status of colored citizens, the act of its Congress was overset by the decision of its courts. It “accepts anew the duty of leading in the work of progress and reform.” Its caught criminals are permitted to escape through contrived delays or actual connivance in the prosecution. Honeycombed with corruption, outbreaking exposures no longer shock its moral sense, its honest members. Its independent journals no longer maintain a successful contest for authority in its counsels or a veto upon bad nominations.

That a change is necessary is proved by an existing surplus of more than $100,000,000, which has yearly been collected from a suffering people. Unnecessary taxation is unjust taxation. We denounce the Republican party for having failed to relieve the people from crushing war taxes which have paralyzed business, crippled industry, and deprived labor of employment and of just reward. The Democracy pledges itself to purify the administration from corruption, to restore economy, to revive the respect of the law, and to reduce taxation to the lowest limit consistent with due regard to the preservation of the faith of the nation to its creditors and pensioners.

Knowing full well, however that legislation affecting the occupations of the people should be cautious and conservative in method, not in advance of public opinion, but responsive to its demands, the Democratic party is pledged to revise the tariff in a spirit of fairness to all. But in making a reduction in taxes, it is not proposed to injure any domestic industries, but rather to promote their healthy growth. From the foundation of this Government taxes collected at the custom-house have been the chief source of Federal revenue. Such they must continue to be. Moreover, many industries have

come to rely upon legislation for successful continuance, so that any change of law must be at every step regardful of the labor and the capital thus involved. The process of reform must be subject in the execution to this plain dictate of justice. All taxation shall be limited to the requirements of economical government. The necessary reduction in taxation can and must be effected without depriving American labor of the ability to compete successfully with foreign labor, and without imposing lower rates of duty than will be ample to cover any increased cost of production which may exist in consequence of the higher rate of wages prevailing in this country. Sufficient revenue to pay all the expenses of the Federal Government, economically administered, including pensions, interest and principal of the public debt, can be got, under our present system of taxation, from custom house taxes on fewer imported articles, bearing heaviest on articles of luxury, and bearing lightest on articles of necessity. We therefore denounce the abuses of the existing tariff, and subject to the preceding limitations, we demand that Federal taxation shall be exclusively for public purposes and shall not exceed the needs of the Government economically administered.

The system of direct taxation, known as the "internal revenue," is a war tax, and so long as the law continues, the money derived therefrom should be sacredly devoted to the relief of the people from the remaining burdens of the war, and be made a fund to defray the expense of the care and comfort of the worthy soldiers disabled in line of duty in the wars of the Republic, and for the payment of such pensions as Congress may from time to time grant to such soldiers, a like fund for the sailors having been already provided; and any surplus should be paid

into the treasury.

We favor an American continental policy, based upon more intimate commercial and political relations with the fifteen sister Republics of North, Central and South America, but entangling alliances with none. We believe in honest money, the gold and silver coinage of the Constitution, and a circulating medium convertible into such money without loss.

Asserting the equality of all men before the law, we hold that it is the duty of the Government, in its dealings with the people, to mete out equal and exact justice to all citizens, of whatever nativity, race, color or persuasion, religious or political. We believe in a free ballot and a fair count, and we recall to the memory of the people the noble struggle of the Democrats in the Forty-fifth and Forty-sixth Congresses by which a reluctant Republican opposition was compelled to assent to legislation making everywhere illegal the presence of troops at the polls, as the conclusive proof that a Democratic administration will preserve liberty with order. The selection of Federal officers for the Territories should be restricted to citizens previously resident therein. We oppose sumptuary laws, which vex the citizens and interfere with individual liberty. We favor honest civil service reform, and the compensation of all United States officers by fixed salaries; the separation of Church and State and the diffusion of free education by common schools, so that every child in the land may be taught the rights and duties of citizenship.

While we favor all legislation which will tend to the equitable distribution of property to the prevention of monopoly, and to the strict enforcement of individual rights against corporate abuses, we hold that the welfare of society depends

upon a scrupulous regard for the rights of property as defined by law.

We believe that labor is best rewarded where it is freest and most enlightened. It should, therefore, be fostered and cherished. We favor the repeal of all laws restricting the free action of labor, and the enactment of laws by which labor organizations may be incorporated, and of all such legislation as will tend to enlighten the people as to the true relations of capital and labor.

We believe that the public lands ought, as far as possible, to be kept as homesteads for actual settlers; that all unearned lands heretofore improvidently granted to railroad corporations by the action of the Republican party, should be restored to the public domain, and that no more grant of land shall be made to corporations, or be allowed to fall into the ownership of alien absentees. We are opposed to all propositions which upon any pretext would convert the General Government into a machine for collecting taxes to be distributed among the States or the citizens thereof.

All the great woes of our country have come because of imported labor. Our fathers made this land the home of the free for all men appreciating our institutions, with energy enough to bring themselves here, and such we welcome, but our country ought never to be a lazar-house for the deportation of the pauper labor of other countries through governmental aid, or the importation of the same kind of labor as an instrument with which capital can debase American workingmen and women from the proud position they now occupy by competing with them by imported labor or convict labor, while at the same time capital asks and receives protection of its interests at the hands of the

Government, under guise of providing for American labor. This evil like all others finds birth in the cupidity and selfishness of men. The laborer's demands should be redressed by law. Labor has a right to demand a just share of the profits of its own productions.

The future of the country unites with the laboring men in the demand for the liberal support by the United States of the school system of the States for the common education of all the children, the same affording a sufficient foundation for the coming generations to acquire due knowledge of their duties as citizens.

That every species of monopoly engenders two classes, the very rich and the very poor, both of which are equally hurtful to a Republic which should give to its people equal rights and equal privileges under the law.

That the public lands of the United States were the equal heritage of all the citizens and should have been held open to the use of all in such quantities only as are needed for cultivation and improvement by all. Therefore we view with alarm the absorption of these lands by corporations and individuals in large areas, some of them more than equal to princely domains, and demand of Congress to apply appropriate remedies with a stern hand so that the lands of the people may be held by the many and not by the few.

That the public lands of the Nation are held by the Government in trust for those who make their homes in the United States, and who mean to become citizens of the Republic, and we protest against the purchase and monopolization of these lands by corporations and the alien aristocracy of Europe.

That all corporate bodies, created either in the States or Nation for the purpose of performing public duties, are public servants and to be regulated in all their actions by the same power that created them at its own will, and that it is within the power and is the duty of the creator to so govern its creature that by its acts it shall become neither a monopoly nor a burden upon the people, but be their servant and convenience, which is the true test of its usefulness. Therefore we call upon Congress to exercise its great constitutional powers for regulating inter-estate commerce to provide that by no contrivance whatever, under forms of law or otherwise, shall discriminating rates and charges for the transportation of freight and travel be made in favor of the few against the many or enhance the rates of transportation between the producer and the consumer.

The various offices of the Government belong to the people thereof and who rightfully demand to exercise and fill the same whenever they are fitted by capacity, integrity and energy, the last two qualifications never to be tested by any scholastic examination. We hold that frequent changes of Federal officials are shown to be necessary. First, to counteract the growing aristocratic tendencies to a caste of life offices. Second, experience having shown that all investigation is useless while the incumbent and his associates hold their places. Frequent change of officers is necessary to the discovery and punishment of frauds, peculations, defalcations and embezzlements of the public money.

In reaffirming the declaration of the Democratic platform of 1856, that “The liberal principles embodied by Jefferson in the Declaration of Independence and sanctioned in the Constitution,

which make ours a land of liberty and the asylum of the oppressed of every nation have ever been cardinal principles in the Democratic faith," we nevertheless do not sanction the importation of foreign labor or the admission of servile races, unfitted by habits, training, religion or kindred for absorption into the great body of our people, or for the citizenship which our laws confer. American civilization demands that against the immigration or importation of Mongolians to these shores our gates be closed. The Democratic party insists that it is the duty of this Government to protect with great fidelity and vigilance the rights of its citizens, native and naturalized, at home and abroad; and to the end that this protection may be assured to the United States, papers of naturalization, issued by courts of competent jurisdiction, must be respected by the executive legislative departments of our own Government and by all foreign powers. It is an imperative duty of this Government to efficiently protect all the rights of persons and property of every American citizen in foreign lands, and demand and enforce full reparation for any violation thereof. An American citizen is only responsible to his own Government for an act done in his own country or under her flag, and can only be tried therefore on her own soil and according to her laws; and no power exists in this Government to expatriate an American citizen to be tried in any foreign land for any such act. This country has never had a well defined and executed foreign policy, save under the Democratic administration. That policy has never been in regard to foreign Nations, so long as they do not act detrimental to the interests of the country or hurtful to our citizens, to let them alone. That as the result of this policy we recall the acquisition of Louisiana,

Florida, California and of the adjacent Mexican Territory by purchase alone, and contrast these grand acquisitions of Democratic Statesmanship with the purchase of Alaska, the sole fruit of a Republican administration of nearly a quarter of a century.

The Federal Government should care for and improve the Mississippi river and other great water ways of the Republic, so as to secure for the interior States easy and cheap transportation to tide water.

Under a long period of Democratic rule and policy our merchant marine was fast overtaking and on the point of outstripping that of Great Britain. Under twenty-five years of Republican rule and policy our commerce has been left to British bottoms, and almost has the American flag been swept off the high seas. Instead of the Republican party's British policy, we demand for the people of the United States an American policy. Under Democratic rule and policy our merchants and sailors flying the stars and stripes in every port, successfully searched out a market for the varied products of American industry. Under a quarter of a century of Republican rule and policy, despite our manifest advantage over all other nations, high-paid labor, favorable climates and teeming soils; despite freedom of trade among these United States; despite their population by the foremost races of men and the annual immigration of the young, thrifty and adventurous of all nations; despite our freedom here from the inherited burdens of life and industry in the Old World monarchies—their costly war navies, their vast tax-consuming, non-producing standing armies; despite twenty years of peace—that Republican rule and policy have managed to surrender to Great Britain, along with our commerce, the control of the markets of the world. Instead of the Republican party's British

policy, we demand in behalf of the American Democracy an American policy. Instead of the Republican party's discredited scheme and false pretense of friendship for American labor, expressed by imposing taxes, we demand in behalf of the Democracy freedom for American labor by reducing taxes, to the end that these United States may compete with unhindered powers for the primacy among nations in all the arts of peace and fruits of liberty.

With profound regret we have been apprised by the venerable statesman through whose person was struck that blow at the vital principle of republics—acquiescence in the will of the majority—that he cannot permit us again to place in his hands the leadership of the Democratic hosts for the reason that the achievement of reform in the administration of the Federal Government is an undertaking now too heavy for his age and failing strength. Rejoicing that his life has been prolonged until the general judgment of our fellow-countrymen is united in the wish that, wrong were righted in his person for the Democracy of the United States, we offer to him in his withdrawal from public career not only our respectful sympathy and esteem, but also the best homage of freedom, the pledge of our devotion to the principles and the cause now inseparable in the history of this Republic, from the labors and the name of Samuel J. Tilden.

With this statement of the hopes, principles and purposes of the Democratic party, the great issue of reform and change in administration is submitted to the people in calm confidence that the popular voice will pronounce in favor of new men and new and more favorable conditions for the growth of industry, the extension of trade, the employment and due

reward of labor and capital and the general welfare of the whole country.

1884.—Republican Platform.

Adopted by the Chicago Convention, June 3d to 6th.

The Republicans of the United States, in National Convention assembled, renew their allegiance to the principles upon which they have triumphed in six successive Presidential elections, and congratulate the American people on the attainment of so many results in legislation and administration by which the Republican party has, after saving the Union, done so much to render its institutions just, equal and beneficent—the safeguard of liberty and the embodiment of the best thought and highest purposes of our citizens. The Republican party has gained its strength by quick and faithful response to the demands of the people for the freedom and the equality of all men; for a united nation, assuring the rights of all citizens; for the elevation of labor; for an honest currency; for purity in legislation, and for integrity and accountability in all departments of the Government; and it accepts anew the duty of leading in the work of progress and reform.

We lament the death of President Garfield, whose sound statesmanship, long conspicuous in Congress, gave promise of a strong and successful administration, a promise fully realized during the short period of his office as President of the United States. His distinguished success in war and in peace has endeared him to the hearts of the American people.

In the administration of President Arthur we recognise a wise, conservative, and patriotic policy, under which the country has been blessed with remarkable prosperity, and we believe his eminent services are entitled to, and will receive, the hearty approval of every citizen.

It is the first duty of a good Government to protect the rights and promote the interests of its own people. The largest diversity of industry is most productive of general prosperity and of the comfort and independence of the people. We, therefore, demand that the imposition of duties on foreign imports shall be made, not for revenue only, but that in raising the requisite revenues for the Government such duties shall be so levied as to afford security to our diversified industries and protection to the rights and wages of the laborer, to the end that active and intelligent labor, as well as capital, may have its just reward, and the laboring man his full share in the national prosperity.

Against the so-called economic system of the Democratic party which would degrade our labor to the foreign standard, we enter our earnest protest. The Democratic party has failed completely to relieve the people of the burden of unnecessary taxation by a wise reduction of the surplus.

The Republican party pledges itself to correct the inequalities of the tariff, and to reduce the surplus, not by the vicious and indiscriminate process of horizontal reduction, but by such methods as will relieve the taxpayer without injuring the laborer or the great productive interests of the country.

We recognize the importance of sheep husbandry in the United States, the serious depression which it is now experiencing and the danger threatening its future prosperity; and we therefore respect the demands of the representatives of this important agricultural interest for a readjustment of duty upon foreign wool, in order that such industry shall have full and adequate protection.

We have always recommended the best money

known to the civilized world, and we urge that an effort be made to unite all commercial nations in the establishment of an international standard which shall fix for all the relative value of gold and silver coinage.

The regulation of commerce with foreign nations and between the States is one of the most important prerogatives of the General Government, and the Republican party distinctly announces its purpose to support such legislation as will fully and efficiently carry out the constitutional power of Congress over inter-State commerce.

The principle of the public regulation of railway corporations is a wise and salutary one for the protection of all classes of the people, and we favor legislation that shall prevent unjust discrimination and excessive charges for transportation, and that shall secure to the people and to the railways alike the fair and equal protection of the laws.

We favor the establishment of a national bureau of labor, the enforcement of the eight hour law, and a wise and judicious system of general education by adequate appropriation from the national revenues wherever the same is needed. We believe that everywhere the protection to a citizen of American birth must be secured to citizens of American adoption, and we favor the settlement of national differences by international arbitration.

The Republican party having its birth in a hatred of slave labor, and in a desire that all men may be free and equal, is unalterably opposed to placing our workingmen in competition with any form of servile labor, whether at home or abroad. In this spirit we denounce the importation of contract labor, whether from Europe or Asia, as an offense against the spirit

of American institutions, and we pledge ourselves to sustain the present law restricting Chinese immigration, and to provide such further legislation as is necessary to carry out its purposes.

The reform of the civil service, auspiciously begun under Republican administration, should be completed by the further extension of the reformed system, already established by law, to all the grades of the service to which it is applicable. The spirit and purpose of the reform should be in all executive appointments, and all laws at variance with the objects of existing reformed legislation should be repealed, to the end that the danger to free institutions which lurks in the power of official patronage may be wisely and effectively avoided.

The public lands are a heritage of the people of the United States, and should be reserved, as far as possible, for small holdings by actual settlers. We are opposed to the acquisition of large tracts of these lands by corporations or individuals, especially where such holdings are in the hands of non-resident aliens, and we will endeavor to obtain such legislation as will tend to correct this evil. We demand of Congress the speedy forfeiture of all land grants which have lapsed by reason of non-compliance with acts of incorporation, in all cases where there has been no attempt in good faith to perform the conditions of such grants.

The grateful thanks of the American people are due to the Union soldiers and sailors of the late war, and the Republican party stands pledged to suitable pensions for all who were disabled, and for the widows and orphans of those who died in the war. The Republican party also pledges itself to the repeal of the limitation contained in the arrears act of 1879, so that all invalid soldiers shall share alike and their

pensions shall begin with the date of disability or discharge, and not with the date of their application.

The Republican party favors a policy which shall keep us from entangling alliances with foreign nations, and which shall give the right to expect that foreign nations shall refrain from meddling in American affairs—the policy which seeks peace, and can trade with all Powers, but especially with those of the Western Hemisphere.

We demand the restoration of our navy to its old-time strength and efficiency, that it may, in any sea, protect the rights of American citizens and the interests of American commerce, and we call upon Congress to remove the burdens under which American shipping has been depressed, so that it may again be true that we have a commerce which leaves no sea unexplored, and a navy which takes no law from superior force.

Resolved, That appointments by the President to offices in the Territories should be made from the *bona fide* citizens and residents of the Territories wherein they are to serve.

Resolved, That it is the duty of Congress to enact such laws as shall promptly and effectually suppress the system of polygamy within our territory, and divorce the political from the ecclesiastical power of the so-called Mormon Church, and that the law so enacted should be rigidly enforced by the civil authorities if possible, and by the military if need be.

The people of the United States, in their organized capacity, constitute a Nation and not a mere confederacy of States. The National Government is supreme within the sphere of its national duty, but the States have reserved rights which should be faithfully maintained; each should be guarded with

jealous care, so that the harmony of our system of government may be preserved and the Union be kept inviolate. The perpetuity of our institutions rests upon the maintenance of a free ballot, an honest count, and correct returns.

We denounce the fraud and violence practised by the Democracy in Southern States by which the will of the voter is defeated, as dangerous to the preservation of free institutions, and we solemnly arraign the Democratic party as being the guilty recipient of the fruits of such fraud and violence. We extend to the Republicans of the South, regardless of their former party affiliations, our cordial sympathy, and pledge to them our most earnest efforts to promote the passage of such legislation as will secure to every citizen, of whatever race and color, the full and complete recognition, possession and exercise of all civil and political rights.

1888.—Democratic National Platform.

Adopted by the St. Louis Convention, June 5, 1888.

The Democratic party of the United States, in National Convention assembled, renews the pledge of its fidelity to Democratic faith, and reaffirms the platform adopted by its representatives in the Convention of 1884, and endorses the views expressed by President Cleveland in his last annual message to Congress as the correct interpretation of that platform upon the question of tariff reduction; and also endorses the efforts of our Democratic representatives in Congress to secure a reduction of excessive taxation. Chief among its principles of party faith are the maintenance of an indissoluble union of free and indestructible States, now about to

enter upon its second century of unexampled progress and renown; devotion to a plan of government regulated by a written constitution strictly specifying every granted power and expressly reserving to the States or people the entire ungranted residue of power; the encouragement of a jealous popular vigilance, directed to all who have been chosen for brief terms to enact and execute the laws, and are charged with the duty of preserving peace, ensuring equality and establishing justice.

The Democratic party welcome an exacting scrutiny of the administration of the executive power which, four years ago, was committed to its trusts in the election of Grover Cleveland, President of the United States, but it challenges the most searching inquiry concerning its fidelity and devotion to the pledges which then invited the suffrages of the people. During a most critical period or our financial affairs, resulting from over taxation, the anomalous condition of our currency and a public debt unmatured, it has, by the adoption of a wise and conservative course, not only averted a disaster, but greatly promoted the prosperity of our people.

It has reversed the improvident and unwise policy of the Republican party touching the public domain, and has reclaimed from corporations and syndicates alien and domestic and restored to the people nearly one hundred million acres of valuable land, to be sacredly held as homesteads for our citizens.

While carefully guarding the interest to the principles of justice and equity, it has paid out more for pensions and bounties to the soldiers and sailors of the Republic than was ever paid out during an equal period. It has adopted and constantly pursued a firm and prudent foreign policy, preserving peace with all nations while scrupulously maintaining all

the rights and interests of our own Government and people at home and abroad. The exclusion from our shores of Chinese laborers has been effectually secured under the provision of a treaty, the operation of which has been postponed by the action of a Republican majority in the Senate.

Honest reform in the Civil Service has been inaugurated and maintained by President Cleveland, and he has brought the public service to the highest standard of efficiency, not only by rule and precept, but by the example of his own untiring and unselfish administration of public affairs.

In every department and branch of the Government, under Democratic control, the rights and the welfare of all the people have been guarded and defended; every public interest has been protected, and the equality of all our citizens before the law without regard to race or color has been steadfastly maintained. Upon its record thus exhibited, and upon the pledge of a continuance to the people of the benefits of Democracy, invokes a renewal of popular trust by the re-election of a Chief Magistrate who has been faithful, able and prudent. To invoke in addition to that trust by the transfer also to the Democracy of the entire legislative power.

The Republican party controlling the Senate and resisting in both Houses of Congress a reformation of unjust and unequal tax laws, which have outlasted the necessities of war and are now undermining the abundance of a long peace, deny to the people equality before the law, and the fairness and the justice which are their right. Then the cry of American labor for a better share in the rewards of industry is stifled with false pretences, enterprise is fettered and bound down to home markets, capital is discouraged with doubt, and unequal, unjust laws

can neither be properly amended nor repealed.

The Democratic party will continue with all the power confided to it, the struggle to reform these laws in accordance with the pledges of its last platform, endorsed at the ballot-box by the suffrages of the people. Of all the industrious freemen of our land, the immense majority, including every tiller of the soil, gain no advantage from excessive tax laws, but the price of nearly everything they buy is increased by the favoritism of an unequal system of tax legislation. All unnecessary taxation is unjust taxation.

It is repugnant to the creed of Democracy that by such taxation the cost of the necessaries of life should be unjustifiably increased to all our people. Judged by Democratic principles the interests of the people are betrayed when, by unnecessary taxation, trusts and combinations are permitted to exist, which, while unduly enriching the few that combine, rob the body of the citizens by depriving them of the benefits of natural competition. Every Democratic rule of governmental action is violated when, through unnecessary taxation, a vast sum of money, far beyond the needs of an economical administration, is drawn from the people and the channels of trade and accumulated as a demoralizing surplus in the National Treasury.

The money now lying idle in the Federal Treasury, resulting from superfluous taxation, amounts to more than one hundred and twenty-five millions, and the surplus collected is reaching the sum of more than sixty millions annually. Debauched by this immense temptation, the remedy of the Republican party is to meet and exhaust by extravagant appropriations and expenses, whether constitutional or not, the accumulation of extravagant taxations. The

Democratic policy is to enforce frugality in public expense and abolish unnecessary taxation. Our established domestic industries and enterprises should not and need not be endangered by the reduction and correction of the burdens of taxation. On the contrary, a fair and careful revision of our tax laws, with due allowance for the difference between the wages of American and foreign labor, must promote and encourage every branch of such industries and enterprises by giving them assurance of an extended market and steady and continuous operations. In the interests of American labor, which should in no event be neglected, revision of our tax laws, contemplated by the Democratic party, should promote the advantage of such labor by cheapening the cost of necessaries of life in the home of every working man, and at the same time securing to him steady and remunerative employment. Upon this question of tariff reform, so closely concerning every phase of our national life, and upon every question involved in the problem of good government, the Democratic party submits its principles and professions to the intelligent suffrages of the American people.

Resolved, That this Convention hereby endorses and recommends the early passage of the bill for the reduction of the revenue now pending in the House of Representatives. (Referring to the Mills bill.)

Resolved, That we express our cordial sympathy with the struggling people of all nations in their efforts to secure for themselves the inestimable blessings of self-government and civil and religious liberty; and we especially declare our sympathy with the efforts of those noble patriots who, led by Gladstone and Parnell, have conducted their grand and peaceful contest for Home Rule in Ireland.

The Republican National Platform,

Adopted at Chicago Convention, June 19, 1888.

The Republicans of the United States, assembled by their delegates in National Convention, pause on the threshold of their proceedings to honor the memory of their first great leader, the immortal champion of liberty and the rights of the people—Abraham Lincoln—and to cover also with wreaths of imperishable remembrance and gratitude the heroic names of our later leaders who have more recently been called away from our councils—Grant, Garfield, Arthur, Logan, Conkling. May their memories be faithfully cherished. We also recall with our greetings, and with prayer for his recovery, the name of one of our living heroes whose memory will be treasured in the history both of the Republicans and the republic—the name of that noble soldier and favorite child of victory, Philip H. Sheridan.

In the spirit of these great leaders and of our own devotion to human liberty, and with that hostility to all forms of despotism and oppression which is the fundamental idea of the Republican party, we add fraternal congratulation to our fellow-Americans of Brazil upon their great set of emancipation, which completed the abolition of slavery throughout the two American continents. We earnestly hope that we may soon congratulate our fellow-citizens of Irish birth upon the peaceful recovery of Home Rule for Ireland.

We reaffirm our unswerving devotion to the National Constitution and to the indissoluble union of the States; to the autonomy reserved to the States under the Constitution; to the personal rights and liberties of citizens in all the States and Territories in

the Union, and especially to the supreme and sovereign right of every lawful citizen, rich or poor, native or foreign born, white or black, to cast one free ballot in public elections, and to have that duly counted. We hold the free and honest popular ballot and the just and equal representation of all the people to be the foundation of our Republican government, and demand effective legislation to secure the integrity and purity of elections, which are the fountains of all public authority. We charge that the present administration and the Democratic majority in Congress owe their existence to the suppression of the ballot by a criminal nullification of the Constitution and laws of the United States.

We are uncompromisingly in favor of the American system of protection. We protest against its destruction as proposed by the President and his party. They serve the interests of Europe; we will support the interests of America. We accept the issue and confidently appeal to the people for their judgment. The protective system must be maintained. Its abandonment has always been followed by general disaster to all interests except those of the usurer and the sheriff. We denounce the Mills bill as destructive to the general business, the labor and the farming interests of the country, and we heartily endorse the consistent and patriotic action of the Republican Representatives in Congress in opposing its passage.

We condemn the proposition of the Democratic party to place wool on the free list, and we insist that the duties thereon shall be adjusted and maintained so as to furnish full and adequate protection to that industry.

The Republican party would effect all needed reduction of the national revenue by repealing the

taxes upon tobacco, which are an annoyance and burden to agriculture, and the tax upon spirits used in the arts and for mechanical purposes, and by such revision of the tariff laws as will tend to check imports of such articles as are produced by our people, the production of which gives employment to our labor, and release from import duties those articles of foreign production (except luxuries) the like of which cannot be produced at home. If there shall still remain a larger revenue than is requisite for the wants of the Government, we favor the entire repeal of internal taxes rather than the surrender of any part of our protective system at the joint behest of the whisky trusts and the agents of foreign manufacturers.

We declare our hostility to the introduction into this country of foreign contract labor, and of Chinese labor, alien to our civilization and our Constitution, and we demand the rigid enforcement of the existing laws against it, and favor such immediate legislation as will exclude such labor from our shores.

We declare our opposition to all combinations of capital organized in trusts or otherwise to control arbitrarily the condition of trade among our citizens, and we recommend to Congress and to the State Legislatures in their respective jurisdictions such legislation as will prevent the execution of all the schemes to oppress the people by undue charges on their supplies, or by the unjust rates for the transportation of their products to market. We approve the legislation by Congress to prevent alike unjust burdens and unfair discriminations between the States.

We reaffirm the policy of appropriating the public lands of the United States to be homesteads for American citizens and settlers, not aliens, which the

Republican party established in 1862, against the persistent opposition of the Democrats in Congress, and which has brought our great western domain into such magnificent development. The restoration of unearned railroad land grants to the public domain, for the use of the actual settlers, which was begun under the administration of President Arthur, should be continued. We deny that the Democratic party has ever revoked one acre to the people, but declare that, by the joint action of Republicans and Democrats, about fifty millions of acres of unearned lands originally granted for the construction of railroads have been restored to the public domain, in pursuance of the conditions inserted by the Republican party in the original grants. We charge the Democratic administration with failure to execute the laws securing to settlers titles to their homesteads, and with using appropriations made for that purpose to harass innocent settlers with spies and prosecutions under the false pretence of exposing frauds and vindicating the law.

The Government by Congress of the Territories is based upon necessity only, to the end that they may become States in the Union; therefore, whenever the conditions of population, material resources, public intelligence and morality are such as to insure a stable Government therein, the people of such territories should be permitted, as a right inherent in them, the right to form for themselves constitutions and State Governments and be admitted into the Union. Pending the preparation for statehood, all officers thereof should be selected from the bona fide residents and citizens of the territory wherein they are to serve. South Dakota should of right be immediately admitted as a State in the Union under the Constitution framed and adopted by her people,

and we heartily endorse the action of the Republican Senate in twice passing bills for admission. The refusal of the Democratic House of Representatives, for partisan purposes, to favorably consider these bills, is a willful violation of the sacred American principle of local self government and merits the condemnation of all just men. The pending bills in the Senate for acts to enable the people of Washington, North Dakota and Montana territories to form Constitutions and establish State Governments, should be passed without unnecessary delay. The Republican party pledges itself to do all in its power to facilitate the admission of the Territories of New Mexico, Wyoming, Idaho and Arizona to the enjoyment of self-government as States, such of them as are not qualified as soon as they may become so.

The political power of the Mormon church in the Territories, as exercised in the past, is a menace to free institutions, a danger no longer to be suffered;

Therefore, we pledge the Republican party to appropriate legislation asserting the sovereignty of the Nation in all Territories where the same is questioned, and in furtherance of that end to place upon the statute books legislation stringent enough to divorce the political from the ecclesiastical power, and thus stamp out the attendant wickedness of polygamy.

The Republican party is in favor of the use of both gold and silver as money, and condemns the policy of the Democratic Administration in its efforts to demonetize silver.

We demand the reduction of letter postage to one cent per ounce.

In a Republic like ours, where the citizen is the sovereign and the official the servant; where no

power is exercised except by the will of the people, it is important that the sovereign—the people—should possess intelligence. The free school is the promoter of that intelligence which is to preserve us as a free nation; the State or nation, or both combined, should support free institutions of learning sufficient to afford to every child growing up in the land the opportunity of a good common-school education.

We earnestly recommend that prompt action be taken by Congress in the enactment of such legislation as will best secure the rehabilitation of the American merchant marine, and we protest against the passage by Congress of a free ship bill, as calculated to work injustice to labor by lessening the wages of those engaged in preparing materials as well as those directly employed in our ship yards. We demand appropriations for the early rebuilding of our navy; for the construction of coast fortifications and modern ordnance and other approved modern means of defence for the protection of our defenceless harbors and cities; for the payment of just pensions to our soldiers; for necessary works of national importance in the improvement of harbors and the channels of internal, coastwise and foreign commerce; for the encouragement of the shipping interests of the Atlantic, Gulf and Pacific States, as well as for the payment of the maturing public debt. This policy will give employment to our labor, activity to our various industries, increase the security of our country, promote trade, open new and direct markets for our produce, and cheapen the cost of transportation. We affirm this to be far better for our country than the Democratic policy of loaning the Government's money without interest to "pet banks."

The conduct of foreign affairs by the present

administration has been distinguished by its inefficiency and its cowardice. Having withdrawn from the Senate all pending treaties affected by Republican administrations for the removal of foreign burdens and restrictions upon our commerce and for its extension into better markets, it has neither effected nor proposed any others in their stead. Professing adherence to the Monroe doctrine, it has seen with idle complacency the extension of foreign influence in Central America and of foreign trade everywhere among our neighbors. It has refused to charter, sanction or encourage any American organization for constructing the Nicaragua canal, a work of vital importance to the maintenance of the Monroe doctrine and of our national influence in Central and South America, and necessary for the development of trade with our Pacific territory, with South America and with the islands and further coasts of the Pacific Ocean.

We arraign the present Democratic administration for its weak and unpatriotic treatment of the fisheries question, and its pusillanimous surrender of the essential privileges to which our fishing vessels are entitled in Canadian ports under the treaty of 1818, the reciprocal maritime legislation of 1830, and the comity of nations, and which Canadian fishing vessels receive in ports of the United States.

We condemn the policy of the present administration and the Democratic majority in Congress towards our fisheries as unfriendly and conspicuously unpatriotic, and as tending to destroy a valuable national industry and an indispensable resource of defense against a foreign enemy.

The name of American applies alike to all citizens of the Republic, and imposes upon all alike the same obligation to obedience to the laws. At the same time

that citizenship is and must be the panoply and safeguard of him who wears it, and protect him, whether high or low, rich or poor, in all his civil rights, it should and must afford him protection at home and follow and protect him abroad in whatever land he may be on a lawful errand.

The men who abandoned the Republican party in 1884 and continue to adhere to the Democratic party have deserted not only the cause of honest government, of sound finance, of freedom and purity of the ballot, but especially have deserted the cause of reform in the civil service. We will not fail to keep our pledges because they have broken theirs or because their candidate has broken his. We therefore repeat our declaration of 1884, to wit: “The reform of the Civil Service, auspiciously begun under the Republican administration should be completed by the further extension of the reform system already established by law to all grades of the service to which it is applicable. The spirit and purpose of the reform should be observed in all executive appointments, and all laws at variance with the object of existing reform legislation should be repealed, to the end that the dangers to free institutions which lurk in the power of official patronage may be wisely and effectively avoided.”

The gratitude of the nation to the defenders of the Union cannot be measured by laws. The legislation of Congress should conform to the pledge made by a loyal people, and be so enlarged and extended as to provide against the possibility that any man who honorably wore the Federal uniform shall become an inmate of an almshouse, or dependent upon private charity. In the presence of an overflowing treasury it would be a public scandal to do less for those whose valorous service preserved the Government. We

denounce the hostile spirit shown by President Cleveland in his numerous vetoes of measures for pension relief, and the action of the Democratic House of Representatives in refusing even a consideration of general pension legislation.

In support of the principles herewith enunciated we invite the co-operation of patriotic men of all parties, and especially of all workingmen, whose prosperity is seriously threatened by the free trade policy of the present administration.

On motion of Hon. Chas. A. Boutelle of Maine, the following was also adopted:

"The first concern of all good government is the virtue and sobriety of the people and the purity of the home. The Republican party cordially sympathizes with all wise and well-directed efforts for the promotion of temperance and morality."

COMPARISON OF PLATFORM PLANKS ON GREAT POLITICAL QUESTIONS.

General Party Doctrines.

DEMOCRATIC.	REPUBLICAN.

1856—That the liberal principles embodied by Jefferson in the Declaration of Independence, and sanctioned in the Constitution, which makes ours the land of liberty and the *asylum of the oppressed* of every nation, have ever been cardinal principles in the Democratic faith; and every attempt to abridge the present privilege of becoming citizens and the owners of soil among us ought to be resisted with the same spirit which swept the alien and sedition laws from our statute books.
[Plank 8.

1856—That the maintenance of the principles promulgated in the Declaration of Independence and embodied in the Federal Constitution, is essential to the preservation of our Republican institutions, and that the Federal Constitution, the rights of the States, and the union of the States shall be preserved; that with our Republican fathers, we hold it to be a self-evident truth that all men are endowed with the inalienable rights to life, liberty, and the pursuit of happiness, and that the primary object and ulterior design of our Federal Government were to secure these rights to all persons within its exclusive jurisdiction.
[Plank 1.

1860—Reaffirmed.	1860—That the maintenance of the principles promulgated in the Declaration of Independence and embodied in the Federal Constitution, "That all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that to secure these rights governments are instituted among men, deriving their just powers from the consent of the governed," is essential to the preservation of our Republican institutions; and that the Federal Constitution, the rights of the States, and the Union of the States must and shall be preserved. [Plank 2.
1864—	1864—
1868—	1868—

1872—We recognize the equality of all men before the law, and hold that it is the duty of Government in its dealings with the people to mete out equal and exact justice to all, of whatever nativity, race, color, or persuasion, religious or political.
[Plank 1.

1872—Complete liberty and exact equality in the enjoyment of all civil, political and public rights should be established and effectually maintained throughout the Union by efficient and appropriate State and Federal Legislation. Neither the law nor its administration should admit any discrimination in respect of citizens by reasons of race, creed, color or previous condition of servitude.
[Plank 3.

1876—

1876—*The United States of America is a Nation not a league.* By the combined workings of the National and State Governments, under their respective constitutions, the rights of every citizen are secured at home or abroad, and the common welfare promoted.

1880—Opposition to centralizationism, and to that dangerous spirit of encroachment which tends to consolidate the powers of all the departments in one, and thus to create, whatever be the form of Government, a real despotism.
[Plank 2.

1880—*The constitution of the United States is a supreme law and not a mere contract.* Out of confederate States it made a sovereign nation. Some powers are denied to the nation, while others are denied to the States, but the boundary between the powers delegated and those reserved is to be determined by the National, and not by the State tribunal.
[Cheers.
[Plank 2.

The Rebellion.

DEMOCRATIC. **REPUBLICAN.**

1864—That this convention does *explicitly declare,* as the sense of the American people, that *after four years of failure to restore the Union by the experiment of war*, during which, under the pretense of a military necessity or war power higher than the Constitution, the Constitution itself has been disregarded in every part, and public liberty and private right alike trodden down, and the material prosperity of the country essentially impaired, justice, humanity, liberty, and the public welfare demand that *immediate efforts be made for a cessation of hostilities*, with a view to the ultimate convention of the States, or other peaceable means to the end that, at the earliest practicable moment peace may be restored on the basis of the Federal Union of the States.
[1st resolution.

1864—That it is the highest duty of every American citizen to maintain against all their enemies the integrity of the Union and the paramount authority of the Constitution and laws of the United States; and that laying aside all differences of political opinions, we pledge ourselves as Union men, animated by a common sentiment, and aiming at a common object, to do everything in our power to aid the Government, in quelling by force of arms the rebellion now raging against its authority, and in bringing to the punishment due to their crimes the rebels and traitors arrayed against it.

That we approve the determination of the Government of the United States not to compromise with rebels, or to offer them any terms of peace, except such as may be based upon an unconditional surrender of their hostility and a return to their just allegiance to the Constitution and laws of the United States; and

that we call upon the Government to maintain this position and to prosecute the war with the utmost possible vigor to the complete suppression of the rebellion, in full reliance upon the self-sacrificing patriotism, the heroic valor, and the undying devotion of the American people to the country and its free institutions.
[1st and 2d resolutions.

Home Rule.

DEMOCRATIC. **REPUBLICAN.**

1856—That we recognize the right of the people in all the Territories, including Kansas and Nebraska, acting through the legally and fairly expressed will of a majority of actual residents, and wherever the number of their inhabitants justifies it, to form a constitution * * * and be admitted into the Union upon terms of perfect equality with the other States.

1856— * * * The dearest constitutional rights of the people of Kansas have been fraudulently and violently taken from them; their territory has been invaded by an armed force; spurious and pretended legislative, judicial, and executive officers have been set over them, by whose usurped authority, sustained by the military power of the Government, tyrannical and unconstitutional laws have been enacted and enforced; the right of the people to keep and bear arms has been infringed; test oaths of an extraordinary and entangling nature have been imposed as a condition of exercising the right of suffrage and holding office; the right of an accused person to a speedy and public trial by an impartial jury has been denied; the right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures, has been violated; they have been deprived of life, liberty, and property without due

process of law; that the freedom of speech and of the press has been abridged; the right to choose their representatives has been made of no effect; murders, robberies, and arsons have been instigated and encouraged, and the offenders have been allowed to go unpunished; that all these things have been done with the knowledge, sanction, and procurement of the present Administration, and that for this high crime against the Constitution, the Union, and humanity, we arraign the Administration, the President, his advisers, agents, supporters, apologists, and accessories, either *before* or *after* the fact, before the country and before the world; and that it is our fixed purpose to bring the actual perpetrators of these atrocious outrages and their accomplices to a sure and condign punishment.
[Plank 3.

1860—That when the settlers in a Territory, having an adequate population, form a State Constitution, the right of sovereignty commences, and, being consummated by admission into the Union, they stand on an equal footing with the people of other States; and the State thus organized ought to be admitted into the Federal Union, whether its constitution prohibits or recognizes the institution of slavery.
[Plank 3, Breckinridge, Dem.

1860—That the maintenance inviolate of the rights of the States, and especially the right of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of power on which the perfection and endurance of our political fabric depends; and we denounce the lawless invasion by armed force of the soil of any State or Territory, no matter under what pretext, as among the gravest of crimes.
[Plank 4.

1864—

1864—

1868—After the most solemn and unanimous pledge of both Houses of Congress to prosecute the war exclusively for the maintenance of the Government and the preservation of the Union under the Constitution, it [the Republican party] has repeatedly violated that most sacred pledge under which alone was rallied that noble volunteer army which carried our flag to victory. Instead of restoring the Union, it has, so far as in its power, dissolved it, and subjected ten States, in time of profound peace, to military despotism and negro supremacy. It has nullified there the right of trial by jury; it has abolished the *habeas corpus*, that most sacred writ of liberty; it has overthrown the freedom of speech and the press; it has substituted arbitrary seizures and arrests, and military trials and secret star-chamber inquisitions for the constitutional tribunals; it has disregarded in time of peace the right of the people to be free from searches and seizures; it

1868—We congratulate the country on the assured success of the reconstruction policy of Congress, as evinced by the adoption, in the majority of the States lately in rebellion, of constitutions securing equal civil and political rights to all; and it is the duty of the Government to sustain those institutions and prevent the people of such States from being remitted to a state of anarchy.

has entered the post and telegraph offices, and even the private rooms of individuals, and seized their private papers and letters without any specific charge or notice of affidavit, as required by the organic law; it has converted the American Capitol into a bastile; it has established a system of spies and official espionage to which no constitutional monarchy of Europe would now dare to resort; it has abolished the right of appeal on important constitutional questions to the supreme judicial tribunals, and threatens to curtail or destroy its original jurisdiction, which is irrevocably vested by the Constitution, while the learned Chief Justice has been subjected to the most atrocious calumnies, merely because he would not prostitute his high office to the support of the false and partisan charges preferred against the President. * * * Under its repeated assaults the pillars of the Government are rocking on their base, and should it succeed in

November next and inaugurate its President, we will meet as a subjected and conquered people, amid the ruins of liberty and the scattered fragments of the Constitution.

1872—Local self-government, with impartial suffrage, will guard the rights of all citizens more securely than any centralized power. The public welfare requires the supremacy of the civil over the military authority, and freedom of persons under the protection of the *habeas corpus*. We demand for the individual the largest liberty consistent with public order; for the State self-government, and for the nation a return to the methods of peace and the constitutional limitations of power.
[Plank 4.

1872—We hold that Congress and the President have only fulfilled an imperative duty in their measures for the suppression of violent and treasonable organizations in certain lately rebellious regions, and for the protection of the ballot-box; and, therefore, they are entitled to the thanks of the nation.
[Plank 12.

1880—* * "Home Rule."
[Plank 3.

1880—

Internal Improvements.

DEMOCRATIC.	REPUBLICAN.
1856—That the Constitution does not confer upon the general Government the power to commence and carry on a general system of internal improvements. [Plank 2.	1856—That appropriations by congress for the improvement of rivers and harbors of a national character, required for the accommodation and security of our existing commerce, are authorized by the Constitution and justified by the obligation of Government to protect the lives and property of its citizens. [Plank 7.
1860—Reaffirmed.	1860—That appropriations by Congress for river and harbor improvements of a national character, required for the accommodation and security of an existing commerce, are authorized by the Constitution and justified by the obligation of Government to protect the lives and property of its citizens. [Plank 15.
1864—	1864—
1868—	1868—
1872—	1872—
1876—	1876—

1880—Plank 2 of 1856 reaffirmed.	1880– * * * That we deem it the duty of Congress to develop and improve our seacoast and harbors, but insist that further subsidies to private persons or corporations must cease.

The National Debt and Interest, the Public Credit, Repudiation, etc.

DEMOCRATIC.	REPUBLICAN.
1864—	1864—That the National faith, pledged for the redemption of the public debt, must be kept inviolate, and that for this purpose we recommend economy and rigid responsibility in the public expenditures, and a vigorous and just system of taxation; and that it is the duty of every loyal State to sustain the credit and promote the use of the National currency. [Plank 10.

1868—Payment of the public debt of the United States as rapidly as practicable; all moneys drawn from the people by taxation, except so much as is requisite for the necessities of the Government, economically administered, being honestly applied to such payment, and where the obligations of the Government do not expressly state upon their face, or the law under which they were issued does not provide that they shall be paid in coin, they ought, in right and in justice, to be paid in the *lawful money* of the United States.
[Plank 3.

Equal taxation of every species of property according to its real value, including Government bonds and other public securities.
[Plank 4.

1868—We denounce all forms of repudiation as a National crime; and the National honor requires the payment of the public indebtedness in the uttermost good faith to all creditors at home and abroad, not only according to the letter, but the spirit of the laws under which it was contracted.
[Plank 3.

It is due to the labor of the nation that taxation should be equalized and reduced as rapidly as the national faith will permit.
[Plank 4.

The national debt, contracted as it has been for the preservation of the Union for all time to come, should be extended over a fair period for redemption; and it is the duty of Congress to reduce the rate of interest thereon whenever it can be honestly done.
[Plank 5.

That the best policy to diminish our burden of debt is to so improve our credit that capitalists will seek to loan us money at

lower rates of interest than we now pay and must continue to pay so long as repudiation, partial or total, open or covert, is threatened or suspected.
[Plank 6.

1872—We demand a system of Federal taxation which shall not unnecessarily interfere with the industries of the people, and which shall provide the means necessary to pay the expenses of the Government, economically administered, the pensions, the interest on the public debt, and a moderate reduction annually of the principal thereof. * * *

The public credit must be sacredly maintained, and we denounce repudiation in every form and guise.
[Plank 7.

1872—* * * A uniform national currency has been provided, repudiation frowned down, the national credit sustained under the most extraordinary burdens, and new bonds negotiated at lower rates. * * *
[Plank 1.

We denounce repudiation of the public debt, in any form of disguise, as a national crime. We witness with pride the reduction of the principal of the debt, and of the rates of interest upon the balance.
[Plank 13.

1876—Reform is necessary to establish a sound currency, restore the public credit, and maintain the national honor.

1876—In the first act of Congress signed by President Grant, the National Government assumed to remove any doubts of its purpose to discharge all just obligations to the public creditors, and "solemnly pledged its faith to make provision at the earliest practicable period for the redemption of the United States notes in coin." Commercial prosperity, public morals, and national credit demand that this promise be fulfilled by a continuance and steady progress to specie payment.
[Plank 4.

1880—* * * Honest money—the strict maintenance of the public faith—consisting of gold and silver, and paper convertible into coin on demand; the strict maintenance of the public faith, State and national.
[Plank 3.

1880—It [the Republican party] has raised the value of our paper currency from 38 per cent. to the par of gold [applause]; it has restored, upon a solid basis, payment in coin of all national obligations, and has given us a currency absolutely good and equal in every part or our extended country [applause]; it has lifted the credit of the nation from the point of where 6 per cent. bonds sold at 86, to that where 4 per cent. bonds are eagerly sought at a premium.
[Preamble.

Resumption.

DEMOCRATIC.

1872—A speedy return to specie payment is demanded alike by the highest considerations of commercial morality and honest government.
[Plank 8.

REPUBLICAN.

1872—* * * Our excellent national currency will be perfected by a speedy resumption of specie payment.
[Plank 13.

1876—We denounce the financial imbecility and immorality of that party, which, during eleven years of peace, has made no advance toward resumption, no preparation for resumption, but instead has obstructed resumption, by wasting our resources and exhausting all our surplus income; and, while annually professing to intend a speedy return to specie payments, has annually enacted fresh hindrances thereto. As such hindrance *we denounce the resumption clause of the act of 1875, and we here demand its repeal·*	1876—In the first act of Congress signed by President Grant, the National Government assumed to remove any doubts of its purpose to discharge all just obligations to the public creditors, and solemnly pledged its faith to make provision at the "earliest practicable period for the redemption of the United States notes in coin." Commercial prosperity, public morals and national credit demand that this promise be fulfilled *by a continuous and steady progress to specie payment·*
1880—* * * Honest money, * * * consisting of gold, and silver, and paper convertible into coin on demand.	1880—* * * It [the Republican party] has restored, upon a solid basis, payment in coin of all National obligations, and has given us a currency absolutely good and equal in every part of our extended country.

Capital and Labor.

DEMOCRATIC.	REPUBLICAN.
1868—*Resolved,* That this convention sympathize cordially with the working men of the United States in their efforts to protect the rights and interests of the laboring classes of the country.	1868—
1872—	1872—Among the questions which press for attention is that which concerns the relations of capital and labor, and the Republican party recognizes the duty of so shaping legislation as to secure full protection and the amplest field for capital, and for labor, the creator of capital the largest opportunities and a just share of the mutual profits of these two great servants of civilization. [Plank 11.
1880—The Democratic party is the friend of labor and the laboring man, and pledges itself to protect him alike against the cormorant and the commune. [Plank 13.	1880—

Tariff.

DEMOCRATIC.	REPUBLICAN.
1856—The time has come for the people of the United States to declare themselves in favor of * * * progressive free trade throughout the world, by solemn manifestations, to place their moral influence at the side of their successful example. [Resolve 1.	1856—
That justice and sound policy forbid the Federal Government to foster one branch of industry to the detriment of any other, or to cherish the interests of one portion to the injury of another portion of our common country. [Plank 4.	

1860—Reaffirmed.	1860—That, while providing revenue for the support of the general Government by duties upon imports, sound policy requires such an adjustment of these imposts as to encourage the development of the industrial interests of the whole country; and we commend that policy of national exchanges which secures to the workingmen liberal wages, to agriculture remunerative prices, to mechanics and manufacturers an adequate reward for their skill, labor, and enterprise, and to the nation commercial prosperity and independence. [Plank 12.
1864—	1864—

1868—* * * A tariff for revenue upon foreign imports, and such equal taxation under the Internal Revenue laws as will afford incidental protection to domestic manufactures, and as will, without impairing the revenue, impose the least burden upon and best promote and encourage the great industrial interests of the country.
[Plank 6.

1868—

1872—* * * Recognizing that there are in our midst honest but irreconcilable differences of opinion with regard to the respective systems of protection and free trade, we remit the discussion of the subject to the people in their Congressional districts, and to the decision of the Congress thereon, wholly free from executive interference or dictation.
[Plank 6.

1872—* * * Revenue except so much as may be derived from a tax upon tobacco and liquors, should be raised by duties upon importations, the details of which should be so adjusted as to aid in securing remunerative wages to labor, and promote the industries, prosperity, and growth of the whole country.
[Plank 7.

1876—* * * *We demand that all custom-house taxation shall be only for revenue.* [Plank 11.	1876—The revenue necessary for current expenditures and the obligations of the public debt must be largely derived from duties upon importations, which so far as possible, should be adjusted to promote the interests of American labor and advance the prosperity of the whole country. [Plank 8.
1880—* * * A tariff for revenue only. [Plank 3.	1880—Reaffirmed.

Education.

DEMOCRATIC.	REPUBLICAN.

1876—The false issue with which they [the Republicans] would enkindle sectarian strife in respect to the public schools, of which the establishment and support belong exclusively to the several States, and which *the Democratic party has cherished from their foundation,* and is resolved to maintain without prejudice or preference for any class, sect, or creed, and without largesses from the Treasury to any.	1876—The public school system of the several States is the bulwark of the American Republic, and with a view to its security and permanence we recommend an Amendment to the Constitution of the United States, forbidding the application of any public funds or property for the benefit of any schools or institutions under sectarian control. [Plank 4.
1880—* * * Common Schools fostered and protected. [Plank 2.	1880—The work of popular education is one left to the care of the several States, but it is the duty of the National Government to aid that work to the extent of its constitutional ability. The intelligence of the nation is but the aggregate of the intelligence in the several States, and the destiny of the Nation must be guided, not by the genius of any one State, but by the average genius of all. [Plank 3.

Duty to Union Soldiers and Sailors.

DEMOCRATIC.	REPUBLICAN.
1864—That the sympathy of the Democratic party is heartily and earnestly extended to the soldiery of our army and sailors of our navy, who are and have been in the field and on the sea under the flag of our country, and, in the event of its attaining power, they will receive all the care, protection, and regard that the brave soldiers and sailors of the Republic so nobly earned. [Plank 6.	1864—That the thanks of the American people are due to the soldiers and sailors of the army and navy, who have periled their lives in defense of the country and in vindication of the honor of its flag; that the nation owes to them some permanent recognition of their patriotism and their valor, and ample and permanent provision for those of their survivors who have received disabling and honorable wounds in the service of the country; and that the memories of those who have fallen in its defence shall be held in grateful and everlasting remembrance. [Plank 4.

1868—* * * That our soldiers and sailors, who carried the flag of our country to victory, against a most gallant and determined foe, must ever be gratefully remembered, and all the guarantees given in their favor must be faithfully carried into execution.

1868—Of all who were faithful in the trials of the late war, there were none entitled to more especial honor than the brave soldiers and seamen who endured the hardships of campaign and cruise and imperiled their lives in the service of their country; the bounties and pensions provided by the laws for these brave defenders of the nation are obligations never to be forgotten; the widows and orphans of the gallant dead are the wards of the people—a sacred legacy bequeathed to the nation's care.
[Plank 10.

1872—* * * We remember with gratitude the heroism and sacrifices of the soldiers and sailors of the Republic, and no act of ours shall ever detract from their justly earned fame for the full reward of their patriotism. [Plank 9.	1872—We hold in undying honor the soldiers and sailors whose valor saved the Union. Their pensions are a sacred debt of the nation, and the widows and orphans of those who died for their country are entitled to the care of a generous and grateful people. We favor such additional legislation as will extend the bounty of the Government to all our soldiers and sailors who were honorably discharged, and who in the line of duty became disabled, without regard to the length of service or the cause of such discharge. [Plank 8.
1876—* * * The soldiers and sailors of the Republic, and the widows and orphans of those who have fallen in battle, have a just claim upon the care, protection, and gratitude of their fellow-citizens. [Last resolution.	1876—The pledges which the nation has given to her soldiers and sailors must be fulfilled, and a grateful people will always hold those who imperiled their lives for the country's preservation, in the kindest remembrance. [Plank 14.

1880—	1880—That the obligations of the Republic to the men who preserved its integrity in the day of battle are undiminished by the lapse of fifteen years since their final victory. To do them honor is and shall forever be the grateful privilege and sacred duty of the American people.

Naturalization and Allegiance.

DEMOCRATIC.	REPUBLICAN.

1860—That the Democracy of the United States recognize it as the imperative of this Government to protect the naturalized citizen in all his rights, whether at home or in foreign lands, to the same extent as its native-born citizens. [Plank 6.	1860—The Republican party is opposed to any change in our naturalization laws, or any State legislation by which the rights of citizenship hitherto accorded to immigrants from foreign lands shall be abridged or impaired; and in favor of giving a full and efficient protection to the right of all classes of citizens, whether native or naturalized, both home and abroad. [Plank 14.
1864—	1864—

1868—Equal rights and protection for naturalized and native-born citizens at home and abroad, the assertion of American nationality which shall command the respect of foreign powers, and furnish an example and encouragement to people struggling for national integrity, constitutional liberty, and individual rights and the maintenance of the rights of naturalized citizens against the absolute doctrine of immutable allegiance, and the claims of foreign powers to punish them for alleged crime committed beyond their jurisdiction.
[Plank 8.

1868—The doctrine of Great Britain and other European Powers, that because a man is once a subject he is always so, must be resisted at every hazard by the United States, as a relic of feudal times, not authorized by the laws of nations, and at war with our national honor and independence. Naturalized citizens are entitled to protection in all their rights of citizenship as though they were native-born; and no citizen of the United States, native or naturalized, must be liable to arrest and imprisonment by any foreign power for acts done or words spoken in this country; and, if so arrested and imprisoned, it is the duty of the Government to interfere in his behalf.
[Plank 9.

1872—

1872—The doctrine of Great Britain and other European Powers concerning allegiance —"once a subject always a subject"—*having at last, through the efforts of the Republican party, been abandoned*, and the American idea of the individual's right to transfer allegiance having been accepted by European nations, it is the duty of our Government to guard with jealous care the rights of adopted citizens against the assumption of unauthorised claims by their former Governments, and we urge continued careful encouragement and protection of voluntary immigration.
[Plank 9.

1876—	1876—It is the imperative duty of the Government so to modify existing treaties with European governments, that the same protection shall be afforded to the adopted American citizen that is given to the native-born, and that all necessary laws should be passed to protect emigrants in the absence of power in the State for that purpose. [Plank 10.
1880—	1880—* * * Everywhere the protection accorded to a citizen of American birth must be secured to citizens by American adoption. [Plank 5.

The Chinese.

DEMOCRATIC.	REPUBLICAN.

1876—Reform is necessary to correct the omissions of a Republican Congress, and the errors of our treaties and our diplomacy, which have stripped our fellow-citizens of foreign birth and kindred race recrossing the Atlantic, of the shield of American citizenship, and have exposed our brethren of the Pacific coast to the incursions of a race not sprung from the same great parent stock, and in fact now by law denied citizenship through naturalization as being neither accustomed to the traditions of a progressive civilization nor exercised in liberty under equal laws. We denounce the policy which thus discards the liberty-loving German and tolerates a revival of the coolie trade in Mongolian women imported for immoral purposes, and Mongolian men held to perform servile labor contracts, and demand such modification of the treaty with the Chinese Empire, or such legislation within constitutional limitations, as shall prevent further

1876—It is the immediate duty of Congress to fully investigate the effect of the immigration and importation of Mongolians upon the moral and material interests of the country. [Plank 11.

importation or immigration of the Mongolian race.	
1880—Amendment of the Burlingame Treaty. No more Chinese immigration, except for travel, education, and foreign commerce, and therein carefully guarded. [Plank 11.	1880—Since the authority to regulate immigration and intercourse between the United States and foreign nations rests with the Congress of the United States and the treaty-making power, the Republican party, regarding the unrestricted immigration of Chinese as a matter of grave concernment under the exercise of both these powers, would limit and restrict that immigration by the enactment of such just, humane, and reasonable laws and treaties as will produce that result. [Plank 6.

Civil Service.

DEMOCRATIC.	REPUBLICAN.

1872—The civil service of the government has become a mere instrument of partisan tyranny and personal ambition and an object of selfish greed. It is a scandal and reproach upon free institutions and breeds a demoralization dangerous to the perpetuity of Republican Government. We therefore regard a thorough reform of the civil service as one of the most pressing necessities of the hour; that honesty, capacity and fidelity constitute the only valid claim to public employment; and the offices of the Government cease to be a matter of arbitrary favoritism and patronage, and public station become again a post of honor. To this end it is imperatively required that no President shall be a candidate for re-election.

1872—Any system of the civil service, under which the subordinate positions of the Government are considered rewards for mere party zeal is fatally demoralizing, and we therefore favor a reform of the system by laws which shall abolish the evils of patronage and make honesty, efficiency and fidelity the essential qualifications for public positions, without practically creating a life tenure of office.
[Plank 5.

1876—Reform is necessary in the civil service. Experience that proves efficient, economical conduct of Governmental business is not possible if the civil service be subject to change at every election, be a prize fought for at the ballot-box, be a brief reward of party zeal, instead of posts of honor assigned for proved competency, and held for fidelity in the public employ; that the dispensing of patronage should neither be a tax upon the time of all our public men, nor the instrument of their ambition.

1876—Under the Constitution the President and heads of Departments are to make nominations for office; the Senate is to advise and consent to appointments, and the House of Representatives to accuse and prosecute faithless officers. The best interest of the public service demands that these distinctions be respected; that Senators and Representatives who may be judges and accusers should not dictate appointments to office. The invariable rule in appointments should have reference to the honesty, fidelity and capacity of the appointees, giving to the party in power those places where harmony and vigor of administration require its policy to be represented, but permitting all others to be filled by persons selected with sole reference to the efficiency of the public service, and the right of all citizens to share in the honor of rendering faithful service to the country.
[Plank 5.

1880—* * * Thorough reform in the civil service.	1880—The Republican party, adhering to the principles affirmed by its last National Convention of respect for the Constitutional rules governing appointments to office, adopts the declaration of President Hayes, that the reform of the civil service should be thorough, radical and complete. To this end it demands the co-operation of the legislative with the executive departments of the Government, and that Congress shall so legislate that fitness, ascertained by proper practical tests, shall admit to the public service.

The Tariff Issue of 1884.

REPUBLICAN.	DEMOCRATIC.

We therefore demand that the imposition of duties on foreign imports shall be made not for "revenue only," but that in raising the requisite revenues for the government such duties shall be so levied as to afford security to our diversified industries and protection to the rights and wages of the laborer, to the end that active and intelligent labor, as well as capital, may have its just award and the laboring man his full share in the national prosperity. Against the so-called economical system of the Democratic party, which would degrade our labor to the foreign standard, we enter our earnest protest. The Democratic party has failed completely to relieve the people of the burden of unnecessary taxation by a wise reduction of the surplus.

The Republican party pledges itself to correct the inequalities of the tariff and to reduce the surplus, not by the vicious and indiscriminate process of horizontal reduction, but by such

The Democracy pledges itself to purify the administration from corruption, to restore economy, to revive respect for law and to reduce taxation to the lowest limit consistent with due regard to the preservation of the faith of the nation to its creditors and pensioners. Knowing full well, however, that legislation affecting the occupations of the people should be cautious and conservative in method, not in advance of public opinion, but responsive to its demands, the Democratic party is pledged to revise the tariff in a spirit of fairness to all interests. But in making reduction in taxes it is not proposed to injure any domestic industries, but rather to promote their healthy growth. From the foundation of this government taxes collected at the Custom House have been the chief source of Federal revenue; such they must continue to be. Moreover, many industries have come to rely upon legislation for successful continuance, so that any change of law

methods as will relieve the taxpayer without injuring the laborer or the great productive interests of the country.

We recognize the importance of sheep husbandry in the United States, the serious depression which it is now experiencing and the danger threatening its future prosperity, and we therefore respect the demands of the representatives of this important agricultural interest for a readjustment of duty upon foreign wool, in order that such industry shall have full and adequate protection.

We have always recommended the best money known to the civilized world and we urge that an effort be made to unite all commercial nations in the establishment of the international standard which shall fix for all the relative value of gold and silver coinage.

must be at every step regardful of the labor and capital thus involved. The process of reform must be subject in the execution to this plain dictate of justice.

All taxation shall be limited to the requirements of economical government. The necessary reduction in taxation can and must be effected without depriving American labor of the ability to compete successfully with foreign labor and without imposing lower rates of duty than will be ample to cover any increased cost of production which may exist in consequence of the higher rate of wages prevailing in this country. Sufficient revenue to pay all the expenses of the Federal government economically administered, including pensions, interest and principal of the public debt, can be got under our present system of taxation from Custom House taxes on fewer imported articles, bearing heaviest on articles of luxury and bearing

lightest on articles of necessity.

We therefore denounce the abuses of the existing tariff and subject to the preceding limitations we demand that Federal taxation shall be exclusively for public purposes and shall not exceed the needs of the government economically administered.

The Tariff and Revenue, 1888.

DEMOCRATIC. **REPUBLICAN.**

The Democratic party of the United States, in National Convention assembled, renews the pledge of its fidelity to Democratic faith, and reaffirms the platform adopted by its representatives in the Convention of 1884, and endorses the views expressed by President Cleveland in his last annual message to Congress as the correct interpretation of that platform upon the question of tariff reduction; and also endorses the efforts of our Democratic representatives in Congress to secure a reduction of excessive taxation. Chief among its principles of party faith are the maintenance of an indissoluble union of free and indestructible States, now about to enter upon its second century of unexampled progress and renown; devotion to a plan of government regulated by a written constitution strictly specifying every granted power and expressly reserving to the States or people the entire

We are uncompromisingly in favor of the American system of protection. We protest against its destruction as proposed by the President and his party. They serve the interests of Europe; we will support the interests of America. We accept the issue and confidently appeal to the people for their judgment. The protective system must be maintained. Its abandonment has always been followed by general disaster to all interests except those of the usurer and the sheriff. We denounce the Mills bill as destructive to the general business, the labor and the farming interests of the country, and we heartily endorse the consistent and patriotic action of the Republican Representatives in Congress in opposing its passage.

We condemn the proposition of the Democratic party to place wool on the free list, and we insist that the duties thereon shall be adjusted and maintained so as to furnish full and adequate

ungranted residue of power; the encouragement of a jealous popular vigilance, directed to all who have been chosen for brief terms to enact and execute the laws, and are charged with the duty of preserving peace, ensuring equality, and establishing justice.

* * * * *

It is repugnant to the creed of Democracy that by such taxation the cost of the necessaries of life should be unjustifiably increased to all our people. Judged by Democratic principles the interest of the people are betrayed when, by unnecessary taxation, trusts and combinations are permitted to exist, which, while unduly enriching the few that combine, rob the body of the citizens by depriving them of the benefits of natural competition. Every Democratic rule of governmental action is violated when, through unnecessary taxation, a vast sum of money, far beyond the needs of an economical administration, is drawn protection to that industry.

The Republican party would effect all needed reduction of the national revenue by repealing the taxes upon tobacco, which are an annoyance and burden to agriculture, and the tax upon spirits used in the arts and for mechanical purposes, and by such revision of the tariff laws as will tend to check imports of such articles as are produced by our people, the production of which gives employment to our labor, and release from import duties those articles of foreign production (except luxuries) the like of which cannot be produced at home. If there shall still remain a larger revenue than is requisite for the wants of the Government, we favor the entire repeal of internal taxes rather than the surrender of any part of our protective system at the joint behest of the whisky trusts and the agents of foreign manufacturers.

from the people and the channels of trade and accumulated as a demoralizing surplus in the National Treasury.

The money now lying idle in the Federal Treasury, resulting from superfluous taxation, amounts to more than one hundred and twenty-five millions, and the surplus collected is reaching the sum of more than sixty millions annually. Debauched by this immense temptation, the remedy of the Republican party is to meet and exhaust by extravagant appropriations and expenses, whether constitutional or not, the accumulation of extravagant taxations. The Democratic policy is to enforce frugality in public expense and abolish unnecessary taxation. Our established domestic industries and enterprises should not and need not be endangered by the reduction and correction of the burdens of taxation. On the contrary, a fair and careful revision of our tax laws, with due allowance

for the difference between the wages of America and foreign labor, must promote and encourage every branch of such industries and enterprises by giving them assurances of an extended market and steady and continuous operations. In the interests of American labor, which should in no event be neglected, revision of our tax laws, contemplated by the Democratic party, should promote the advantage of such labor by cheapening the cost of necessaries of life in the home of every working man, and at the same time securing to him steady and remunerative employment. Upon this question of tariff reform, so closely concerning every phase of our national life, and upon every question involved in the problem of good government, the Democratic party submits its principles and professions to the intelligent suffrages of the American people.

Resolved, That this Convention hereby endorses and recommends

the early passage of the bill for the reduction of the revenue now pending in the House of Representatives.

Resolved, That we express our cordial sympathy with struggling people of all nations in their efforts to secure for themselves the inestimable blessings of self-government and civil and religious liberty; and we especially declare our sympathy with the efforts of those noble patriots who, led by Gladstone and Parnell, have conducted their grand and peaceful contest for Home rule in Ireland.

Civil Service Reform, 1888.

DEMOCRATIC. **REPUBLICAN.**

Honest reform in the Civil Service has been inaugurated and maintained by President Cleveland, and he has brought the public service to the highest standard of efficiency, not only by rule and precept, but by the example of his own untiring and unselfish administration of public affairs.

The men who abandoned the Republican party in 1884 and continue to adhere to the Democratic party have deserted not only the cause of honest government, of sound finance, of freedom and purity of the ballot, but especially have deserted the cause of reform in the civil service. We will not fail to keep our pledges because they have broken theirs or because their candidate has broken his. We therefore repeat our declaration of 1884, to wit: "The reform of the Civil Service, auspiciously begun under the Republican administration should be completed by the further extension of the reform system already established by law to all the grades of the service to which it is applicable. The spirit and purpose of the reform should be observed in all executive appointments, and all laws at variance with the object of existing reform legislation should be repealed, to the end that the dangers to free institutions which lurk in the power of official patronage may be wisely

and effectively avoided."

Pensions, Etc., 1888.

DEMOCRATIC. **REPUBLICAN.**

While carefully guarding the interest to the principles of justice and equity, it has paid out more for pensions and bounties to the soldiers and sailors of the Republic than was ever paid out during an equal period.

The gratitude of the nation to the defenders of the Union cannot be measured by laws. The legislation of Congress should conform to the pledge made by a loyal people, and be so enlarged and extended as to provide against the possibility that any man who honorably wore the Federal uniform shall become an inmate of an almshouse, or dependent upon private charity. In the presence of an overflowing treasury it would be a public scandal to do less for those whose valorous service preserved the Government. We denounce the hostile spirit shown by President Cleveland in his numerous vetoes of measures for pension relief, and the action of the Democratic House of Representatives in refusing even a consideration of general pension legislation.

The Republican party is in favor of the use of both gold and silver as money, and condemns the policy of the Democratic Administration in its

	efforts to demonetize silver.
	We demand the reduction of letter postage to one cent per ounce.

Pauper Labor.

DEMOCRATIC.	REPUBLICAN.
The exclusion from our shores of Chinese laborers has been effectually secured under the provision of a treaty, the operation of which has been postponed by the action of a Republican majority in the Senate.	We declare our hostility to the introduction into this country of foreign contract labor, and of Chinese labor, alien to our civilization and our Constitution, and we demand the rigid enforcement of the existing laws against it, and favor such immediate legislation as will exclude such labor from our shores.

Foreign Policy, 1888.

DEMOCRATIC. **REPUBLICAN.**

It has adopted and constantly pursued a firm and prudent foreign policy, preserving peace with all nations, while scrupulously maintaining all the rights and interests of our government and people at home and abroad.

The conduct of foreign affairs by the present administration has been distinguished by its inefficiency and its cowardice. Having withdrawn from the Senate all pending treaties affected by Republican administrations for the removal of foreign burdens and restrictions upon our commerce and for its extension into better markets, it has neither affected nor proposed any others in their stead. Professing adherence to the Monroe doctrine, it has seen with idle complacency the extension of foreign influence in Central America and of foreign trade everywhere among our neighbors. It has refused to charter, sanction, or encourage any American organization for constructing the Nicaragua canal, a work of vital importance to the maintenance of the Monroe doctrine and of our national influence in Central and South America, and necessary for the development of trade with our Pacific

territory, with South America and with the islands and further coasts of the Pacific ocean.

We arraign the present Democratic administration for its weak and unpatriotic treatment of the fisheries question, and its pusillanimous surrender of the essential privileges to which our fishing vessels are entitled in Canadian ports under the treaty of 1818, the reciprocal maritime legislation of 1830, and the comity of nations, and which Canadian fishing vessels receive in the ports of the United States.

We condemn the policy of the present administration and the Democratic majority in Congress toward our fisheries as unfriendly and conspicuously unpatriotic, and as tending to destroy a valuable national industry and an indispensable resource of defence against a foreign enemy.

The name of American applies alike to all citizens

of the Republic, and imposes upon all alike the same obligation to obedience to the laws. At the same time that citizenship is and must be the panoply and safeguard of him who wears it, and protect him, whether high or low, rich or poor, in all his civil rights. It should and must afford him protection at home and follow and protect him abroad in whatever land he may be on a lawful errand.

THE FARMERS' ALLIANCE.

This organization sprang into active political existence in 1890, and it swept Kansas, Nebraska, and the two Dakotas; not, however, without local fusions with the Democrats. It originated in the State of North Carolina, and so rapidly extended to South Carolina that it controlled the Democratic State nominations, and elected a Democratic-Alliance State ticket against one run by the old or Bourbon Democracy. In Georgia it sought control of the Legislature, and acquired it, but was defeated by Gen. Gordon for the United States Senate; not, however, without committals from the latter upon all anti-corporation points. It was defeated in like

contests in Alabama, Mississippi, and Florida. As yet it has not adopted a National political platform, unless that at Ocala, Fla., can be called National. Here the chief idea was a sub-treasury plan, calling upon the government to establish State agencies for the receipt of farm products, upon which 80 per cent. of their market value was to be advanced, at a cost to the producer of not more than 2 per cent. interest. This plank has since divided the organization, and at this writing (May, 1892) it seems impossible to make the organization a National one, committed to political objects. In the elections of 1891–92 it lost its hold upon all of the Western States, and maintains its spirit only in the Southern States west of the Mississippi river. The party quickly divided itself upon its sub-treasury and free-coinage planks, and lost all opportunity for National promise after its first battle—much of its membership refusing to break old political ties, while others endeavored to limit the organization to social and business purposes.

1892.—Republican National Platform.

Adopted at Minneapolis, June 9th.

The representatives of the Republicans of the United States, assembled in general convention on the shores of the Mississippi river, the everlasting bond of an indestructible republic, whose most glorious chapter of history is the record of the Republican party, congratulate their countrymen on the majestic march of the nation under the banners

inscribed with the principles of our platform of 1888, vindicated by victory at the polls and prosperity in our fields, workshops and mines, and make the following declaration of principles.

We reaffirm the American doctrine of Protection. We call attention to its growth abroad. We maintain that the prosperous condition of our country is largely due to the wise revenue legislation of the Republican Congress.

We believe that all articles which cannot be produced in the United States, except luxuries, should be admitted free of duty, and that on all imports coming into competition with the products of American labor there should be levied duties equal to the difference between wages abroad and at home.

We assert that the prices of manufactured articles of general consumption have been reduced under the operations of the tariff act of 1890.

We denounce the efforts of the Democratic majority of the House of Representatives to destroy our tariff laws, as is manifested by their attacks upon wool, lead and lead ores, the chief product of a number of States, and we ask the people for their judgment thereon.

We point to the success of the Republican policy of reciprocity, under which our export trade has vastly increased and new and enlarged markets have been opened for the products of our farms and workshops.

We remind the people of the bitter opposition of the Democratic party to this practical business measure, and claim that, executed by a Republican administration, our present laws will eventually give us control of the trade of the world.

The American people, from tradition and interest,

favor bi-metallism, and the Republican party demands the use of both gold and silver as standard money, with such restrictions and under such provisions, to be determined by legislation, as will secure the maintenance of the parity values of the two metals, so that the purchasing and debt-paying power of the dollar, whether of silver, gold or paper, shall be at all times equal. The interests of the producers of the country, its farmers and its workingman, demand that every dollar, paper or coin, issued by the government, shall be as good as any other. We commend the wise and patriotic steps already taken by our government to secure an international conference, to adopt such measures as will insure a parity of value between gold and silver for use as money throughout the world.

We demand that every citizen of the United States shall be allowed to cast one free and unrestricted ballot in all public elections and that such ballot shall be counted and returned as cast; that such laws shall be enacted and enforced as will secure to every citizen, be he rich or poor, native or foreign born, white or black, this sovereign right guaranteed by the Constitution.

The free and honest popular ballot, the just and equal representation of all the people, as well as their just and equal protection under the laws, are the foundation of our republican institutions, and the party will never relax its efforts until the integrity of the ballot and the purity of election shall be fully guaranteed and protected in every State.

We denounce the continued inhuman outrages perpetrated upon American citizens for political reasons in certain Southern States of the Union.

We favor the extension of our foreign commerce,

the restoration of our mercantile marine by home-built ships and the creation of a navy for the protection of our national interests and the honor of our flag; the maintenance of the most friendly relations with all foreign powers, entangling alliance with none, and the protection of the rights of our fishermen.

We reaffirm our approval of the Monroe doctrine, and believe in the achievement of the manifest destiny of the Republic in its broadest sense.

We favor the enactment of more stringent laws and regulations for the restriction of criminal, pauper and contract immigration.

We favor efficient legislation by Congress to protect the life and limbs of employés of transportation companies engaged in carrying on inter-state commerce, and recommend legislation by the respective States that will protect employés engaged in State commerce, in mining and manufacturing. The Republican party has always been the champion of the oppressed and recognizes the dignity of manhood, irrespective of faith, color or nationality; it sympathizes with the cause of Home Rule in Ireland, and protests against the persecution of the Jews in Russia.

The ultimate reliance of free popular government is the intelligence of the people and the maintenance of freedom among its men. We, therefore, declare anew our devotion to liberty of thought and conscience, of speech and press, and approve all agencies and instrumentalities which contribute to the education of the children of the land; but, while insisting upon the fullest measure of religious liberty, we are opposed to any union of church and State.

We reaffirm our opposition, declared in the

Republican platform of 1888, to all combinations of capital organized in trusts or otherwise to control arbitrarily the condition of trade among our citizens. We heartily endorse the action already taken upon this subject, and ask for such further legislation as may be required to remedy any defects in existing laws and to render their enforcement more complete and effective.

We approve the policy of extending to towns, villages and rural communities the advantages of the free delivery service, now enjoyed by the larger cities of the country, and reaffirm the declaration contained in the Republican platform of 1888, pledging the reduction of letter postage to one cent at the earliest possible moment consistent with the maintenance of the Post-office Department and the highest class of postal service.

We commend the spirit and evidence of reform in the Civil Service and the wise and consistent enforcement by the Republican party of the laws regulating the same.

The construction of the Nicaragua Canal is of the highest importance to the American people as a measure of a national defence and to build up and maintain American commerce, and it should be controlled by the United States Government.

We favor the admission of the remaining Territories at the earliest practical date, having due regard to the interests of the people of the Territories and of the United States. All the Federal officers appointed for the Territories should be selected from bona fide residents thereof, and the right of self-government should be accorded as far as practicable.

We favor cession, subject to the homestead laws, of the arid public lands to the States and Territories

in which they lie, under such Congressional restrictions as to disposition, reclamation and occupancy by settlers as will secure the maximum benefit to the people.

The World's Columbian Exposition is a great national undertaking, and Congress should promptly enact such reasonable legislation in aid thereof as will insure a discharging of the expense and obligations incident thereto and the attainment of results commensurate with the dignity and process of the nation.

We sympathize with all wise and legitimate efforts to lessen and prevent the evils of intemperance and promote morality.

Ever mindful of the services and sacrifices of the men who saved the life of the nation, we pledge anew to the veteran soldiers of the republic a watchful care and recognition of their just claims upon a grateful people.

We commend the able, patriotic and thoroughly American administration of President Harrison. Under it the country has enjoyed remarkable prosperity, and the dignity and honor of the nation at home and abroad have been faithfully managed, and we offer the record of pledges kept as a guarantee of performance in the future.

1892.—Democratic National Platform.

Adopted at Chicago, June 22d.

SECTION 1.—The representatives of the

Democratic party of the United States, in National Convention assembled, do reaffirm their allegiance to the principles of the party as formulated by Jefferson, and exemplified by the long and illustrious line of his successors in Democratic leadership from Madison to Cleveland. We believe the public welfare demands that these principles be applied in the conduct of the federal government through the accession to power of the party that advocates them, and we solemnly declare that the need of a return to these fundamental principles of a free popular government, based on home rule and individual liberty, was never more urgent than now, when the tendency to centralize all power at the federal capital has become a menace to the reserved rights of the States, that strikes at the very roots of our government under the constitution as framed by the fathers of the Republic.

SEC. 2.—We warn the people of our common country, jealous for the preservation of their free institutions, that the policy of federal control of elections, to which the Republican party has committed itself, is fraught with the gravest dangers, scarcely less momentous than would result from a revolution practically establishing monarchy on the ruins of the Republic. It strikes at the North as well as the South, and injures the colored citizen even more than the white; it means a horde of deputy marshals at every polling place, armed with federal power; returning boards appointed and controlled by federal authority; the outrage of the electoral rights of the people in the several States; the subjugation of the colored people to the control of the party in power and the reviving of race antagonisms now happily abated, of the utmost peril to the safety and happiness of all; a measure deliberately and justly

described by a leading Republican Senator as "the most infamous bill that ever crossed the threshold of the Senate."

Such a policy, if sanctioned by law, would mean the dominance of a self-perpetuating oligarchy of office-holders, and the party first intrusted with its machinery could be dislodged from power only by an appeal to the reserved right of the people to resist oppression which is inherent in all self-governing communities.

Two years ago this revolutionary policy was emphatically condemned by the people at the polls; but in contempt of that verdict the Republican party has defiantly declared in its latest authoritative utterance that its success in the coming elections will mean the enactment of the Force bill and the usurpation of despotic control over elections in all the States.

Believing that the preservation of republican government in the United States is dependent upon the defeat of this policy of legalized force and fraud, we invite the support of all citizens who desire to see the constitution maintained in its integrity, with the laws pursuant thereto, which have given our country a hundred years of unexampled prosperity, and we pledge the Democratic party, if it be entrusted with power, not only to the defeat of the Force bill, but also to relentless opposition to the Republican policy of profligate expenditure which in the short space of two years has squandered an enormous surplus and emptied an overflowing treasury after piling new burdens of taxation upon the already overtaxed labor of the country.

SEC. 3.—We denounce the Republican policy of protection as a fraud on the labor of the great

majority of the American people for the benefit of the few.

We declare it to be a fundamental principle of the Democratic party that the federal government has no constitutional power to impose and collect tariff duties except for the purposes of revenue only, and we demand that the collection of such taxes shall be limited to the necessities of the government when honestly and economically administered.

SEC. 4.—Trade interchange on the basis of reciprocal advantages to the countries participating is a time-honored doctrine of the Democratic faith, but we denounce the sham reciprocity which juggles with the people's desire for enlarged foreign markets and freer exchanges by pretending to establish closer trade relations for a country whose articles of export are almost exclusively agricultural products with other countries that are also agricultural, while erecting a Custom House barrier of prohibitive tariff taxes against the rich countries of the world that stand ready to take our entire surplus of products and to exchange therefor commodities which are necessaries and comforts of life among our own people.

SEC. 5.—We recognize in the trusts and combinations which are designed to enable capital to secure more than its just share of the joint product of capital and labor, a natural consequence of the prohibitive taxes which prevent the free competition which is the life of honest trade, but we believe their worst evils can be abated by law, and we demand the rigid enforcement of the laws made to prevent and control them, together with such further legislation in restraint of their abuses as experience may show to be necessary.

SEC. 6.—The Republican party, while professing a policy of reserving the public land for small holdings by actual settlers, has given away the people's heritage till now a few railroad and non-resident aliens, individual and corporate, possess a larger area than that of all our farms between the two seas. The last Democratic administration reversed the improvident and unwise policy of the Republican party touching the public domain, and reclaimed from corporations and syndicates, alien and domestic, and restored to the people nearly one hundred million acres of valuable land to be sacredly held as homesteads for our citizens, and we pledge ourselves to continue this policy until every acre of land so unlawfully held shall be reclaimed and restored to the people.

SEC. 7.—We denounce the Republican legislation known as the Sherman act of 1890 as a cowardly makeshift fraught with possibilities of danger in the future which should make all of its supporters, as well as its author, anxious for its speedy repeal. We hold to the use of both gold and silver as the standard money of the country, and to the coinage of both gold and silver without discriminating against either metal or charge of mintage, but the dollar unit of coinage for both metals must be of equal intrinsic and exchangeable value, or be adjusted through international agreement or by such safeguards of legislation as shall insure the maintenance of the parity of the two metals, and the equal power of every dollar at all times in the markets and in the payment of debts, and we demand that all paper currency shall be kept at par with and redeemable in such coin. We insist upon this policy as especially necessary for the protection of the farmers and laboring classes, the first and most defenceless

victims of unstable money and a fluctuating currency.

SEC. 8.—We recommend that the prohibitory ten per cent. tax on State bank issues be repealed.

SEC. 9.—Public office is a public trust. We reaffirm the declaration of the Democratic National Convention of 1876 for the reform of the civil service and we call for the honest enforcement of all laws regulating the same. The nomination of a President, as in the recent Republican convention, by delegations composed largely of his appointees, holding office at his pleasure, is a scandalous satire upon free popular institutions and a startling illustration of the methods by which a President may gratify his ambition. We denounce a policy under which federal office-holders usurp control of party conventions in the States, and we pledge the Democratic party to the reform of these and all other abuses which threaten individual liberty and local self-government.

SEC. 10.—The Democratic party is the only party that has ever given the country a foreign policy consistent and vigorous, compelling respect abroad and inspiring confidence at home. While avoiding entangling alliances it has aimed to cultivate friendly relations with other nations and especially with our neighbors on the American continent whose destiny is closely linked with our own, and we view with alarm the tendency to a policy of irritation and bluster, which is liable at any time to confront us with the alternative of humiliation or war.

We favor the maintenance of a navy strong enough for all purposes of national defence and to properly maintain the honor and dignity of the country abroad.

SEC. 11.—The country has always been the refuge of the oppressed from every land—exiles for conscience sake—and in the spirit of the founders of our government we condemn the oppression practised by the Russian government upon its Lutheran and Jewish subjects, and we call upon our national government, in the interest of justice and humanity, by all just and proper means, to use its prompt and best efforts to bring about a cessation of these cruel persecutions in the dominions of the Czar and to secure to the oppressed equal rights.

We tender our profound and earnest sympathy to those lovers of freedom who are struggling for home rule and the great cause of local self government in Ireland.

SEC. 12.—We heartily approve all legitimate efforts to prevent the United States from being used as the dumping ground for the known criminals and professional paupers of Europe, and we demand the rigid enforcement of the laws against Chinese immigration or the importation of foreign workmen under contract to degrade American labor and lessen its wages, but we condemn and denounce any and all attempts to restrict the immigration of the industrious and worthy of foreign lands.

SEC. 13.—This Convention hereby renews the expression of appreciation of the patriotism of the soldiers and sailors of the Union in the war for its preservation, and we favor just and liberal pensions for all disabled Union soldiers, their widows and dependents, but we demand that the work of the Pension Office shall be done industriously, impartially and honestly. We denounce the present administration of that office as incompetent, corrupt, disgraceful and dishonest.

SEC. 14.—The federal government should care for and improve the Mississippi River and other great waterways of the Republic so as to secure for the interior States easy and cheap transportation to the tidewater.

When any waterway of the Republic is of sufficient importance to demand the aid of the government, that such aid should be extended, a definite plan of continuous work until permanent improvement is secured.

SEC. 15.—For purposes of national defence and the promotion of commerce between the States we recognize the early construction of the Nicaragua Canal and its protection against foreign control as of great importance to the United States.

SEC. 16.—Recognizing the World's Columbian Exposition as a national undertaking of vast importance, in which the general government has invited the co-operation of all the Powers of the world, and appreciating the acceptance by many of such Powers of the invitation for extended and the broadest liberal efforts being made by them to contribute to the grandeur of the undertaking, we are of the opinion that Congress should make such necessary financial provision as shall be requisite to the maintenance of the national honor and public faith.

SEC. 17.—Popular education being the only safe basis of popular suffrage, we recommend to the several States most liberal appropriations for the public schools. Free common schools are the nursery of good government and they have always received the fostering care of the Democratic party, which favors every means of increasing intelligence. Freedom of education being an essential of civil and

religious liberty as well as a necessity for the development of intelligence, must not be interfered with under any pretext whatever. We are opposed to State interference with parental rights and rights of conscience in the education of children as an infringement of the fundamental democratic doctrine that the largest individual liberty consistent with the rights of others insures the highest type of American citizenship and the best government.

SEC. 18.—We approve the action of the present House of Representatives in passing bills for the admission into the Union as States of the Territories of New Mexico and Arizona, and we favor the early admission of all the Territories having necessary population and resources to admit them to Statehood, and while they remain Territories we hold that the officials appointed to administer the government of any Territory, together with the Districts of Columbia and Alaska, should be bona fide residents of the Territory or District in which their duties are to be performed. The Democratic party believes in home rule and the control of their own affairs by the people of the vicinage.

SEC. 19.—We favor legislation by Congress and State Legislatures to protect the lives and limbs of railway employés and those of other hazardous transportation companies and denounce the inactivity of the Republican party and particularly the Republican Senate for causing the defeat of measures beneficial and protective to this class of wageworkers.

SEC. 20.—We are in favor of the enactment by the States of laws for abolishing the notorious sweating system, for abolishing contract convict labor and for prohibiting the employment in factories of children under fifteen years of age.

SEC. 21.—We are opposed to all sumptuary laws as an interference with the individual rights of the citizen.

SEC. 22.—Upon this statement of principles and policies the Democratic party asks the intelligent judgment of the American people. It asks a change of administration and a change of party in order that there may be a change of system and a change of methods, thus assuring the maintenance, unimpaired, of institutions under which the Republic has grown great and powerful.

The Tariff Issue, 1892.

REPUBLICAN. **DEMOCRATIC.**

We reaffirm the American doctrine of Protection. We call attention to its growth abroad. We maintain that the prosperous condition of our country is largely due to the wise revenue legislation of the Republican Congress.

We believe that all articles which cannot be produced in the United States, except luxuries, should be admitted free of duty, and that on all imports coming into competition with the products of American labor there should be levied duties equal to the difference between wages abroad and at home.

We assert that the prices of manufactured articles of general consumption have been reduced under the operation of the tariff act of 1890.

We denounce the efforts of the Democratic majority of the House of Representatives to destroy our tariff laws, as is manifested by their attacks upon wool, lead and lead ores, the chief

We denounce Republican Protection as a fraud—as a robbery of the great majority of the American people for the benefit of a few. We declare it to be a fundamental principle of the Democratic party that the government has no constitutional power to impose and collect a dollar for tax except for purposes of revenue only, and demand that the collection of such taxes be imposed by the government when only honestly and economically administered.

[The above paragraph was adopted by a vote of 504 to 342 as a substitute for the following, reported from the majority of the committee: “We reiterate the oft repeated doctrines of the Democratic party that the necessity of the government is the only justification for taxations, and whenever a tax is unnecessary it is unjustifiable; that when Custom House taxation is levied upon articles of any kind produced in this country, the difference

product of a number of States, and we ask the people for their judgment thereon.

between the cost of labor here and labor abroad, when such a difference exists, fully measures any possible benefits to labor, and the enormous additional impositions of the existing tariff fall with crushing force upon our farmers and workingmen, and, for the mere advantage of the few whom it enriches, exact from labor a grossly unjust share of the expenses of the government, and we demand such a revision of the tariff laws as will remove their iniquitous inequalities, lighten their oppressions and put them on a constitutional and equitable basis. But in making reduction in taxes, it is not proposed to injure any domestic industries, but rather to promote their healthy growth. From the foundation of this government, taxes collected at the Custom House have been the chief source of Federal revenue. Such they must continue to be. Moreover, many industries have come to rely upon legislation for successful continuance, so

that any change of law must be at every step regardful of the labor and capital thus involved. The process of reform must be subject in the execution of this plain dictate of justice."]

The Reciprocity Issue, 1892.

REPUBLICAN. **DEMOCRATIC.**

We point to the success of the Republican policy of reciprocity, under which our export trade has vastly increased and new and enlarged markets have been opened for the products of our farms and workshops.

We remind the people of the bitter opposition of the Democratic party to this practical business measure, and claim that, executed by a Republican administration, our present laws will eventually give us control or the trade of the world.

Trade interchange on the basis of reciprocal advantages to the countries participating is a time-honored doctrine of the Democratic faith, but we denounce the sham reciprocity which juggles with the people's desire for enlarged foreign markets and free exchanges by pretending to establish closer trade relations for a country whose articles of export are almost exclusively agricultural products with other countries that are also agricultural, while erecting a Custom House barrier of prohibitive tariff taxes against the richest countries of the world that stand ready to take our entire surplus of products and to exchange therefor commodities which are necessaries and comforts of life among our own people.

The Silver Issue, 1892.

REPUBLICAN. **DEMOCRATIC.**

The American people, from tradition and interest, favor bi-metallism, and the Republican party demands the use of both gold and silver as standard money, with such restrictions and under such provisions, to be determined by legislation, as will secure the maintenance of the parity values of the two metals, so that the purchasing and debt-paying power of the dollar, whether of silver, gold or paper, shall be at all times equal. The interests or the producers of the country, its farmers and its workingmen, demand that every dollar, paper or coin, issued by the government, shall be as good as any other. We commend the wise and patriotic steps already taken by our government to secure an international conference, to adopt such measures as will insure a parity of value between gold and silver for use as money throughout the world.

We denounce the Republican legislation known as the Sherman act of 1890 as a cowardly makeshift, fraught with possibilities of danger in the future, which should make all its supporters, as well as its author, anxious for its speedy repeal. We hold to the use of both gold and silver as the standard money of the country, and to the coinage of both gold and silver, without discriminating against either metal or charge for mintage, the dollar unit or coinage of both metals must be of equal intrinsic and exchangeable value, or be adjusted through international agreement or by such safeguards of legislation as shall insure the maintenance of the parity of the two metals, and the equal power of every dollar at all times in the markets and in the payment of debts, and we demand that all paper currency shall be kept at par with and redeemable in such coin. We insist upon this policy as specially necessary for the protection of the farmers and laboring classes the

first and most defenceless victims of unstable money and a fluctuating currency.

The Ballot Issue, 1892.

REPUBLICAN. **DEMOCRATIC.**

We demand that every citizen of the United States shall be allowed to cast one free and unrestricted ballot in all public elections and that such ballot shall be counted and returned as cast; that such laws shall be enacted and enforced as will secure to every citizen, be he rich or poor, native or foreign born, white or black, this sovereign right guaranteed by the Constitution.

The free and honest popular ballot, the just and equal representation of all the people, as well as their just and equal protection under the laws, are the foundation of our republican institutions, and the party will never relax its efforts until the integrity of the ballot and the purity of elections shall be fully guaranteed and protected in every State.

We denounce the continued inhuman outrages perpetrated upon American citizens for political reasons in certain Southern States of the

We warn the people of our common country, jealous for the preservation of their free institutions, that the policy of Federal control of elections to which the Republican party has committed itself is fraught with the gravest dangers, scarcely less momentous than would result from a revolution practically establishing a monarchy on the ruins of the republic. It strikes at the North as well as the South, and injures the colored citizen even more than the white; it means a horde of deputy marshals at every polling place, armed with Federal power, returning boards appointed and controlled by Federal authority; the outrage of the electoral rights of the people in the several States; the subjugation of the colored people to the control of the party in power and the reviving of race antagonisms, now happily abated, of the utmost peril to the safety and happiness of all—a measure deliberately and justly described by a leading Republican

Union.

Senator as “the most infamous bill that ever crossed the threshold of the Senate.” Such a policy, if sanctioned by law, would mean the dominance of a self-perpetuating oligarchy of office-holders, and the party first intrusted with its machinery could be dislodged from power only by an appeal to the reserved right of the people to resist oppression which is inherent in all self-governing communities. Two years ago this revolutionary policy was emphatically condemned by the people at the polls; but, in contempt of that verdict, the Republican party has defiantly declared, in its latest authoritative utterance, that its success in the coming elections will mean the enactment of the Force bill and the usurpation of despotic control over elections in all the States.

Believing that the preservation of republican government in the United States is dependent upon the defeat of this policy of

legalized force and fraud, we invite the support of all citizens who desire to see the Constitution maintained in its integrity with the laws pursuant thereto which have given our country a hundred years of unexampled prosperity; and we pledge the Democratic party, if it be intrusted with power, not only to the defeat of the Force bill but also to relentless opposition to the Republican policy of profligate expenditure, which in the short space of two years has squandered an enormous surplus and emptied an overflowing Treasury, after piling new burdens of taxation upon the already overtaxed

Civil Service, 1892.

REPUBLICAN. **DEMOCRATIC.**

We commend the spirit and evidence of reform in the Civil Service and the wise and consistent enforcement by the Republican party of the laws regulating the same.

Public office is a public trust. We reaffirm the declaration of the Democratic National Convention of 1876 for the reform of the civil service, and we call for the honest enforcement of all laws regulating the same. The nomination of a President, as in the recent Republican Convention, by delegations composed largely of his appointees, holding office at his pleasure, is a scandalous satire upon free popular institutions and a startling illustration of the methods by which a President may gratify his ambition. We denounce a policy under which Federal office-holders usurp control of party conventions in the States, and we pledge the Democratic party to the reform of these and all other abuses which threaten individual liberty and local self-government.

The Third or People's Party.

The political wing of the Farmers' Alliance and the elements favoring the entering of the Labor organizations into politics, united in a National Convention at Omaha on the 4th of July, 1892. This Convention was the outcome of several previous efforts on the part of these several organizations to enter national politics. In many State Conventions of the Alliance its sub-treasury plan divided the organization into two factions—political and non-political, and as a result the representation at Omaha did not reflect the views of the entire organization.

Judge Gresham of Indiana, was prominently named as a Presidential candidate, and he finally consented to the use of his name if it could command unanimous support, but this was denied by what were called "the old guard," who favored the recognition of those only who were plainly identified with the Third party.

At 12 o'clock the roll of States for nomination for President was hardly completed and there were four candidates before the Convention—Weaver, of Iowa; Kyle, of South Dakota; Field, of Virginia, and Page of Virginia. The chance seemed favorable to Weaver, but the uncertainty of a nomination on the first ballot made his friends still painfully anxious. Gresham's declination had been at last reluctantly accepted by his admirers, and the refusal of Van Wyck to allow the consideration of his name practically left the field to the four candidates who had been formally presented.

The Ballot.

The first ballot for President resulted as follows, only one ballot necessary, Weaver being successful:

Alabama, Weaver, 43, Arkansas, Weaver, 12; Kyle, 20; California, Weaver, 25; Colorado, Weaver, 6; Kyle, 10; Connecticut, Weaver, 8; Kyle, 2; Delaware, Weaver, 1; Florida, Weaver, 16; Georgia, Weaver, 16; Kyle, 39; Idaho, Weaver, 12; Illinois, Weaver, 41; Kyle, 42; Indiana, Weaver 54; Kyle, 5; Norton, 1; Iowa, Weaver, 52; Kansas, Weaver, 40; Kentucky, Weaver, 40; Louisiana, Weaver, 32; Maine, Weaver, 6; Kyle, 3; Massachusetts, Weaver, 9; Kyle, 18; Page, 1; Michigan, Weaver, 56; Minnesota, Weaver, 27; Kyle, 9; Mississippi, Weaver, 17; Missouri, Weaver, 61: Kyle, 7; Montana, Kyle, 12; Nebraska, Weaver, 23; Kyle, 3; Nevada, Kyle, 7; New Jersey, Weaver, 4; New York, Weaver, 59; North Carolina, Weaver, 20; Kyle, 5; North Dakota, Weaver, 11; Kyle, 1; Ohio, Weaver, 30; Kyle, 22; Oregon, Weaver, 16; Pennsylvania, Weaver, 29; Stanford, 1; South Dakota, Weaver, 1; Kyle, 15; Tennessee, Weaver, 45; Texas, Weaver, 60; Virginia, Weaver, 48; Washington, Weaver, 15; West Virginia, Weaver, 17; Wisconsin, Weaver, 7; Kyle, 41; Wyoming, Weaver, 3; District of Columbia, Weaver, 8; Oklahoma, Weaver, 8. Total: Weaver, 995; Kyle, 265; Norton, 1; Page, 1; Stanford, 1.

Maryland, New Hampshire, Rhode Island, South Carolina, Vermont, Alaska, Arizona, Indian Territory, New Mexico and Utah are blank.

Norton moved to make the nomination unanimous, and Schilling, of Wisconsin, Washburn, of Massachusetts, and the delegates from South Dakota, Montana and Massachusetts seconded the motion. It was carried with a hurrah and loud cheering.

General James G. Field, of Virginia, and of the

Confederate service, was nominated on the first ballot for Vice-President.

People's Party Platform.

Preamble: Corruption dominates the ballot-box, the Legislatures, the Congress and touches even the ermine of the bench. The people are demoralized, most of the States have been compelled to isolate the voters at the polling places to prevent universal intimidation or bribery. The newspapers are largely subsidized or muzzled, public opinion silenced, business prostrated, our homes covered with mortgages, labor impoverished and the land concentrating in the hands of the capitalists.

The urban workmen are denied the right of organization for self-protection; imported pauperized labor beats down their wages; a hireling standing army, unrecognized by our laws, is established to shoot them down, and they are rapidly degenerating into European conditions. The fruits of the toil of millions are boldly stolen to build up colossal fortunes for a few, unprecedented in the history of mankind, and the possessors of these in turn despise the republic and endanger liberty. From the same prolific womb of governmental injustice we breed the two great classes—tramps and millionaires.

The national power to create money is appropriated to enrich bondholders; a vast public debt payable in legal tender currency has been funded into gold-bearing bonds, thereby adding millions to the burdens of the people.

Silver, which has been accepted as coin since the dawn of history, has been demonetized to add to the purchasing power of gold by decreasing the value of all forms of property as well as human labor, and the supply of currency is purposely abridged to fatten usurers and bankrupt enterprise and slave industry.

We declare that this republic can only endure as a free government while built upon the love of the whole people for each other and for the nation; that it cannot be pinned together by bayonets; that the civil war is over, and that every passion and resentment which grew out of it must die with it, and that we must be, in fact, as we are in name, one united brotherhood of free men.

Our country finds itself confronted by conditions for which there is no precedent in the history of the world. Our annual agricultural productions amount to billions of dollars in value, which must within a few weeks or months be exchanged for billions of dollars of commodities consumed in their production. The existing currency supply is wholly inadequate to make this exchange. The results are falling prices, the formation of combines and rings, the impoverishment of the producing class. We pledge ourselves that, if given power, we will labor to correct these evils by wise and reasonable legislation, in accordance with the terms of our platform.

The platform proper, declares:

First.—That the union of the labor forces of the United States this day consummated shall be permanent and perpetual. May its spirit into all hearts for the salvation of the Republic aid the uplifting of mankind.

Second.—Wealth belongs to him who creates it,

and every dollar taken from industry without an equivalent is robbery. “If any will not work, neither shall he eat.” The interests of rural and civic labor are the same: their enemies are identical.

Third.—We believe that the time has come when the railroad corporations will either own the people or the people must own the railroads, and should the government enter upon the work of owning and managing all railroads, we should favor an amendment to the Constitution by which all persons engaged in the government service shall be placed under a Civil Service regulation of the most rigid character, so as to prevent the increase of the power of the national administration by the use of such additional government employés.

Finance.—We demand a national currency, safe, sound and flexible, issued by the general government only, a full legal tender for all debts, public and private, and that without the use of banking corporations, a just, equitable and efficient means of distribution direct to the people, at a tax rate not to exceed two per cent, per annum to be provided as set forth in the sub-Treasury plan of the Farmers’ Alliance or a better system: also by payments in discharge of its obligations for public improvements.

(a).—We demand free and unlimited coinage of silver and gold at the present legal ratio of 16 to 1.

(b).—We demand that the amount of circulating medium be speedily increased to not less than $50 per capita.

(c).—We demand a graduated income tax.

(d).—We believe that the money of the country should be kept as much as possible in the hands of the people, and hence we demand that all State and national revenues shall be limited to the necessary

expenses of the government, economically and honestly administered.

(e).—We demand that postal savings banks be established by the government for the safe deposit of the earnings of the people and to facilitate exchange.

Transportation.—Transportation being a means of exchange and a public necessity, the government should own and operate the railroads in the interests of the people.

(a).—The telegraph, telephone, like the post-office system, being a necessity for the transmission of news, should be owned and operated by the government in the interest of the people.

Land.—The land, including all the natural sources of wealth, is the heritage of the people and should not be monopolized for speculative purposes, and alien ownership of land should be prohibited. All land now held by railroads and other corporations in excess of their actual needs, and all lands now owned by aliens, should be reclaimed by the government and held for actual settlers only.

AMERICAN POLITICS.

BOOK III.
GREAT SPEECHES ON GREAT ISSUES.

Speech of James Wilson,

January, 1775, in the Convention for the Province of Pennsylvania,

IN VINDICATION OF THE COLONIES.

"A most daring spirit of resistance and disobedience still prevails in Massachusetts, and has broken forth in fresh violences of a criminal nature. The most proper and effectual methods have been taken to prevent these mischiefs; and the

> parliament may depend upon a firm resolution to withstand every attempt to weaken or impair the supreme authority of parliament over all the dominions of the crown."—*Speech of the King of Great Britain to Parliament, Nov., 1774.*

MR. CHAIRMAN:—Whence, sir, proceeds all the invidious and ill-grounded clamor against the colonists of America? Why are they stigmatized in Britain as licentious and ungovernable? Why is their virtuous opposition to the illegal attempts of their governors, represented under the falsest colors, and placed in the most ungracious point of view? This opposition, when exhibited in its true light, and when viewed, with unjaundiced eyes, from a proper situation, and at a proper distance, stands confessed the lovely offspring of freedom. It breathes the spirit of its parent. Of this ethereal spirit, the whole conduct, and particularly the late conduct, of the colonists has shown them eminently possessed. It has animated and regulated every part of their proceedings. It has been recognized to be genuine, by all those symptoms and effects by which it has been distinguished in other ages and other countries. It has been calm and regular: it has not acted without occasion: it has not acted disproportionably to the occasion. As the attempts, open or secret, to undermine or to destroy it, have been repeated or enforced, in a just degree, its vigilance and its vigor have been exerted to defeat or to disappoint them. As its exertions have been sufficient for those purposes hitherto, let us hence draw a joyful prognostic, that they will continue sufficient for those purposes hereafter. It is not yet exhausted: it will still operate irresistibly whenever a necessary occasion shall call forth its strength.

Permit me, sir, by appealing, in a few instances, to

the spirit and conduct of the colonists, to evince that what I have said of them is just. Did they disclose any uneasiness at the proceedings and claims of the British parliament, before those claims and proceedings afforded a reasonable cause for it? Did they even disclose any uneasiness, when a reasonable cause for it was first given? Our rights were invaded by their regulations of our internal policy. We submitted to them: we were unwilling to oppose them. The spirit of liberty was slow to act. When those invasions were renewed; when the efficacy and malignancy of them were attempted to be redoubled by the stamp act; when chains were formed for us; and preparations were made for riveting them on our limbs, what measures did we pursue? The spirit of liberty found it necessary now to act; but she acted with the calmness and decent dignity suited to her character. Were we rash or seditious? Did we discover want of loyalty to our sovereign? Did we betray want of affection to our brethren in Britain? Let our dutiful and reverential petitions to the throne; let our respectful, though firm, remonstrances to the parliament; let our warm and affectionate addresses to our brethren and (we will still call them) our friends in Great Britain,—let all those, transmitted from every part of the continent, testify the truth. By their testimony let our conduct be tried.

As our proceedings, during the existence and operation of the stamp act, prove fully and incontestably the painful sensations that tortured our breasts from the prospect of disunion with Britain; the peals of joy, which burst forth universally, upon the repeal of that odious statute, loudly proclaim the heartfelt delight produced in us by a reconciliation with her. Unsuspicious, because undesigning, we

buried our complaints, and the causes of them, in oblivion, and returned, with eagerness, to our former unreserved confidence. Our connection with our parent country, and the reciprocal blessings resulting from it to her and to us, were the favorite and pleasing topics of our public discourses and our private conversations. Lulled into delightful security, we dreamed of nothing but increasing fondness and friendship, cemented and strengthened by a kind and perpetual communication of good offices. Soon, however, too soon, were we awakened from the soothing dreams! Our enemies renewed their designs against us, not with less malice, but with more art. Under the plausible pretence of regulating our trade, and, at the same time, of making provision for the administration of justice, and the support of government, in some of the colonies, they pursued their scheme of depriving us of our property without our consent. As the attempts to distress us, and to degrade us to a rank inferior to that of freemen, appeared now to be reduced into a regular system, it became proper, on our part, to form a regular system for counteracting them. We ceased to import goods from Great Britain. Was this measure dictated by selfishness or by licentiousness? Did it not injure ourselves, while it injured the British merchants and manufacturers? Was it inconsistent with the peaceful demeanor of subjects to abstain from making purchases, when our freedom and our safety rendered it necessary for us to abstain from them? A regard for our freedom and our safety was our only motive; for no sooner had the parliament, by repealing part of the revenue laws, inspired us with the flattering hopes, that they had departed from their intentions of oppressing and of taxing us, than we forsook our plan for defeating those intentions,

and began to import as formerly. Far from being peevish or captious, we took no public notice even of their declaratory law of dominion over us: our candor led us to consider it as a decent expedient of retreating from the actual exercise of that dominion.

But, alas! the root of bitterness still remained. The duty on tea was reserved to furnish occasion to the ministry for a new effort to enslave and to ruin us; and the East India Company were chosen, and consented to be the detested instruments of ministerial despotism and cruelty. A cargo of their tea arrived at Boston. By a low artifice of the governor, and by the wicked activity of the tools of government, it was rendered impossible to store it up, or to send it back, as was done at other places. A number of persons, unknown, destroyed it.

Let us here make a concession to our enemies: let us suppose, that the transaction deserves all the dark and hideous colors in which they have painted it: let us even suppose (for our cause admits of an excess of candor) that all their exaggerated accounts of it were confined strictly to the truth: what will follow? Will it follow, that every British colony in America, or even the colony of Massachusetts Bay, or even the town of Boston, in that colony, merits the imputation of being factious and seditious? Let the frequent mobs and riots, that have happened in Great Britain upon much more trivial occasions, shame our calumniators into silence. Will it follow, because the rules of order and regular government were, in that instance, violated by the offenders, that, for this reason, the principles of the constitution, and the maxims of justice, must be violated by their punishment? Will it follow, because those who were guilty could not be known, that, therefore, those who were known not to be guilty must suffer? Will it

follow, that even the guilty should be condemned without being heard—that they should be condemned upon partial testimony, upon the representations of their avowed and embittered enemies? Why were they not tried in courts of justice known to their constitution, and by juries of their neighborhood? Their courts and their juries were not, in the case of captain Preston, transported beyond the bounds of justice by their resentment: why, then, should it be presumed, that, in the case of those offenders, they would be prevented from doing justice by their affection? But the colonists, it seems, must be stripped of their judicial, as well as of their legislative powers. They must be bound by a legislature, they must be tried by a jurisdiction, not their own. Their constitutions must be changed: their liberties must be abridged: and those who shall be most infamously active in changing their constitutions and abridging their liberties, must, by an express provision, be exempted from punishment.

I do not exaggerate the matter, sir, when I extend these observations to all the colonists. The parliament meant to extend the effects of their proceedings to all the colonists. The plan, on which their proceedings are formed, extends to them all. From an incident of no very uncommon or atrocious nature, which happened in one colony, in one town in that colony, and in which only a few of the inhabitants of that town took a part, an occasion has been taken by those, who probably intended it, and who certainly prepared the way for it, to impose upon that colony, and to lay a foundation and a precedent for imposing upon all the rest, a system of statutes, arbitrary, unconstitutional, oppressive, in every view, and in every degree subversive of the rights, and inconsistent with even the name, of

freemen.

Were the colonists so blind as not to discern the consequences of these measures? Were they so supinely inactive, as to take no steps for guarding against them? They were not. They ought not to have been so. We saw a breach made in those barriers, which our ancestors, British and American, with so much care, with so much danger, with so much treasure, and with so much blood, had erected, cemented and established for the security of their liberties, and—with filial piety let us mention it—of ours. We saw the attack actually begun upon one part: ought we to have folded our hands in indolence, to have lulled our eyes in slumbers, till the attack was carried on, so as to become irresistible, in every part? Sir, I presume to think not. We were roused; we were alarmed, as we had reason to be. But still our measures have been such as the spirit of liberty and of loyalty directed; not such as the spirit of sedition or of disaffection would pursue. Our counsels have been conducted without rashness and faction: our resolutions have been taken without phrensy or fury.

That the sentiments of every individual concerning that important object, his liberty, might be known and regarded, meetings have been held, and deliberations carried on, in every particular district. That the sentiments of all those individuals might gradually and regularly be collected into a single point, and the conduct of each inspired and directed by the result of the whole united, county committees, provincial conventions, a continental congress, have been appointed, have met and resolved. By this means, a chain—more inestimable, and, while the necessity for it continues, we hope, more indissoluble than one of gold—a chain of freedom has been

formed, of which every individual in these colonies, who is willing to preserve the greatest of human blessings, his liberty, has the pleasure of beholding himself a link.

Are these measures, sir, the brats of disloyalty, of disaffection? There are miscreants among us, wasps that suck poison from the most salubrious flowers, who tell us they are. They tell us that all those assemblies are unlawful, and unauthorized by our constitutions; and that all their deliberations and resolutions are so many transgressions of the duty of subjects. The utmost malice brooding over the utmost baseness, and nothing but such a hated commixture, must have hatched this calumny. Do not those men know—would they have others not to know—that it was impossible for the inhabitants of the same province, and for the legislatures of the different provinces, to communicate their sentiments to one another in the modes appointed for such purposes, by their different constitutions? Do not they know—would they have others not to know—that all this was rendered impossible by those very persons, who now, or whose minions now, urge this objection against us? Do not they know—would they have others not to know—that the different assemblies, who could be dissolved by the governors, were in consequence of ministerial mandates, dissolved by them, whenever they attempted to turn their attention to the greatest objects, which, as guardians of the liberty of their constituents, could be presented to their view? The arch enemy of the human race torments them only for those actions to which he has tempted, but to which he has not necessarily obliged them. Those men refine even upon infernal malice: they accuse, they threaten us, (superlative impudence!) for taking those very steps,

which we were laid under the disagreeable necessity of taking by themselves, or by those in whose hateful service they are enlisted. But let them know, that our counsels, our deliberations, our resolutions, if not authorized by the forms, because that was rendered impossible by our enemies, are nevertheless authorized by that which weighs much more in the scale of reason—by the spirit of our constitutions. Was the convention of the barons at Runnymede, where the tyranny of John was checked, and *magna charta* was signed, authorized by the forms of the constitution? Was the convention parliament, that recalled Charles the Second, and restored the monarchy, authorized by the forms of the constitution? Was the convention of lords and commons, that placed king William on the throne, and secured the monarchy and liberty likewise, authorized by the forms of the constitution? I cannot conceal my emotions of pleasure, when I observe, that the objections of our adversaries cannot be urged against us, but in common with those venerable assemblies, whose proceedings formed such an accession to British liberty and British renown.

We can be at no loss in resolving, that the king cannot, by his prerogative, alter the charter or constitution of the colony of Massachusetts Bay. Upon what principle could such an exertion of prerogative be justified? On the acts of parliament? They are already proved to be void. On the discretionary power which the king has of acting where the laws are silent? That power must be subservient to the interest and happiness of those concerning whom it operates. But I go further. Instead of being supported by law, or the principles

of prerogative, such an alteration is totally and absolutely repugnant to both. It is contrary to express law. The charter and constitution, we speak of, are confirmed by the only legislative power capable of confirming them; and no other power, but that which can ratify, can destroy. If it is contrary to express law, the consequence is necessary, that it is contrary to the principles of prerogative; for prerogative can operate only when the law is silent.

In no view can this alteration be justified, or so much as excused. It cannot be justified or excused by the acts of parliament; because the authority of parliament does not extend to it; it cannot be justified or excused by the operation of prerogative; because this is none of the cases in which prerogative can operate: it cannot be justified or excused by the legislative authority of the colony; because that authority never has been, and, I presume, never will be given for any such purpose.

If I have proceeded hitherto, as I am persuaded I have, upon safe and sure ground, I can, with great confidence, advance a step farther, and say that all attempts to alter the charter or constitution of that colony, unless by the authority of its own legislature, are violations of its rights, and illegal.

If those attempts are illegal, must not all force, employed to carry them into execution, be force employed against law, and without authority? The conclusion is unavoidable.

Have not British subjects, then, a right to resist such force—force acting without authority—force employed contrary to law—force employed to destroy the very existence of law and of liberty? They have, sir, and this right is secured to them both by the letter and the spirit of the British constitution,

by which the measures and the conditions of their obedience are appointed. The British liberties, sir, and the means and the right of defending them, are not the grants of princes; and of what our princes never granted they surely can never deprive us.

"*Id rex potest*," says the law, "*quod de jure potest.*" The king's power is a power according to law. His commands, if the authority of lord chief justice Hale may be depended upon, are under the directive power of the law; and consequently invalid, if unlawful. "Commissions," says my lord Coke, "are legal; and are like the king's writs; and none are lawful, but such as are allowed by the common law, or warranted by some act of parliament."

And now, sir, let me appeal to the impartial tribunal of reason and truth; let me appeal to every unprejudiced and judicious observer of the laws of Britain, and of the constitution of the British government; let me appeal, I say, whether the principles on which I argue, or the principles on which alone my arguments can be opposed, are those which ought to be adhered to and acted upon; which of them are most consonant to our laws and liberties; which of them have the strongest, and are likely to have the most effectual tendency to establish and secure the royal power and dignity.

Are we deficient in loyalty to his majesty? Let our conduct convict, for it will fully convict, the insinuation that we are, of falsehood. Our loyalty has always appeared in the true form of loyalty; in obeying our sovereign according to law; let those, who would require it in any other form, know, that we call the persons who execute his commands, when contrary to law, disloyal and traitors. Are we

enemies to the power of the crown? No, sir, we are its best friends: this friendship prompts us to wish, that the power of the crown may be firmly established on the most solid basis: but we know, that the constitution alone will perpetuate the former, and securely uphold the latter. Are our principles irreverent to majesty? They are quite the reverse: we ascribe to it perfection almost divine. We say, that the king can do no wrong: we say, that to do wrong is the property, not of power, but of weakness. We feel oppression, and will oppose it; but we know, for our constitution tells us, that oppression can never spring from the throne. We must, therefore, search elsewhere for its source: our infallible guide will direct us to it. Our constitution tells us, that all oppression springs from the ministers of the throne. The attributes of perfection, ascribed to the king, are, neither by the constitution, nor in fact, communicable to his ministers. They may do wrong; they have often done wrong; they have been often punished for doing wrong.

Here we may discern the true cause of all the impudent clamor and unsupported accusations of the ministers and of their minions, that have been raised and made against the conduct of the Americans. Those ministers and minions are sensible, that the opposition is directed, not against his majesty, but against them; because they have abused his majesty's confidence, brought discredit upon his government, and derogated from his justice. They see the public vengeance collected in dark clouds around them: their consciences tell them, that it should be hurled, like a thunderbolt, at their guilty heads. Appalled with guilt and fear, they skulk behind the throne. Is it disrespectful to drag them into public view, and make a distinction between them and his majesty,

under whose venerable name they daringly attempt to shelter their crimes? Nothing can more effectually contribute to establish his majesty on the throne, and to secure to him the affections of his people, than this distinction. By it we are taught to consider all the blessings of government as flowing from the throne; and to consider every instance of oppression as proceeding, which, in truth, is oftenest the case, from the ministers.

If, now, it is true, that all force employed for the purposes so often mentioned, is force unwarranted by any act of parliament; unsupported by any principle of the common law; unauthorized by any commission from the crown; that, instead of being employed for the support of the constitution and his majesty's government, it must be employed for the support of oppression and ministerial tyranny; if all this is true (and I flatter myself it appears to be true), can any one hesitate to say, that to resist such force is lawful; and that both the letter and the spirit of the British constitution justify such resistance?

Resistance, both by the letter and the spirit of the British constitution, may be carried further, when necessity requires it, than I have carried it. Many examples in the English history might be adduced, and many authorities of the greatest weight might be brought to show, that when the king, forgetting his character and his dignity, has stepped forth, and openly avowed and taken a part in such iniquitous conduct as has been described; in such cases, indeed, the distinction above mentioned, wisely made by the constitution for the security of the crown, could not be applied; because the crown had unconstitutionally rendered the application of it impossible. What has been the consequence? The distinction between him and his ministers has been lost; but they have not

been raised to his situation: he has sunk to theirs.

Speech of Patrick Henry,

March 23, 1775, in the Convention of Delegates of Virginia, On the following resolutions, introduced by himself:

"*Resolved*, That a well regulated militia, composed of gentlemen and yeomen, is the natural strength and only security of a free government; that such a militia in this colony, would forever render it unnecessary for the mother country to keep among us, for the purpose of our defence, any standing army of mercenary soldiers, always subversive of the quiet, and dangerous to the liberties of the people, and would obviate the pretext of taxing us for their support.

"That the establishment of such a militia is, at this time, peculiarly necessary, by the state of our laws for the protection and defence of the country, some of which are already expired, and others will shortly be so; and that the known remissness of government in calling us together in legislative capacity, renders it too insecure, in this time of danger and distress, to rely, that opportunity will be given of renewing them, in general assembly, or making any provision to secure our inestimable rights and liberties from those further violations with which they are threatened:

"*Resolved, therefore*, That this colony be

immediately put into a state of defence, and that be a committee to prepare a plan for imbodying, arming and disciplining such a number of men as may be sufficient for that purpose."

MR. PRESIDENT:—No man thinks more highly than I do of the patriotism, as well as abilities, of the very worthy gentlemen who have just addressed the house. But different men often see the same subject in different lights; and, therefore, I hope it will not be thought disrespectful to those gentlemen, if, entertaining, as I do, opinions of a character very opposite to theirs, I shall speak forth my sentiments freely and without reserve. This is no time for ceremony. The question before the house is one of awful moment to this country. For my own part, I consider it as nothing less than a question of freedom or slavery; and in proportion to the magnitude of the subject ought to be the freedom of the debate. It is only in this way that we can hope to arrive at truth, and fulfil the great responsibility which we hold to God and our country. Should I keep back my opinions at such a time, through fear of giving offence, I should consider myself as guilty of treason towards my country, and of an act of disloyalty towards the Majesty of Heaven, which I revere above all earthly kings.

Mr. President, it is natural to man to indulge in the illusions of hope. We are apt to shut our eyes against a painful truth, and listen to the song of that siren, till he transforms us into beasts. Is this the part of wise men, engaged in a great and arduous struggle for liberty? Are we disposed to be of the number of those, who, having eyes, see not, and, having ears, hear not, the things which so nearly concern their temporal salvation? For my part, whatever anguish

of spirit it may cost, I am willing to know the whole truth; to know the worst, and to provide for it.

I have but one lamp by which my feet are guided; and that is the lamp of experience. I know of no way of judging of the future but by the past. And judging by the past, I wish to know what there has been in the conduct of the British ministry for the last ten years, to justify those hopes with which gentlemen have been pleased to solace themselves and the house? Is it that insidious smile with which our petition has been lately received? Trust it not, sir; it will prove a snare to your feet. Suffer not yourselves to be betrayed with a kiss. Ask yourselves how this gracious reception of our petition comports with those warlike preparations which cover our waters and darken our land. Are fleets and armies necessary to a work of love and reconciliation? Have we shown ourselves so unwilling to be reconciled, that force must be called in to win back our love? Let us not deceive ourselves, sir. These are the implements of war and subjugation; the last arguments to which kings resort. I ask gentlemen, sir, what means this martial array, if its purpose be not to force us to submission? Can gentlemen assign any other possible motive for it? Has Great Britain any enemy, in this quarter of the world, to call for all this accumulation of navies and armies? No, sir, she has none. They are meant for us: they can be meant for no other. They are sent over to bind and rivet upon us those chains, which the British ministry have been so long forging. And what have we to oppose to them? Shall we try argument? Sir, we have been trying that for the last ten years. Have we any thing new to offer upon the subject? Nothing. We have held the subject up in every light of which it is capable; but it has been all in vain. Shall we resort to entreaty and humble

supplication? What terms shall we find, which have not been already exhausted? Let us not, I beseech you, sir, deceive ourselves longer. Sir, we have done every thing that could be done, to avert the storm which is now coming on. We have petitioned; we have remonstrated; we have supplicated; we have prostrated ourselves before the throne, and have implored its interposition to arrest the tyrannical hands of the ministry and parliament. Our petitions have been slighted; our remonstrances have produced additional violence and insult; our supplications have been disregarded; and we have been spurned, with contempt, from the foot of the throne! In vain, after these things, may we indulge the fond hope of peace and reconciliation. There is no longer any room for hope. If we wish to be free—if we mean to preserve inviolate those inestimable privileges for which we have been so long contending—if we mean not basely to abandon the noble struggle in which we have been so long engaged, and which we have pledged ourselves never to abandon, until the glorious object of our contest shall be obtained—we must fight! I repeat it, sir, we must fight! An appeal to arms and to the God of Hosts is all that is left us!

They tell us, sir, that we are weak; unable to cope with so formidable an adversary. But when shall we be stronger? Will it be the next week, or the next year? Will it be when we are totally disarmed, and when a British guard shall be stationed in every house? Shall we gather strength by irresolution and inaction? Shall we acquire the means of effectual resistance, by lying supinely on our backs, and hugging the delusive phantom of hope, until our enemies shall have bound us hand and foot? Sir, we are not weak, if we make a proper use of those

means which the God of nature hath placed in our power. Three millions of people, armed in the holy cause of liberty, and in such a country as that which we possess, are invincible by any force which our enemy can send against us. Besides, sir, we shall not fight our battles alone. There is a just God who presides over the destinies of nations, and who will raise up friends to fight our battles for us. The battle, sir, is not to the strong alone; it is to the vigilant, the active, the brave. Besides, sir, we have no election. If we were base enough to desire it, it is now too late to retire from the contest. There is no retreat, but in submission and slavery! Our chains are forged! Their clanking may be heard on the plains of Boston! The war is inevitable—and let it come! I repeat it, sir, let it come.

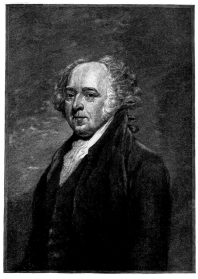
It is in vain, sir, to extenuate the matter. Gentlemen may cry, Peace, peace—but there is no peace. The war is actually begun! The next gale, that sweeps from the north, will bring to our ears the clash of resounding arms! Our brethren are already in the field! Why stand we here idle? What is it that gentlemen wish? What would they have? Is life so dear, or peace so sweet, as to be purchased at the price of chains and slavery? Forbid it, Almighty God! I know not what course others may take; but as for me, give me liberty, or give me death!

Supposed Speech of John Adams in favor of the Declaration of Independence.

As given by Daniel Webster.

Sink or swim, live or die, survive or perish, I give my hand and my heart to this vote. It is true, indeed, that in the beginning we aimed not at independence. But there's a divinity which shapes our ends. The injustice of England has driven us to arms; and, blinded to her own interest for our good, she has obstinately persisted, till independence is now within our grasp. We have but to reach forth to it, and it is ours.

Why then should we defer the declaration? Is any man so weak as now to hope for a reconciliation with England, which shall leave either safety to the country and its liberties, or safety to his own life and his own honor? Are not you, sir, who sit in that chair, is not he, our venerable colleague near you, are you not both already the proscribed and predestined objects of punishment and of vengeance? Cut off from all hope of royal clemency, what are you, what can you be, while the power of England remains, but outlaws?



John Adams

If we postpone independence, do we mean to carry on, or to give up the war? Do we mean to submit to the measures of parliament, Boston port bill and all? Do we mean to submit, and consent that we

ourselves shall be ground to powder, and our country and its rights trodden down in the dust? I know we do not mean to submit. We never shall submit.

Do we intend to violate that most solemn obligation ever entered into by men, that plighting, before God, of our sacred honor to Washington, when putting him forth to incur the dangers of war, as well as the political hazards of the times, we promised to adhere to him, in every extremity, with our fortunes and our lives? I know there is not a man here, who would not rather see a general conflagration sweep over the land, or an earthquake sink it, than one jot or tittle of that plighted faith fall to the ground.

For myself, having, twelve months ago, in this place, moved you that George Washington be appointed commander of the forces, raised or to be raised, for defence of American liberty, may my right hand forget her cunning, and my tongue cleave to the roof of my mouth, if I hesitate or waver in the support I give him. The war, then, must go on. We must fight it through. And if the war must go on, why put off longer the declaration of independence? That measure will strengthen us. It will give us character abroad.

The nations will then treat with us, which they never can do while we acknowledge ourselves subjects, in arms against our sovereign. Nay, I maintain that England, herself, will sooner treat for peace with us on the footing of independence, than consent, by repealing her acts, to acknowledge that her whole conduct toward us has been a course of injustice and oppression. Her pride will be less wounded by submitting to that course of things which now predestinates our independence, than by yielding the points in controversy to her rebellious

subjects. The former she would regard as the result of fortune; the latter she would feel as her own deep disgrace. Why then, why then, sir, do we not as soon as possible change this from a civil to a national war? And since we must fight it through, why not put ourselves in a state to enjoy all the benefits of victory, if we gain the victory?

If we fail, it can be no worse for us. But we shall not fail. The cause will raise up armies; the cause will create navies. The people, the people, if we are true to them, will carry us, and will carry themselves, gloriously, through this struggle. I care not how fickle other people have been found. I know the people of these colonies, and I know that resistance to British aggression is deep and settled in their hearts and cannot be eradicated. Every colony, indeed, has expressed its willingness to follow, if we but take the lead. Sir, the declaration will inspire the people with increased courage. Instead of a long and bloody war for restoration of privileges, for redress of grievances, for chartered immunities, held under a British king, set before them the glorious object of entire independence, and it will breathe into them anew the breath of life.

Read this declaration at the head of the army; every sword will be drawn from its scabbard, and the solemn vow uttered to maintain it, or to perish on the bed of honor. Publish it from the pulpit; religion will approve it, and the love of religious liberty will cling round it, resolved to stand with it, or fall with it. Send it to the public halls; proclaim it there; let them hear it, who heard the first roar of the enemy's cannon; let them see it, who saw their brothers and their sons fall on the field of Bunker hill, and in the streets of Lexington and Concord, and the very walls will cry out in its support.

Sir, I know the uncertainty of human affairs, but I see, I see clearly through this day's business. You and I, indeed, may rue it. We may not live to the time when this declaration shall be made good. We may die; die, colonists; die, slaves; die, it may be, ignominiously and on the scaffold. Be it so. Be it so. If it be the pleasure of Heaven that my country shall require the poor offering of my life, the victim shall be ready, at the appointed hour of sacrifice, come when that hour may. But while I do live, let me have a country, or at least the hope of a country, and that a free country.

But whatever may be our fate, be assured, be assured, that this declaration will stand. It may cost treasure, and it may cost blood; but it will stand, and it will richly compensate for both. Through the thick gloom of the present, I see the brightness of the future, as the sun in heaven. We shall make this a glorious, an immortal day. When we are in our graves, our children will honor it. They will celebrate it with thanksgiving, with festivity, with bonfires and illuminations. On its annual return they will shed tears, copious, gushing tears, not of subjection and slavery, not of agony and distress, but of exultation, of gratitude, and of joy.

Sir, before God, I believe the hour is come. My judgment approves this measure, and my whole heart is in it. All that I have, and all that I am, and all that I hope, in this life, I am now ready here to stake upon it; and I leave off as I begun, that live or die, survive or perish, I am for the declaration. It is my living sentiment, and by the blessing of God it shall be my dying sentiment; independence *now*; and INDEPENDENCE FOR EVER.

Speech of Patrick Henry,

On the expediency of adopting the Federal Constitution delivered in the convention of Virginia, June 24, 1788.[78] *Enunciating views which have ever since been accepted by the Democratic party.*

MR. CHAIRMAN:—The proposal of ratification is premature. The importance of the subject requires the most mature deliberation. The honorable member must forgive me for declaring my dissent from it, because, if I understand it rightly, it admits that the new system is defective, and most capitally; for, immediately after the proposed ratification, there comes a declaration, that the paper before you is not intended to violate any of these three great rights—the liberty of religion, liberty of the press, and the trial by jury. What is the inference, when you enumerate the rights which you are to enjoy? That those not enumerated are relinquished. There are only three things to be retained—religion, freedom of the press, and jury trial. Will not the ratification carry every thing, without excepting these three things? Will not all the world pronounce, that we intended to give up all the rest? Every thing it speaks of, by way of rights, is comprised in these three things. Your subsequent amendments only go to these three amendments. I feel myself distressed, because the necessity of securing our personal rights seems not to have pervaded the minds of men; for many other valuable things are omitted. For instance: general warrants, by which an officer may search suspected places without evidence of the commission of a fact, or seize any person without evidence of his crime, ought to be prohibited. As these are admitted, any man may be seized; any property may be taken, in the most arbitrary manner,

without any evidence or reason. Every thing, the most sacred, may be searched and ransacked by the strong hand of power. We have infinitely more reason to dread general warrants here, than they have in England; because there, if a person be confined, liberty may be quickly obtained by the writ of *habeas corpus*. But here, a man living many hundred miles from the judges may rot in prison before he can get that writ.

Another most fatal omission is, with respect to standing armies. In your bill of rights of Virginia, they are said to be dangerous to liberty; and it tells you, that the proper defence of a free state consists in militia; and so I might go on to ten or eleven things of immense consequence secured in your bill of rights, concerning which that proposal is silent. Is that the language of the bill of rights in England? Is it the language of the American bill of rights, that these three rights, and these only, are valuable? Is it the language of men going into a new government? Is it not necessary to speak of those things before you go into a compact? How do these three things stand? As one of the parties, we declare we do not mean to give them up. This is very dictatorial; much more so than the conduct which proposes alterations as the condition of adoption. In a compact, there are two parties—one accepting, and another proposing. As a party, we propose that we shall secure these three things; and before we have the assent of the other contracting party, we go into the compact, and leave these things at their mercy. What will be the consequence? Suppose the other states will call this dictatorial: they will say, Virginia has gone into the government, and carried with her certain propositions, which, she says, ought to be concurred in by the other states. They will declare, that she has

no right to dictate to other states the conditions on which they shall come into the union. According to the honorable member's proposal, the ratification will cease to be obligatory unless they accede to these amendments. We have ratified it. You have committed a violation, they will say. They have not violated it. We say we will go out of it. You are then reduced to a sad dilemma—to give up these three rights, or leave the government. This is worse than our present confederation, to which we have hitherto adhered honestly and faithfully. We shall be told we have violated it, because we have left it for the infringement and violation of conditions, which they never agreed to be a part of the ratification. The ratification will be complete. The proposal is made by one party. We, as the other, accede to it, and propose the security of these three great rights; for it is only a proposal. In order to secure them, you are left in that state of fatal hostility, which I shall as much deplore as the honorable gentleman. I exhort gentlemen to think seriously before they ratify this constitution, and persuade themselves that they will succeed in making a feeble effort to get amendments after adoption. With respect to that part of the proposal which says that every power not granted remains with the people, it must be previous to adoption, or it will involve this country in inevitable destruction. To talk of it is a thing subsequent, not as one of your inalienable rights, is leaving it to the casual opinion of the congress who shall take up the consideration of the matter. They will not reason with you about the effect of this constitution. They will not take the opinion of this committee concerning its operation. They will construe it as they please. If you place it subsequently, let me ask the consequences. Among ten thousand implied

powers which they may assume, they may, if we be engaged in war, liberate every one of your slaves, if they please. And this must and will be done by men, a majority of whom have not a common interest with you. They will, therefore, have no feeling for your interests.

It has been repeatedly said here that the great object of a national government is national defence. That power which is said to be intended for security and safety, may be rendered detestable and oppressive. If you give power to the general government to provide for the general defence, the means must be commensurate to the end. All the means in the possession of the people must be given to the government which is intrusted with the public defence. In this state there are two hundred and thirty-six thousand blacks, and there are many in several other states; but there are few or none in the Northern States; and yet, if the Northern States shall be of opinion that our numbers are numberless, they may call forth every national resource. May congress not say, that every black man must fight? Did we not see a little of this in the last war? We were not so hard pushed as to make emancipation general: but acts of assembly passed, that every slave who would go to the army should be free. Another thing will contribute to bring this event about: slavery is detested; we feel its fatal effects; we deplore it with all the pity of humanity. Let all these considerations, at some future period, press with full force on the minds of congress. Let that urbanity, which I trust will distinguish America, and the necessity of national defence—let all these things operate on their minds, and they will search that paper, and see if they have power of manumission. And have they not, sir? Have they not power to provide for the

general defence and welfare? May they not think that these call for the abolition of slavery? May they not pronounce all slaves free, and will they not be warranted by that power? There is no ambiguous implication, or logical deduction. The paper speaks to the point. They have the power in clear, unequivocal terms, and will clearly and certainly exercise it. As much as I deplore slavery, I see that prudence forbids its abolition. I deny that the general government ought to set them free, because a decided majority of the states have not the ties of sympathy and fellow-feeling for those whose interest would be affected by their emancipation. The majority of congress is to the north, and the slaves are to the south. In this situation, I see a great deal of the property of the people of Virginia in jeopardy, and their peace and tranquillity gone away. I repeat it again, that it would rejoice my very soul that every one of my fellow-beings was emancipated. As we ought with gratitude to admire that decree of Heaven which has numbered us among the free, we ought to lament and deplore the necessity of holding our fellow-men in bondage. But is it practicable, by any human means, to liberate them, without producing the most dreadful and ruinous consequences? We ought to possess them in the manner we have inherited them from our ancestors, as their manumission is incompatible with the felicity of the country. But we ought to soften, as much as possible, the rigor of their unhappy fate. I know that in a variety of particular instances, the legislature, listening to complaints, have admitted their emancipation. Let me not dwell on this subject. I will only add, that this, as well as every other property of the people of Virginia, is in jeopardy, and put in the hands of those who have no similarity of situation

with us. This is a local matter, and I can see no propriety in subjecting it to congress.

[Here Mr. Henry informed the committee, that he had a resolution prepared, to refer a declaration of rights, with certain amendments to the most exceptionable parts of the constitution, to the other states in the confederacy, for their consideration, previous to its ratification. The clerk then read the resolution, the declaration of rights, and amendments, which were nearly the same as those ultimately proposed by the convention, for the consideration of congress. He then resumed the subject.] I have thus candidly submitted to you, Mr. Chairman, and this committee, what occurred to me as proper amendments to the constitution, and the declaration of rights containing those fundamental, inalienable privileges, which I conceive to be essential to liberty and happiness. I believe, that, on a review of these amendments, it will still be found, that the arm of power will be sufficiently strong for national purposes, when these restrictions shall be a part of the government. I believe no gentleman, who opposes me in sentiments, will be able to discover that any one feature of a strong government is altered; and at the same time your inalienable rights are secured by them. The government unaltered may be terrible to America, but can never be loved, till it be amended. You find all the resources of the continent may be drawn to a point. In danger, the president may concentre to a point every effort of the continent. If the government be constructed to satisfy the people and remove their apprehensions, the wealth and strength of the continent will go where public utility shall direct. This government, with these restrictions, will be a strong government united with the privileges of the people. In my weak

judgment, a government is strong, when it applies to the most important end of all governments—the rights and privileges of the people. In the honorable member's proposal, jury trial, the press, and religion, and other essential rights, are not to be given up. Other essential rights—what are they? The world will say, that you intended to give them up. When you go into an enumeration of your rights, and stop that enumeration, the inevitable conclusion is, that what is omitted is intended to be surrendered.

Anxious as I am to be as little troublesome as possible, I cannot leave this part of the subject without adverting to one remark of the honorable gentleman. He says, that, rather than bring the union into danger, he will adopt it with its imperfections. A great deal is said about disunion, and consequent dangers. I have no claim to a greater share of fortitude than others; but I can see no kind of danger. I form my judgment on a single fact alone, that we are at peace with all the world; nor is there any apparent cause of a rupture with any nation in the world. Is it among the American states that the cause of disunion is to be feared? Are not the states using all their efforts for the promotion of union? New England sacrifices local prejudices for the purposes of union. We hear the necessity of the union, and predilection for the union, re-echoed from all parts of the continent; and all at once disunion is to follow! If gentlemen dread disunion, the very thing they advocate will inevitably produce it. A previous ratification will raise insurmountable obstacles to union. New York is an insurmountable obstacle to it, and North Carolina also. They will never accede to it till it be amended. A great part of Virginia is opposed, most decidedly, to it, as it stands. This very spirit which will govern us in these

three states, will find a kindred spirit in the adopting states. Give me leave to say, that it is very problematical whether the adopting states can stand on their own legs. I hear only on one side, but as far as my information goes, there are heart-burnings and animosities among them. Will these animosities be cured by subsequent amendments?

Turn away from American, and consider European politics. The nations there, which can trouble us, are France, England, and Spain. But at present we know for a certainty, that those nations are engaged in a very different pursuit from American conquests. We are told by our intelligent ambassador, that there is no such danger as has been apprehended. Give me leave then to say, that dangers from beyond the Atlantic are imaginary. From these premises, then, it may be concluded, that, from the creation of the world to this time, there never was a more fair and proper opportunity than we have at this day to establish such a government as will permanently establish the most transcendent political felicity. Since the revolution there has not been so much experience. Since then, the general interests of America have not been better understood, nor the union more ardently loved, than at this present moment. I acknowledge the weakness of the old confederation. Every man says, that something must be done. Where is the moment more favorable than this? During the war, when ten thousand dangers surrounded us, America was magnanimous. What was the language of the little state of Maryland? “I will have time to consider. I will hold out three years. Let what may come I will have time to reflect.” Magnanimity appeared everywhere. What was the upshot?—America triumphed. Is there any thing to forbid us to offer these amendments to the

other states? If this moment goes away unimproved, we shall never see its return. We now act under a happy system, which says, that a majority may alter the government when necessary. But by the paper proposed, a majority will forever endeavor in vain to alter it. Three-fourths may. Is not this the most promising time for securing the necessary alterations? Will you go into that government, where it is a principle, that a contemptible minority may prevent an alteration? What will be the language of the majority?—Change the government—Nay, seven eighths of the people of America may wish the change; but the minority may come with a Roman *Veto*, and object to the alteration. The language of a magnanimous country and of freemen is, Till you remove the defects, we will not accede. It would be in vain for me to show, that there is no danger to prevent our obtaining those amendments, if you are not convinced already. If the other states will not agree to them, it is not an inducement to union. The language of this paper is not dictatorial, but merely a proposition for amendments. The proposition of Virginia met with a favorable reception before. We proposed that convention which met at Annapolis. It was not called dictatorial. We proposed that at Philadelphia. Was Virginia thought dictatorial? But Virginia is now to lose her pre-eminence. Those rights of equality, to which the meanest individual in the community is entitled, are to bring us down infinitely below the Delaware people. Have we not a right to say, Hear our propositions? Why, sir, your slaves have a right to make their humble requests. Those who are in the meanest occupations of human life, have a right to complain. What do we require? Not pre-eminence, but safety; that our citizens may be able to sit down in peace and security under their

own fig-trees. I am confident that sentiments like these will meet with unison in every state; for they will wish to banish discord from the American soil. I am certain that the warmest friend of the constitution wishes to have fewer enemies—fewer of those who pester and plague him with opposition. I could not withhold from my fellow-citizens anything so reasonable. I fear you will have no union, unless you remove the cause of opposition. Will you sit down contented with the name of union without any solid foundation?

Speech of John Randolph

Against the Tariff Bill, delivered in the House of Representatives of the United States, April 15, 1824.

I AM, Mr. Speaker, practising no deception upon myself, much less upon the house, when I say, that if I had consulted my own feelings and inclinations, I should not have troubled the house, exhausted as it is, and as I am, with any further remarks upon this subject. I come to the discharge of this task, not merely with reluctance, but with disgust; jaded, worn down, abraded, I may say, as I am by long attendance upon this body, and continued stretch of the attention upon this subject. I come to it, however, at the suggestion, and in pursuance of the wishes of those, whose wishes are to me, in all matters touching my public duty, paramount law; I speak with those reservations, of course, which every moral agent must be supposed to make to himself.

It was not more to my surprise, than to my

disappointment, that on my return to the house, after a necessary absence of a few days, on indispensable business, I found it engaged in discussing the general principle of the bill, when its details were under consideration. If I had expected such a turn in the debate, I would, at any private sacrifice, however great, have remained a spectator and auditor of that discussion. With the exception of the speech, already published, of my worthy colleague on my right (Mr. P. P. Barbour), I have been nearly deprived of the benefit of the discussion which has taken place. Many weeks have been occupied with this bill (I hope the house will pardon me for saying so) before I took the slightest part in the deliberations of the details; and I now sincerely regret that I had not firmness enough to adhere to the resolution which I had laid down to myself, in the early stage of the debate, not to take any part in the discussion of the details of the measure. But, as I trust, what I now have to say upon this subject, although more and better things have been said by others, may not be the same that they have said, or may not be said in the same manner. I here borrow the language of a man who has been heretofore conspicuous in the councils of the country; of one who was unrivalled for readiness and dexterity in debate; who was long without an equal on the floor of this body; who contributed as much to the revolution of 1801, as any man in this nation, and derived as little benefit from it; as, to use the words of that celebrated man, what I have to say is not that which has been said by others, and will not be said in their manner, the house will, I trust, have patience with me during the time that my strength will allow me to occupy their attention. And I beg them to understand, that the notes which I hold in my hand are not the notes on

which I mean to speak, but of what others have spoken, and from which I will make the smallest selection in my power.

Sir, when are we to have enough of this tariff question? In 1816 it was supposed to be settled. Only three years thereafter, another proposition for increasing it was sent from this house to the senate, *baited* with a tax of four cents per pound on brown sugar. It was fortunately rejected in that body. In what manner *this bill* is baited, it does not become me to say; but I have too distinct a recollection of the vote in committee of the whole, on the duty upon molasses, and afterwards of the vote in the house on the same question; of the votes of more than one of the states on that question, not to mark it well. I do not say that the change of the vote on that question was affected by any man's *voting* against his own motion; but I do not hesitate to say that it was effected by one man's electioneering against his own motion. I am very glad, Mr. Speaker, that old Massachusetts Bay, and the province of Maine and Sagadahock, by whom we stood in the days of the revolution, now stand by the south, and will not aid in fixing on us this system of taxation, compared with which the taxation of Mr. Grenville and Lord North was as nothing. I speak with knowledge of what I say, when I declare, that this bill is an attempt to reduce the country, south of Mason and Dixon's line and east of the Alleghany mountains, to a state of worse than colonial bondage; a state to which the domination of Great Britain was, in my judgment, far preferable; and I trust I shall always have the fearless integrity to utter any political sentiment which the head sanctions and the heart ratifies; for the British parliament never would have dared to lay such

duties on our imports, or their exports to us, either "*at home*" or here, as is now proposed to be laid upon the imports from abroad. At that time we had the command of the market of the vast dominions then subject, and we should have had those which have since been subjected, to the British empire; we enjoyed a free trade eminently superior to any thing that we can enjoy, if this bill shall go into operation. It is a sacrifice of the interests of a part of this nation to the ideal benefit of the rest. It marks us out as the victims of a worse than Egyptian bondage. It is a barter of so much of our rights, of so much of the fruits of our labor, for political power to be transferred to other hands. It ought to be met, and I trust it will be met, in the southern country, as was the stamp act, and by all those measures, which I will not detain the house by recapitulating, which succeeded the stamp act, and produced the final breach with the mother country, which it took about ten years to bring about, as I trust, in my conscience, it will not take as long to bring about similar results from this measure, should it become a law.

Sir, events now passing elsewhere, which plant a thorn in my pillow and a dagger in my heart, admonish me of the difficulty of governing with sobriety any people who are over head and ears in debt. That state of things begets a temper which sets at nought every thing like reason and common sense. This country is unquestionably laboring under great distress; but we cannot legislate it out of that distress. We may, by your legislation, reduce all the country south and east of Mason and Dixon's line, the whites as well as the blacks, to the condition of Helots: you can do no more. We have had placed before us, in the course of this discussion, foreign examples and authorities; and among other things,

we have been told, as an argument in favor of this measure, of the prosperity of Great Britain. Have gentlemen taken into consideration the peculiar advantages of Great Britain? Have they taken into consideration that, not excepting Mexico, and that fine country which lies between the Orinoco and Caribbean sea, England is decidedly superior, in point of physical advantages, to every country under the sun? This is unquestionably true. I will enumerate some of those advantages. First, there is her climate. In England, such is the temperature of the air, that a man can there do more days' work in the year, and more hours' work in the day, than in any other climate in the world; of course I include Scotland and Ireland in this description. It is in such a climate only, that the human animal can bear without extirpation the corrupted air, the noisome exhalations, the incessant labor of these accursed manufactories. Yes, sir, accursed; for I say it is an accursed thing, which I will neither taste, nor touch, nor handle. If we were to act here on the English system, we should have the yellow fever at Philadelphia and New York, not in August merely, but from June to January, and from January to June. The climate of *this* country alone, were there no other natural obstacle to it, says aloud, You shall not manufacture! Even our tobacco factories, admitted to be the most wholesome of any sort of factories, are known to be, where extensive, the very nidus (if I may use the expression) of yellow fever and other fevers of similar type. In another of the advantages of Great Britain, so important to her prosperity, we are almost on a par with her, if we know how properly to use it. *Fortunatos nimium sua si bona norint*—for, as regards defence, we are, to all intents and purposes, almost as much an island as England herself. But *one*

of her insular advantages we can never acquire. Every part of that country is accessible from the sea. There, as you recede from the sea, you do not get further from the sea. I know that a great deal will be said of our majestic rivers, about the father of floods, and his tributary streams; but, with the Ohio, frozen up all the winter and dry all the summer, with a long tortuous, difficult, and dangerous navigation thence to the ocean, the gentlemen of the west may rest assured that they will never derive one particle of advantage from even a total prohibition of foreign manufactures. You may succeed in reducing *us* to your own level of misery; but if we were to *agree* to become your slaves, you never can derive one farthing of advantage from this bill. What parts of this country can derive any advantage from it? Those parts only, where there is a water power in immediate contact with navigation, such as the vicinities of Boston, Providence, Baltimore, and Richmond. Petersburg is the last of these as you travel south. You take a bag of cotton up the river to Pittsburg, or to Zanesville, to have it manufactured and sent down to New Orleans for a market, and before your bag of cotton has got to the place of manufacture, the manufacturer of Providence has received his returns for the goods made from his bag of cotton purchased at the same time that you purchased yours. No, sir, gentlemen may as well insist that because the Chesapeake bay, *mare nostrum*, our Mediterranean sea, gives us every advantage of navigation, we shall exclude from it every thing but steam-boats and those boats called κατ' ἐξοχὴν, *per emphasin, par excellence*, Kentucky boats—a sort of huge square, clumsy, wooden box. And why not insist upon it? Hav'n't you "the power to REGULATE COMMERCE"? Would not that too be a

"REGULATION OF COMMERCE?" It would, indeed, and a pretty regulation it is; and so is this bill. And, sir, I marvel that the representation from the great commercial state of New York should be in favor of this bill. If operative—and if inoperative why talk of it?—if operative, it must, like the embargo of 1807–1809, transfer no small portion of the wealth of the London of America, as New York has been called, to Quebec and Montreal. She will receive the most of her imports from abroad, down the river. I do not know any bill that could be better calculated for Vermont than this bill; because, through Vermont, from Quebec, Montreal, and other positions on the St. Lawrence, we are, if it passes, unquestionably to receive our supplies of foreign goods. It will, no doubt, suit the Niagara frontier.

But, sir, I must not suffer myself to be led too far astray from the topic of the peculiar advantages of England as a manufacturing country. Her vast beds of coal are inexhaustible; there are daily discoveries of quantities of it, greater than ages past have yet consumed; to which beds of coal her manufacturing establishments have been transferred, as any man may see who will compare the present population of her towns with what it was formerly. It is to these beds of coal that Birmingham, Manchester, Wolverhampton, Sheffield, Leeds, and other manufacturing towns, owe their growth. If you could destroy her coal in one day, you would cut at once the sinews of her power. Then, there are her metals, and particularly tin, of which she has the exclusive monopoly. Tin, I know, is to be found in Japan, and perhaps elsewhere; but, in practice, England has now the monopoly of that article. I might go further, and I might say, that England possesses an advantage, *quoad hoc*, in her institutions; for *there* men are

compelled to pay their debts. But *here*, men are not only not compelled to pay their debts, but they are protected in the refusal to pay them, in the scandalous evasion of their legal obligations; and, after being convicted of embezzling the public money, and the money of others, of which they were appointed guardians and trustees, they have the impudence to obtrude their unblushing fronts into society, and elbow honest men out of their way. There, though all men are on a footing of equality on the high way, and in the courts of law, at will and at market, yet the castes in Hindoostan are not more distinctly separated, one from the other, than the different classes of society are in England. It is true that it is practicable for a wealthy merchant or manufacturer, or his descendants, after having, through two or three generations, washed out, what is considered the stain of their original occupation, to emerge, by slow degrees, into the higher ranks of society; but this rarely happens. Can you find men of vast fortune, in this country, content to move in the lower circles—content as the ox under the daily drudgery of the yoke? It is true that, in England, some of these wealthy people take it into their heads to buy seats in parliament. But, when they get there, unless they possess great talents, they are mere nonentities; their existence is only to be found in the red book which contains a list of the members of parliament. Now, sir, I wish to know if, in the western country, where any man may get beastly drunk for three pence sterling—in England, you cannot get a small wine-glass of spirits under twenty-five cents; one such drink of grog as I have seen swallowed in this country, would there cost a dollar —in the western country, where every man can get as much meat and bread as he can consume, and yet

spend the best part of his days, and nights too, perhaps, on the tavern benches, or loitering at the cross roads asking the news, can you expect the people of such a country, with countless millions of wild land and wild animals besides, can be cooped up in manufacturing establishments, and made to work sixteen hours a day, under the superintendence of a driver, yes, a driver, compared with whom a southern overseer is a gentleman and man of refinement; for, if they do not work, these work people in the manufactories, they cannot eat; and, among all the punishments that can be devised (put death even among the number), I defy you to get as much work out of a man by any of them, as when he knows that he must work before he can eat.

In the course of this discussion, I have heard, I will not say with surprise, because *nil admirari* is my motto—no doctrine that can be broached on this floor, can ever, hereafter, excite surprise in my mind —I have heard the names of Say, Ganilh, Adam Smith, and Ricardo, pronounced not only in terms, but in a tone of sneering contempt, visionary theorists, destitute of practical wisdom, and the whole clan of Scotch and Quarterly Reviewers lugged in to boot. This, sir, is a sweeping clause of proscription. With the names of Say, Smith, and Ganilh, I profess to be acquainted, for I, too, am versed in *title-pages*; but I did not expect to hear, in this house, a name, with which I am a little further acquainted, treated with so little ceremony; and by whom? I leave Adam Smith to the simplicity, the majesty, and strength of his own native genius, which has canonized his name—a name which will be pronounced with veneration, when not one in this house will be remembered. But one word as to

Ricardo, the last mentioned of these writers—a new authority, though the grave has already closed upon him, and set its seal upon his reputation. I shall speak of him in the language of a man of as great a genius as this, or perhaps any, age has ever produced; a man remarkable for the depth of his reflections and the acumen of his penetration. “I had been led,” says this man, “to look into loads of books —my understanding had for too many years been intimate with severe thinkers, with logic, and the great masters of knowledge, not to be aware of the utter feebleness of the herd of modern economists. I sometimes read chapters from more recent works, or part of parliamentary debates. I saw that these [ominous words!] were generally the very dregs and rinsings of the human intellect.” [I am very glad, sir, he did not read *our* debates. What would he have said of ours?] “At length a friend sent me Mr. Ricardo’s book, and, recurring to my own prophetic anticipation of the advent of some legislator on this science, I said, Thou art the man. Wonder and curiosity had long been dead in me; yet I wondered once more. Had this profound work been really written in England during the 19th century? Could it be that an Englishman, and he not in academic bowers, but oppressed by mercantile and senatorial cares, had accomplished what all the universities and a century of thought had failed to advance by one hair’s breadth? All other writers had been crushed and overlaid by the enormous weight of facts and documents: Mr. Ricardo had deduced, *a priori*, from the understanding itself, laws which first gave a ray of light into the unwieldy chaos of materials, and had constructed what had been but a collection of tentative discussions, into a science of regular proportions, now first standing on an eternal basis.”

I pronounce no opinion of my own on Ricardo; I recur rather to the opinion of a man inferior, in point of original and native genius, and that highly cultivated, too, to none of the moderns, and few of the ancients. Upon this subject, what shall we say to the following fact? Butler, who is known to gentlemen of the profession of the law, as the annotator, with Hargrave, on lord Coke, speaking with Fox as to political economy—that most extraordinary man, unrivalled for his powers of debate, excelled by no man that ever lived, or probably ever will live, as a public debater, and of the deepest political erudition, fairly confessed that he had never read Adam Smith. Butler said to Mr. Fox, "that he had never read Adam Smith's work on the Wealth of Nations." "To tell you the truth," replied Mr. Fox, "nor I neither. There is something in all these subjects that passes my comprehension—something so wide that I could never embrace them myself, or find any one who did." And yet we see how we, with our little dividers, undertake to lay off the scale, and with our pack-thread to take the soundings, and speak with a confidence peculiar to quacks (in which the regular-bred professor never indulges) on this abstruse and perplexing subject. Confidence is one thing, knowledge another; of the want of which, overweening confidence is notoriously the indication. What of that? Let Ganilh, Say, Ricardo, Smith, all Greek and Roman fame be against us; we appeal to Dionysius in support of our doctrines; and to him, not on the throne of Syracuse, but at Corinth—not in absolute possession of the most wonderful and enigmatical city, as difficult to comprehend as the abstrusest problem of political economy which furnished not only the means but the men for supporting the greatest wars—a kingdom

within itself, under whose ascendant the genius of Athens, in her most high and palmy state, quailed, and stood rebuked. No; we follow the pedagogue to the schools—dictating in the classic shades of Longwood—(*lucus a non lucendo*)—to his disciples. * * *

But it is said, a measure of this sort is necessary to create employment for the people. Why, sir, where are the handles of the plough? Are they unfit for *young gentlemen* to touch? Or will they rather choose to enter your military academies, where the sons of the rich are educated at the expense of the poor, and where so many political janissaries are every year turned out, always ready for war, and to support the powers that be—equal to the strelitzes of Moscow or St. Petersburg. I do not speak now of individuals, of course, but of the tendency of the system—the hounds follow the huntsman because he feeds them, and bears the whip. I speak of the system. I concur most heartily, sir, in the censure which has been passed upon the greediness of office, which stands a stigma on the present generation. Men from whom we might expect, and from whom I did expect, better things, crowd the ante-chamber of the palace, for every vacant office; nay, even before men are dead, their shoes are wanted for some barefooted office-seeker. How mistaken was the old Roman, the old consul, who, whilst he held the plough by one hand, and death held the other, exclaimed, "*Diis immortalibus sero!*"

Our fathers, how did they acquire their property? By straightforward industry, rectitude, and frugality. How did they become dispossessed of their property? By indulging in speculative hopes and designs; seeking the shadow whilst they lost the substance; and now, instead of being, as they were, men of

respectability, men of substance, men capable and willing to live independently and honestly, and hospitably too—for who so parsimonious as the prodigal who has nothing to give?—what have we become? A nation of sharks, preying on one another through the instrumentality of this paper system, which, if Lycurgus had known of it, he would unquestionably have adopted, in preference to his iron money, if his object had been to make the Spartans the most accomplished knaves as well as to keep them poor.

The manufacturer of the east may carry his woolens or his cottons, or his coffins, to what market he pleases—I do not buy of him. Self-defence is the first law of nature. You drive us into it. You create heats and animosities among this great family, who ought to live like brothers; and, after you have got this temper of mind roused among the southern people, do you expect to come among us to trade, and expect us to buy your wares? Sir, not only shall we not buy them, but we shall take such measures (I will not enter into the detail of them now) as shall render it impossible for you to sell them. Whatever may be said here of the “misguided counsels,” as they have been termed, “of the theorists of Virginia,” they have, so far as regards this question, the confidence of united Virginia. We are asked—Does the south lose any thing by this bill—why do you cry out? I put it, sir, to any man from any part of the country, from the gulf of Mexico, from the Balize, to the eastern shore of Maryland—which, I thank Heaven, is not yet under the government of Baltimore, and will not be, unless certain theories should come into play in that state, which we have lately heard of, and a majority of men, told by the head, should govern—whether the whole country

between the points I have named, is not unanimous in opposition to this bill. Would it not be unexampled, that we should thus complain, protest, resist, and that all the while nothing should be the matter? Are our understandings (however low mine may be rated, much sounder than mine are engaged in this resistance), to be rated so low, as that we are to be made to believe that we are children affrighted by a bugbear? We are asked, however, why do you cry out? it is all for your good. Sir, this reminds me of the mistresses of George II., who, when they were insulted by the populace on arriving in London (as all such creatures deserve to be, by every mob), put their heads out of the window, and said to them in their broken English, "*Goot people, we be come for your goots*;" to which one of the mob rejoined—"Yes, and for our chattels too, I fancy." Just so it is with the oppressive exactions proposed and advocated by the supporters of this bill, on the plea of the good of those who are its victims. * * *

I had more to say, Mr. Speaker, could I have said it, on this subject. But I cannot sit down without asking those, who were once my brethren of the church, the elders of the young family of this good old republic of the thirteen states, if they can consent to rivet upon us this system, from which no benefit can possibly result to themselves. I put it to them as descendants of the renowned colony of Virginia; as children sprung from her loins; if for the sake of all the benefits, with which this bill is pretended to be freighted to them, granting such to be the fact for argument's sake, they could consent to do such an act of violence to the unanimous opinion, feelings, prejudices, if you will, of the whole Southern States, as to pass it? I go farther. I ask of them what is there in the condition of the nation at this time, that calls

for the immediate adoption of this measure? Are the Gauls at the gate of the capitol? If they are, the cacklings of the Capitoline geese will hardly save it. What is there to induce us to plunge into the vortex of those evils so severely felt in Europe from this very manufacturing and paper policy? For it is evident that, if we go into this system of policy, we must adopt the European institutions also. We have very good materials to work with; we have only to make our elective king president for life, in the first place, and then to make the succession hereditary in the family of the first that shall happen to have a promising son. For a king we can be at no loss—*ex quovis ligno*—any block will do for him. The senate may, perhaps, be transmuted into a house of peers, although we should meet with more difficulty than in the other case; for Bonaparte himself was not more hardly put to it, to recruit the ranks of his mushroom nobility, than we should be to furnish a house of peers. As for us, we are the faithful commons, ready made to hand; but with all our loyalty, I congratulate the house—I congratulate the nation—that, although this body is daily degraded by the sight of members of Congress manufactured into placemen, we have not yet reached such a point of degradation as to suffer executive minions to be manufactured into members of congress. We have shut *that* door; I wish we could shut the other also. I wish we could have a perpetual call of the house in this view, and suffer no one to get out from its closed doors. The time is peculiarly inauspicious for the change in our policy which is proposed by this bill. We are on the eve of an election that promises to be the most distracted that this nation has ever yet undergone. It may turn out to be a Polish election. At such a time, ought any measure to be brought

forward which is supposed to be capable of being demonstrated to be extremely injurious to one great portion of this country, and beneficial in proportion to another? Sufficient for the day is the evil thereof. There are firebrands enough in the land, without this apple of discord being cast into this assembly. Suppose this measure is not what it is represented to be; that the fears of the south are altogether illusory and visionary; that it will produce all the good predicted of it—an honorable gentleman from Kentucky said yesterday—and I was sorry to hear it, for I have great respect for that gentleman, and for other gentlemen from that state—that the question was not whether a bare majority should pass the bill, but whether the majority or the minority should rule. The gentleman is wrong, and, if he will consider the matter rightly, he will see it. Is there no difference between the patient and the actor? *We* are passive: we do not call them to act or to suffer, but we call upon them not so to act as that we must necessarily suffer; and I venture to say, that in any government, properly constituted, this very consideration would operate conclusively, that if the burden is to be laid on 102, it ought not to be laid by 105. We are the eel that is being flayed, while the cook-maid pats us on the head, and cries, with the clown in King Lear, “Down, wantons, down.” There is but one portion of the country which can profit by this bill, and from that portion of the country comes this bare majority in favor of it. I bless God that Massachusetts and old Virginia are once again rallying under the same banner, against oppressive and unconstitutional taxation; for, if all the blood be drawn from out the body, I care not whether it be by the British parliament or the American congress; by an emperor or a king abroad, or by a president at home.

Under these views, and with feelings of mortification and shame at the very weak opposition I have been able to make to this bill, I entreat gentlemen to consent that it may lie over, at least, until the next session of congress. We have other business to attend to, and our families and affairs need our attention at home; and indeed I, sir, would not give one farthing for any man who prefers being here to being at home; who is a good public man and a bad private one. With these views and feelings, I move you, sir, that the bill be indefinitely postponed.

Edward Everett.

The example of the Northern to the Southern Republics of America.

THE great triumphs of constitutional freedom, to which our independence has furnished the example, have been witnessed in the southern portion of our hemisphere. Sunk to the last point of colonial degradation, they have risen at once into the organization of three republics. Their struggle has been arduous; and eighteen years of checkered fortune have not yet brought it to a close. But we must not infer, from their prolonged agitation, that their independence is uncertain; that they have prematurely put on the *toga virilis* of freedom. They have not begun too soon; they have more to do. Our war of independence was shorter;—happily we were contending with a government, that could not, like that of Spain, pursue an interminable and hopeless contest, in defiance of the people's will. Our

transition to a mature and well adjusted constitution was more prompt than that of our sister republics; for the foundations had long been settled, the preparation long made. And when we consider that it is our example, which has aroused the spirit of independence from California to Cape Horn; that the experiment of liberty, if it had failed with us, most surely would not have been attempted by them; that even now our counsels and acts will operate as powerful precedents in this great family of republics, we learn the importance of the post which Providence has assigned us in the world. A wise and harmonious administration of the public affairs,—a faithful, liberal, and patriotic exercise of the private duties of the citizen,—while they secure our happiness at home, will diffuse a healthful influence through the channels of national communication, and serve the cause of liberty beyond the Equator and the Andes. When we show a united, conciliatory, and imposing front to their rising states we show them, better than sounding eulogies can do, the true aspect of an independent republic; we give them a living example that the fireside policy of a people is like that of the individual man. As the one, commencing in the prudence, order, and industry of the private circle, extends itself to all the duties of social life, of the family, the neighborhood, the country; so the true domestic policy of the republic, beginning in the wise organization of its own institutions, pervades its territories with a vigilant, prudent, temperate administration; and extends the hand of cordial interest to all the friendly nations, especially to those which are of the household of liberty.

It is in this way that we are to fulfil our destiny in the world. The greatest engine of moral power,

which human nature knows, is an organized, prosperous state. All that man, in his individual capacity, can do—all that he can effect by his fraternities—by his ingenious discoveries and wonders of art,—or by his influence over others—is as nothing, compared with the collective, perpetuated influence on human affairs and human happiness of a well constituted, powerful commonwealth. It blesses generations with its sweet influence;—even the barren earth seems to pour out its fruits under a system where property is secure, while her fairest gardens are blighted by despotism;—men, thinking, reasoning men, abound beneath its benignant sway;—nature enters into a beautiful accord, a better, purer *asiento* with man, and guides an industrious citizen to every rood of her smiling wastes;—and we see, at length, that what has been *called* a state of nature, has been most falsely, calumniously so denominated; that the nature of man is neither that of a savage, a hermit, nor a slave; but that of a member of a well-ordered family, that of a good neighbor, a free citizen, a well informed, good man, acting with others like him. This is the lesson which is taught in the charter of our independence; this is the lesson which our example is to teach the world.

The epic poet of Rome—the faithful subject of an absolute prince—in unfolding the duties and destinies of his countrymen, bids them look down with disdain on the polished and intellectual arts of Greece, and deem their arts to be

> To rule the nations with imperial sway;
> To spare the tribes that yield; fight down the proud;
> And force the mood of peace upon the world.

A nobler counsel breathes from the charter of our

independence; a happier province belongs to our republic. Peace we would extend, but by persuasion and example,—the moral force, by which alone it can prevail among the nations. Wars we may encounter, but it is in the sacred character of the injured and the wronged; to raise the trampled rights of humanity from the dust; to rescue the mild form of liberty from her abode among the prisons and the scaffolds of the elder world, and to seat her in the chair of state among her adoring children; to give her beauty for ashes; a healthful action for her cruel agony; to put at last a period to her warfare on earth; to tear her star-spangled banner from the perilous ridges of battle, and plant it on the rock of ages. There be it fixed for ever,—the power of a free people slumbering in its folds, their peace reposing in its shade!

Close of the Speech of Daniel Webster

On the Greek question, in the House of Representatives of the United States, January, 1824.

The house had gone into committee of the whole, Mr. Taylor in the chair, on the resolution offered by Mr. Webster, which is in the words following:

"*Resolved*, That provision ought to be made by law for defraying the expense incident to the appointment of an agent, or commissioner, to Greece, whenever the President shall deem it expedient to make such appointment."

MR. CHAIRMAN,—It may be asked, will this resolution do the Greeks any good? Yes, it will do them much good. It will give them courage and

spirit, which is better than money. It will assure them of the public sympathy, and will inspire them with fresh constancy. It will teach them that they are not forgotten by the civilized world, and to hope one day to occupy, in that world, an honorable station.

A farther question remains. Is this measure pacific? It has no other character. It simply proposes to make a pecuniary provision for a mission, when the president shall deem such mission expedient. It is a mere reciprocation to the sentiments of his message; it imposes upon him no new duty; it gives him no new power; it does not hasten or urge him forward; it simply provides, in an open and avowed manner, the means of doing, what would else be done out of the contingent fund. It leaves him at the most perfect liberty, and it reposes the whole matter in his sole discretion. He might do it without this resolution, as he did in the case of South America,—but it merely answers the query, whether on so great and interesting a question as the condition of the Greeks, this house holds no opinion which is worth expressing? But, suppose a commissioner is sent, the measure is pacific still. Where is the breach of neutrality? Where a just cause of offence? And besides, Mr. Chairman, is all the danger in this matter on one side? may we not inquire, whose fleets cover the Archipelago? may we not ask, what would be the result to our trade should Smyrna be blockaded? A commissioner could at least procure for us what we do not now possess—that is, authentic information of the true state of things. The document on your table exhibits a meagre appearance on this point—what does it contain? Letters of Mr. Luriottis and paragraphs from a French paper. My personal opinion is, that an agent ought immediately to be sent; but the resolution I have

offered by no means goes so far.

Do gentlemen fear the result of this resolution in embroiling us with the Porte? Why, sir, how much is it ahead of the whole nation, or rather let me ask how much is the nation ahead of it? Is not this whole people already in a state of open and avowed excitement on this subject? Does not the land ring from side to side with one common sentiment of sympathy for Greece, and indignation toward her oppressors? nay, more, sir—are we not giving money to this cause? More still, sir—is not the secretary of state in open correspondence with the president of the Greek committee in London? The nation has gone as far as it can go, short of an official act of hostility. This resolution adds nothing beyond what is already done—nor can any of the European governments take offence at such a measure. But if they would, should we be withheld from an honest expression of liberal feelings in the cause of freedom, for fear of giving umbrage to some member of the holy alliance? We are not, surely, yet prepared to purchase their smiles by a sacrifice of every manly principle. Dare any Christian prince even ask us not to sympathize with a Christian nation struggling against Tartar tyranny? We do not interfere—we break no engagements—we violate no treaties; with the Porte we have none.

Mr. Chairman, there are some things which, to be well done, must be promptly done. If we even determine to do the thing that is now proposed, we may do it too late. Sir, I am not of those who are for withholding aid when it is most urgently needed, and when the stress is past, and the aid no longer necessary, overwhelming the sufferers with caresses. I will not stand by and see my fellow man drowning without stretching out a hand to help him, till he has

by his own efforts and presence of mind reached the shore in safety, and then encumber him with aid. With suffering Greece now is the crisis of her fate,—her great, it may be, her last struggle. Sir, while we sit here deliberating, her destiny may be decided. The Greeks, contending with ruthless oppressors, turn their eyes to us, and invoke us by their ancestors, slaughtered wives and children, by their own blood, poured out like water, by the hecatombs of dead they have heaped up as it were to heaven, they invoke, they implore us for some cheering sound, some look of sympathy, some token of compassionate regard. They look to us as the great republic of the earth—and they ask us by our common faith, whether we can forget that they are struggling, as we once struggled, for what we now so happily enjoy? I cannot say, sir, that they will succeed; that rests with heaven. But for myself, sir, if I should to-morrow hear that they have failed—that their last phalanx had sunk beneath the Turkish cimeter, that the flames of their last city had sunk in its ashes, and that naught remained but the wide melancholy waste where Greece once was, I should still reflect, with the most heartfelt satisfaction, that I have asked you in the name of seven millions of freemen, that you would give them at least the cheering of one friendly voice.

John Randolph on the other side of Same Question.

MR. CHAIRMAN,—It is with serious concern and

alarm, that I have heard doctrines broached in this debate, fraught with consequences more disastrous to the best interests of this people than any that I have ever heard advanced during the five-and-twenty years that I have been honored with a seat on this floor. They imply, to my apprehension, a total and fundamental change of the policy pursued by this government, *ab urbe condita*—from the foundation of the republic, to the present day. Are we, sir, to go on a crusade, in another hemisphere, for the propagation of two objects—objects as dear and delightful to *my* heart as to that of any gentleman in this, or in any other assembly—liberty and religion—and, in the name of these holy words —by this powerful spell, is this nation to be conjured and persuaded out of the highway of heaven—out of its present comparatively happy state, into all the disastrous conflicts arising from the policy of European powers, with all the consequences which flow from them?

Liberty and religion, sir! I believe that nothing similar to this proposition is to be found in modern history, unless in the famous decree of the French national assembly, which brought combined Europe against them, with its united strength, and, after repeated struggles, finally effected the downfall of the French power. Sir, I am wrong—there is another example of like doctrine; and you find it among that strange and peculiar people—in that mysterious book, which is of the highest authority with them, (for it is at once their gospel and their law,) the Koran, which enjoins it to be the duty of all good Moslems to propagate its doctrines at the point of the sword—by the edge of the cimeter. The character of that people is a peculiar one: they differ from every other race. It has been said, here, that it is four

hundred years since they encamped in Europe. Sir, they were encamped, on the spot where we now find them, before this country was discovered, and their title to the country which they occupy is at least as good as ours. They hold their possessions there by the same title by which all other countries are held—possession, obtained at first by a successful employment of force, confirmed by time, usage, prescription—the best of all possible titles. Their policy has been not tortuous, like that of other states of Europe, but straightforward: they had invariably appealed to the sword, and they held by the sword. The Russ had, indeed, made great encroachments on their empire, but the ground had been contested inch by inch; and the acquisitions of Russia on the side of Christian Europe—Livonia, Ingria, Courland—Finland, to the Gulf of Bothnia—Poland!—had been greater than that of the Mahometans. And, in consequence of this straightforward policy to which I before referred, this peculiar people could boast of being the only one of the continental Europe, whose capital had never been insulted by the presence of a foreign military force. It was a curious fact, well worthy of attention, that Constantinople was the only capital in continental Europe—for Moscow was the true capital of Russia—that had never been in possession of an enemy. It is, indeed, true, that the Empress Catharine did inscribe over the gate of one of the cities that she had won in the Krimea, (Cherson, I think,) “the road to Byzantium;” but, sir, it has proved—perhaps too low a word for the subject—but a *stumpy road* for Russia. Who, at that day, would have been believed, had he foretold to that august (for so she was) and illustrious woman that her Cossacks of the Ukraine, and of the Don, would have encamped in Paris before they reached

Constantinople? Who would have been believed, if he had foretold that a French invading force—such as the world never saw before, and, I trust, will never again see—would lay Moscow itself in ashes? These are considerations worthy of attention, before we embark in the project proposed by this resolution, the consequences of which no human eye can divine.

I would respectfully ask the gentleman from Massachusetts, whether in his very able and masterly argument—and he has said all that could be said upon the subject, and more than I supposed could be said by any man in favor of his resolution—whether he himself has not furnished an answer to his speech —I had not the happiness myself to hear his speech, but a friend has read it to me. In one of the arguments in that speech, toward the conclusion, I think, of his speech, the gentleman lays down, from Puffendorf, in reference to the honeyed words and pious professions of the holy alliance, that these are all surplusage, because nations are always supposed to be ready to do what justice and national law require. Well, sir, if this be so, why may not the Greeks presume—why are they not, on this principle, bound to presume, that this government is disposed to do all, in reference to them, that they ought to do, without any formal resolutions to that effect? I ask the gentleman from Massachusetts, whether the doctrine of Puffendorf does not apply as strongly to the resolution as to the declaration of the allies—that is, if the resolution of the gentleman be indeed that almost nothing he would have us suppose, if there be not something *behind* this nothing which divides this house (not *horizontally*, as the gentleman has ludicrously said—but *vertically*) into two unequal parties, one the advocate of a splendid system of crusades, the other the friends of peace and

harmony; the advocates of a *fireside policy*—for, as had been truly said, as long as all is right at the fireside, there cannot be much wrong elsewhere—whether, I repeat, does not the doctrine of Puffendorf apply as well to the words of the resolution as to the words of the holy alliance?

But, sir, we have already done more than this. The president of the United States, the only organ of communication which the people have seen fit to establish between us and foreign powers, has already expressed all, in reference to Greece, that the resolution goes to express *actum est*—it is done—it is finished—there is an end. Not, that I would have the house to infer, that I mean to express any opinion as to the policy of such a declaration—the practice of responding to presidential addresses and messages had gone out for, now, these two or three-and-twenty years.

Extract from Mr. Hayne's Speech against the Tariff Bill, in Congress,

January, 1832.

MR. PRESIDENT,—The plain and seemingly obvious truth, that in a fair and equal exchange of commodities all parties gained, is a noble discovery of modern times. The contrary principle naturally led to commercial rivalries, wars, and abuses of all sorts. The benefits of commerce being regarded as a stake to be won, or an advantage to be wrested from others by fraud or by force, governments naturally strove to secure them to their own subjects; and

when they once set out in this wrong direction, it was quite natural that they should not stop short till they ended in binding, in the bonds of restriction, not only the whole country, but all of its parts. Thus we are told that England first protected by her restrictive policy, her whole empire against all the world, then Great Britain against the colonies, then the British islands against each other, and ended by vainly attempting to protect all the great interests and employment of the state by balancing them against each other. Sir, such a system, carried fully out, is not confined to rival nations, but protects one town against another, considers villages, and even families as rivals; and cannot stop short of "Robinson Crusoe in his goat skins." It takes but one step further to make every man his own lawyer, doctor, farmer, and shoemaker—and, if I may be allowed an Irishism, his own seamstress and washerwoman. The doctrine of free trade, on the contrary, is founded on the true social system. It looks on all mankind as children of a common parent—and the great family of nations as linked together by mutual interests. Sir, as there is a religion, so I believe there is a *politics of nature*. Cast your eyes over this various earth—see its surface diversified by hills and valleys, rocks, and fertile fields. Notice its different productions—its infinite varieties of soil and climate. See the mighty rivers winding their way to the very mountain's base, and thence guiding man to the vast ocean, dividing, yet connecting nations. Can any man who considers these things with the eye of a philosopher, not read the design of the great Creator (written legibly in his works) that his children should be drawn together in a free commercial intercourse, and mutual exchanges of the various gifts with which a bountiful Providence has blessed them. Commerce, sir,

restricted even as she has been, has been the great source of civilization and refinement all over the world. Next to the Christian religion, I consider free trade in its largest sense as the greatest blessing that can be conferred upon any people. Hear, sir, what Patrick Henry, the great orator of Virginia, whose soul was the very temple of freedom, says on this subject:—

"Why should we fetter commerce? If a man is in chains, he droops and bows to the earth, because his spirits are broken, but let him *twist the fetters from his legs*, and he will stand erect. Fetter not commerce! Let her be as free as the air. She will range the whole creation, and return on the four winds of heaven to bless the land with plenty."

But, it has been said, that free trade would do very well, if all nations would adopt it; but as it is, every nation must protect itself from the effect of restrictions by countervailing measures. I am persuaded, sir, that this is a great, a most fatal error. If retaliation is resorted to for the honest purpose of producing a redress of the grievance, and while adhered to no longer than there is a hope of success, it may, like war itself, be sometimes just and necessary. But if it have no such object, "it is the unprofitable combat of seeing which can do the other the most harm." The case can hardly be conceived in which permanent restrictions, as a measure of retaliation, could be profitable. In every possible situation, a trade, whether more or less restricted, is profitable, or it is not. This can only be decided by experience, and if the trade be left to regulate itself, water would not more naturally seek its level, than the intercourse adjust itself to the true interest of the parties. Sir, as to this idea of the regulation by government of the pursuits of men, I consider it as a remnant of barbarism disgraceful to

an enlightened age, and inconsistent with the first principles of rational liberty. I hold government to be utterly incapable, from its position, of exercising such a power wisely, prudently, or justly. Are the rulers of the world the depositories of its collected wisdom? Sir, can we forget the advice of a great statesman to his son—"Go, see the world, my son, that you may learn with how little wisdom mankind is governed." And is our own government an exception to this rule, or do we not find here, as every where else, that

> "Man, proud man,
> Robed in a little brief authority,
> Plays such fantastic tricks before high heaven,
> As make the angels weep?"

The gentleman has appealed to the example of other nations. Sir, they are all against him. They have had restrictions enough, to be sure; but they are getting heartily sick of them, and in England, particularly, would willingly get rid of them if they could. We have been assured, by the declaration of a minister of the crown, from his place in parliament, "that there is a growing conviction, among all men of sense and reflection in that country, that the true policy of all nations is to be found in unrestricted industry." Sir, in England they are now retracing their steps, and endeavoring to relieve themselves of the system as fast as they can. Within a few years past, upwards of three hundred statutes, imposing restrictions in that country, have been repealed; and a case has recently occurred there, which seems to leave no doubt that, if Great Britain has grown great, it is, as Mr. Huskisson has declared, "not in consequence of, but in spite of their restrictions." The silk manufacture, protected by enormous

bounties, was found to be in such a declining condition, that the government was obliged to do something to save it from total ruin. And what did they do? They considerably reduced the duty on foreign silks, both on the raw material and the manufactured article. The consequence was the immediate revival of the silk manufacture, which has since been nearly doubled.

Sir, the experience of France is equally decisive. Bonaparte's effort to introduce cotton and sugar has cost that country millions; and, but the other day, a foolish attempt to protect the iron mines spread devastation through half of France, and nearly ruined the wine trade, on which one-fifth of her citizens depend for subsistence. As to Spain, unhappy Spain, "fenced round with restrictions," her experience, one would suppose, would convince us, if anything could, that the protecting system in politics, like bigotry in religion, was utterly at war with sound principles and a liberal and enlightened policy. Sir, I say, in the words of the philosophical statesman of England, "leave a generous nation free to seek their own road to perfection." Thank God, the night is passing away, and we have lived to see the dawn of a glorious day. The cause of free trade must and will prosper, and finally triumph. The political economist is abroad; light has come into the world; and, in this instance at least, men will not "prefer darkness rather than light." Sir, let it not be said, in after times, that the statesmen of America were behind the age in which they lived—that they initiated this young and vigorous country into the enervating and corrupting practices of European nations—and that, at the moment when the whole world were looking to us for an example, we arrayed ourselves in the castoff follies and exploded errors of

the old world, and, by the introduction of a vile system of artificial stimulants and political gambling, impaired the healthful vigor of the body politic, and brought on a decrepitude and premature dissolution.

Mr. Clay's Speech on his Public Lands Bill.

MR. PRESIDENT,—Although I find myself borne down by the severest affliction with which Providence has ever been pleased to visit me, I have thought that my private griefs ought not longer to prevent me from attempting, ill as I feel qualified, to discharge my public duties. And I now rise, in pursuance of the notice which has been given, to ask leave to introduce a bill to appropriate, for a limited time, the proceeds of the sales of the public lands of the United States, and for granting land to certain states.

I feel it incumbent on me to make a brief explanation of the highly important measure which I have now the honor to propose. The bill which I desire to introduce, provides for the distribution of the proceeds of the public lands in the years 1833, 1834, 1835, 1836 and 1837, among the twenty-four states of the union, and conforms substantially to that which passed in 1833. It is therefore of a temporary character; but if it shall be found to have salutary operation, it will be in the power of a future congress to give it an indefinite continuance; and if otherwise, it will expire by its own terms. In the event of war unfortunately breaking out with any

foreign power, the bill is to cease, and the fund which it distributes is to be applied to the prosecution of the war. The bill directs that ten per cent. of the net proceeds of the public lands sold within the limits of the seven new states, shall be first set apart for them, in addition to the five per cent. reserved by their several compacts with the United States; and that the residue of the proceeds, whether from sales made in the states or territories, shall be divided among the twenty-four states in proportion to their respective federal population. In this respect the bill conforms to that which was introduced in 1832. For one, I should have been willing to have allowed the new states twelve and a half instead of ten per cent.; but as that was objected to by the president, in his veto message, and has been opposed in other quarters, I thought it best to restrict the allowance to the more moderate sum. The bill also contains large and liberal grants of land to several of the new states, to place them upon an equality with others to which the bounty of congress has been heretofore extended, and provides that, when other new states shall be admitted into the union, they shall receive their share of the common fund.

Mr. President, I have ever regarded, with feelings of the profoundest regret, the decision which the president of the United States felt himself induced to make on the bill of 1833. If the bill had passed, about twenty millions of dollars would have been, during the last three years, in the hands of the several states, applicable by them to the beneficent purposes of internal improvement, education or colonization. What immense benefits might not have been diffused throughout the land by the active

employment of that large sum? What new channels of commerce and communication might not have been opened? What industry stimulated, what labor rewarded? How many youthful minds might have received the blessings of education and knowledge, and been rescued from ignorance, vice, and ruin? How many descendants of Africa might have been transported from a country where they never can enjoy political or social equality, to the native land of their fathers, where no impediment exists to their attainment of the highest degree of elevation, intellectual, social and political! where they might have been successful instruments, in the hands of God, to spread the religion of His Son, and to lay the foundation of civil liberty.

But, although we have lost three precious years, the secretary of the treasury tells us that the principal of this vast sum is yet safe; and much good may still be achieved with it. The spirit of improvement pervades the land in every variety of form, active, vigorous and enterprising, wanting pecuniary aid as well as intelligent direction. The states are strengthening the union by various lines of communication thrown across and through the mountains. New York has completed one great chain. Pennsylvania another, bolder in conception and more arduous in the execution. Virginia has a similar work in progress, worthy of all her enterprise and energy. A fourth, further south, where the parts of the union are too loosely connected, has been projected, and it can certainly be executed with the supplies which this bill affords, and perhaps not without them.

This bill passed, and these and other similar undertakings completed, we may indulge the patriotic hope that our union will be bound by ties and interests that render it indissoluble. As the

general government withholds all direct agency from these truly national works, and from all new objects of internal improvement, ought it not to yield to the states, what is their own, the amount received from the public lands? It would thus but execute faithfully a trust expressly created by the original deeds of cession, or resulting from the treaties of acquisition. With this ample resource, every desirable object of improvement, in every part of our extensive country, may in due time be accomplished.—Placing this exhaustless fund in the hands of the several members of the confederacy, their common federal head may address them in the glowing language of the British bard, and,

> Bid harbors open, public ways extend,
> Bid temples worthier of the God ascend.
> Bid the broad arch the dangerous flood contain,
> The mole projecting break the roaring main.
> Back to his bounds their subject sea command,
> And roll obedient rivers through the land.

I confess I feel anxious for the fate of this measure, less on account of any agency I have had in proposing it, as I hope and believe, than from a firm, sincere and thorough conviction, that no one measure ever presented to the councils of the nation, was fraught with so much unmixed good, and could exert such powerful and enduring influence in the preservation of the union itself and upon some of its highest interests. If I can be instrumental, in any degree, in the adoption of it, I shall enjoy, in that retirement into which I hope shortly to enter, a heart-feeling satisfaction and a lasting consolation. I shall carry there no regrets, no complaints, no reproaches on my own account. When I look back upon my humble origin, left an orphan too young to

have been conscious of a father's smiles and caresses; with a widowed mother, surrounded by a numerous offspring, in the midst of pecuniary embarrassments; without a regular education, without fortune, without friends, without patrons, I have reason to be satisfied with my public career. I ought to be thankful for the high places and honors to which I have been called by the favor and partiality of my countrymen, and I am thankful and grateful. And I shall take with me the pleasing consciousness that in whatever station I have been placed, I have earnestly and honestly labored to justify their confidence by a faithful, fearless, and zealous discharge of my public duties. Pardon these personal allusions.

Speech of John C. Calhoun,

Against the Public Lands Bill, January 23, 1841.

"Whether the government can constitutionally distribute the revenue from the public lands among the states must depend on the fact whether they belong to them in their united federal character, or individually and separately. If in the former, it is manifest that the government, as their common agent or trustee, can have no right to distribute among them, for their individual, separate use, a fund derived from property held in their united and federal character, without a special power for that purpose which is not pretended. A position so clear of itself and resting on the established principles of law, when applied to individuals holding property in like manner, needs no illustration. If, on the

contrary, they belong to the states in their individual and separate character, then the government would not only have the right but would be bound to apply the revenue to the separate use of the states. So far is incontrovertible, which presents the question: In which of the two characters are the lands held by the state?

"To give a satisfactory answer to this question, it will be necessary to distinguish between the lands that have been ceded by the states, and those that have been purchased by the government out of the common funds of the Union.

"The principal cessions were made by Virginia and Georgia. The former of all the tract of country between the Ohio, the Mississippi, and the lakes, including the states of Ohio, Indiana, Illinois, and Michigan, and the territory of Wisconsin; and the latter, of the tract included in Alabama and Mississippi. I shall begin with the cession of Virginia, as it is on that the advocates for the distribution mainly rely to establish the right.

"I hold in my hand an extract of all that portion of the Virginia deed of cession which has any bearing on the point at issue, taken from the volume lying on the table before me, with the place marked, and to which any one desirous of examining the deed may refer. The cession is 'to the United States in Congress assembled, for the benefit of said states.' Every word implies the states in their united federal character. That is the meaning of the phrase United States. It stands in contradistinction to the states taken separately and individually; and if there could be, by possibility, any doubt on that point, it would be removed by the expression 'in Congress assembled'—an assemblage which constituted the very knot that united them. I regard the execution of such a deed to

the United States, so assembled, so conclusive that the cession was to them in their united and aggregate character, in contradistinction to their individual and separate character, and, by necessary consequence, that the lands so ceded belonged to them in their former and not in their latter character, that I am at a loss for words to make it clearer. To deny it, would be to deny that there is any truth in language.

"But strong as this is, it is not all. The deed proceeds and says, that all the lands so ceded 'shall be considered a common fund for the use and benefit of such of the United States as have become, or shall become, members of the confederation or federal alliance of said states, Virginia inclusive,' and concludes by saying, 'and shall be faithfully and bona fide disposed of for that purpose, and for no other use or purpose whatever.' If it were possible to raise a doubt before, those full, clear, and explicit terms would dispel it. It is impossible for language to be clearer. To be 'considered a common fund' is an expression directly in contradistinction to separate or individual, and is, by necessary implication, as clear a negative of the latter as if it had been positively expressed. This common fund to 'be for the use and benefit of such of the United States as have become, or shall become, members of the confederation or federal alliance.' That is as clear as language can express it, for their common use in their united federal character, Virginia being included as the grantor, out of abundant caution."

"The Senator from Kentucky (Mr. Clay), and, as I now understand, the Senator from Massachusetts (Mr. Webster), agree, that the revenue from taxes can be applied only to the objects specifically enumerated in the Constitution. Thus repudiating the general welfare principle, as applied to the money

power, so far as the revenue may be derived from that source. To this extent they profess to be good State Rights Jeffersonian Republicans. Now, sir, I would be happy to be informed by either of the able senators, by what political alchemy the revenue from taxes, by being vested in land, or other property, can, when again turned into revenue by sales, be entirely freed from all the constitutional restrictions to which they were liable before the investment, according to their own confessions. A satisfactory explanation of so curious and apparently incomprehensible a process would be a treat.

"When I look, Mr. President, to what induced the states, and especially Virginia, to make this magnificent cession to the Union, and the high and patriotic motives urged by the old Congress to induce them to do it, and turn to what is now proposed, I am struck with the contrast and the great mutation to which human affairs are subject. The great and patriotic men of former times regarded it as essential to the consummation of the Union and the preservation of the public faith that the lands should be ceded as a common fund; but now, men distinguished for their ability and influence are striving with all their might to undo their holy work. Yes, sir; distribution and cession are the very reverse, in character and effect; the tendency of one is to union, and the other to disunion. The wisest of modern statesmen, and who had the keenest and deepest glance into futurity (Edmund Burke), truly said that the revenue is the state; to which I add, that to distribute the revenue, in a confederated community, amongst its members, is to dissolve the community—that is, with us, the Union—as time will prove, if ever this fatal measure should be adopted."

Speech of Hon. Robt. Y. Hayne

Senator from South Carolina, delivered in the Senate Chamber January 21, 1830, on Mr. Foot's resolution relating to the sales of the public lands.

Mr. Hayne said, when he took occasion, two days ago, to throw out some ideas with respect to the policy of the government, in relation to the public lands, nothing certainly could have been further from his thoughts, than that he should have been compelled again to throw himself upon the indulgence of the Senate. Little did I expect, said Mr. H., to be called upon to meet such an argument as was yesterday urged by the gentleman from Massachusetts (Mr. Webster.) Sir, I questioned no man's opinions; I impeached no man's motives; I charged no party, or state, or section of country with hostility to any other, but ventured, as I thought, in a becoming spirit to put forth my own sentiments in relation to a great national question of public policy. Such was my course. The gentleman from Missouri, (Mr. Benton,) it is true, had charged upon the Eastern States an early and continued hostility towards the west, and referred to a number of historical facts and documents in support of that charge. Now, sir, how have these different arguments been met? The honorable gentleman from Massachusetts, after deliberating a whole night upon his course, comes into this chamber to vindicate New England; and instead of making up his issue with the gentleman from Missouri, on the charges which *he had preferred*, chooses to consider me as the author of those charges, and losing sight entirely of that gentleman, selects me as his adversary, and pours out all the vials of his mighty wrath upon my

devoted head. Nor is he willing to stop there. He goes on to assail the institutions and policy of the south, and calls in question the principles and conduct of the state which I have the honor to represent. When I find a gentleman of mature age and experience, of acknowledged talents and profound sagacity, pursuing a course like this, declining the contest offered from the west, and making war upon the unoffending south, I must believe, I am bound to believe, he has some object in view which he has not ventured to disclose. Mr. President, why is this? Has the gentleman discovered in former controversies with the gentleman from Missouri, that he is overmatched by that senator? And does he hope for an easy victory over a more feeble adversary? Has the gentleman's distempered fancy been disturbed by gloomy forebodings of "new alliances to be formed," at which he hinted? Has the ghost of the murdered COALITION come back, like the ghost of Banquo, to "sear the eyeballs of the gentleman," and will it not down at his bidding? Are dark visions of broken hopes, and honors lost forever, still floating before his heated imagination? Sir, if it be his object to thrust me between the gentleman from Missouri and himself, in order to rescue the east from the contest it has provoked with the west, he shall not be gratified. Sir, I will not be dragged into the defence of my friend from Missouri. The south shall not be forced into a conflict not its own. The gentleman from Missouri is able to fight his own battles. The gallant west needs no aid from the south to repel any attack which may be made on them from any quarter. Let the gentleman from Massachusetts controvert the facts and arguments of the gentleman from Missouri, if he can—and if he win the victory, let him wear the honors; I shall not

deprive him of his laurels.

The gentleman from Massachusetts, in reply to my remarks on the injurious operations of our land system on the prosperity of the west, pronounced an extravagant eulogium on the paternal care which the government had extended towards the west, to which he attributed all that was great and excellent in the present condition of the new states. The language of the gentleman on this topic fell upon my ears like the almost forgotten tones of the tory leaders of the British Parliament, at the commencement of the American revolution. They, too, discovered that the colonies had grown great under the fostering care of the mother country; and I must confess, while listening to the gentleman, I thought the appropriate reply to his argument was to be found in the remark of a celebrated orator, made on that occasion: “They have grown great in spite of your protection.”

The gentleman, in commenting on the policy of the government in relation to the new states, has introduced to our notice a certain *Nathan Dane*, of Massachusetts, to whom he attributes the celebrated ordinance of ’87, by which he tells us, “*slavery* was forever excluded from the new states north of the Ohio.” After eulogizing the wisdom of this provision in terms of the most extravagant praise, he breaks forth in admiration of the greatness of Nathan Dane —and great indeed he must be, if it be true, as stated by the senator from Massachusetts, that “he was greater than Solon and Lycurgus, Minos, Numa Pompilius, and all the legislators and philosophers of the world,” ancient and modern. Sir, to such high authority it is certainly my duty, in a becoming spirit of humility, to submit. And yet, the gentleman will pardon me, when I say, that it is a little unfortunate

for the fame of this great legislator, that the gentleman from Missouri should have proved that he was not the author of the ordinance of ’87, on which the senator from Massachusetts has reared so glorious a monument to his name. Sir, I doubt not the senator will feel some compassion for our ignorance, when I tell him, that so little are we acquainted with the modern great men of New England, that until he informed us yesterday that we possessed a Solon and a Lycurgus in the person of Nathan Dane, he was only known to the south as a member of a celebrated assembly, called and known by the name of the “Hartford Convention.” In the proceedings of that assembly, which I hold in my hand, (at p. 19,) will be found in a few lines, the history of Nathan Dane; and a little farther on, there is conclusive evidence of that ardent devotion to the interest of the new states, which, it seems, has given him a just claim to the title of “Father of the West.” By the 2d resolution of the “Hartford Convention,” it is declared, “that it is expedient to attempt to make provision *for restraining Congress in the exercise of an unlimited power to make new states*, and admitting them into the Union.” So much for Nathan Dane, of Beverly, Massachusetts.

In commenting upon my views in relation to the public lands, the gentleman insists, that it being one of the conditions of the grants that these lands should be applied to “the common benefit of all the states, they must always remain *a fund for revenue*;” and adds, “they must be *treated as so much treasure*.” Sir, the gentleman could hardly find language strong enough to convey his disapprobation of the policy which I had ventured to recommend to the favorable consideration of the country. And what, sir, was that policy, and what is the difference between that

gentleman and myself on that subject? I threw out the idea that the public lands ought not to be reserved forever, as “a great fund for revenue;” that they ought not to be “treated as a great treasure;” but that the course of our policy should rather be directed toward the creation of new states, and building up great and flourishing communities.

Now, sir, will it be believed, by those who now hear me,—and who listened to the gentleman’s denunciation of my doctrines yesterday,—that a book then lay open before him—nay, that he held it in his hand, and read from it certain passages of his own speech, delivered to the House of Representatives in 1825, in which speech he himself contended for the very doctrine I had advocated, and almost in the same terms? Here is the speech of the Hon. Daniel Webster, contained in the first volume of Gales and Seaton’s Register of Debates, (p. 251,) delivered in the House of Representatives on the 18th of January, 1825, in a debate on the *Cumberland road*—the very debate from which the senator read yesterday. I shall read from the celebrated speech two passages, from which it will appear that both as to *the past* and the *future policy* of the government in relation to the public lands, the gentleman from Massachusetts maintained, in 1825, substantially the same opinions which I have advanced, but which he now so strongly reprobates. I said, sir, that the system of *credit sales* by which the west had been kept constantly in debt to the United States, and by which their wealth was drained off to be expended elsewhere, had operated injuriously on their prosperity. On this point the gentleman from Massachusetts, in January, 1825, expressed himself thus: “There could be no doubt, if gentlemen looked at the money received into the treasury from the sale

of the public lands to the west, and then looked to the whole amount expended by government, (even including the whole amount of what was laid out for the army,) the latter must be allowed to be very inconsiderable, and *there must be a constant drain of money from the west to pay for the public lands*." It might indeed be said that this was no more than the refluence of capital which had previously gone over the mountains. Be it so. Still its practical effect was to produce inconvenience, *if not distress, by absorbing the money of the people*.

I contended that the public lands ought not to be treated merely as "a fund for revenue;" that they ought not to be hoarded "as a great treasure." On this point the senator expressed himself thus: "Government, he believed, had received eighteen or twenty millions of dollars from the public lands, and it was with the greatest satisfaction he adverted to the change which had been introduced in the mode of paying for them; *yet he could never think the national domain was to be regarded as any great source of revenue*. The great object of the government, in respect of these lands, was not so much *the money derived from their sale*, as it was *the getting them settled*. What he meant to say was, *he did not think they ought to hug that domain* AS A GREAT TREASURE, *to enrich the Exchequer*."

Now, Mr. President, it will be seen that the very doctrines which the gentleman so indignantly abandons were urged by him in 1825; and if I had actually borrowed my sentiments from those which he then avowed, I could not have followed more closely in his footsteps. Sir, it is only since the gentleman quoted this book, yesterday, that my attention has been turned to the sentiments he expressed in 1825; and if I had remembered them, I

might possibly have been deterred from uttering sentiments here, which, it might well be supposed, I had borrowed from that gentleman.

In 1825, the gentleman told the world that the public lands "ought not to be treated as a treasure." He now tells us that "they must be treated as so much treasure." What the deliberate opinion of the gentleman on this subject may be, belongs not to me to determine; but I do not think he can, with the shadow of justice or propriety, impugn my sentiments, while his own recorded opinions are identical with my own. When the gentleman refers to the conditions of the grants under which the United States have acquired these lands, and insists that, as they are declared to be "for the common benefit of all the states," they can only be treated as so much treasure, I think he has applied a rule of construction too narrow for the case. If in the deeds of cession it has been declared that the grants were intended for "the common benefit of all the states," it is clear, from other provisions, that they were not intended merely as *so much property*; for it is expressly declared, that the object of the grants is the erection of new states; and the United States, in accepting this trust, bind themselves to facilitate the foundation of these states, to be admitted into the Union with all the rights and privileges of the original states. This, sir, was the great end to which all parties looked, and it is by the fulfillment of this high trust that "the common benefit of all the states" is to be best promoted. Sir, let me tell the gentleman, that in the part of the country in which I live, we do not measure political benefits by the *money standard*. We consider as more valuable than gold liberty, principle, and justice. But, sir, if we are bound to act on the narrow principles contended for by the

gentleman, I am wholly at a loss to conceive how he can reconcile his principles with his own practice. The lands are, it seems, to be treated “as so much treasure,” and must be applied to the “common benefit of all the states.” Now, if this be so, whence does he derive the right to appropriate them for partial and local objects? How can the gentleman consent to vote away immense bodies of these lands for canals in Indiana and Illinois, to the Louisville and Portland Canal, to Kenyon College in Ohio, to Schools for the Deaf and Dumb, and other objects of a similar description? If grants of this character can fairly be considered as made “for the common benefit of all the states,” it can only be, because all the states are interested in the welfare of each—a principle which, carried to the full extent, destroys all distinction between local and national objects, and is certainly *broad enough* to embrace the principles for which I have ventured to contend. Sir, the true difference between us I take to be this: the gentleman wishes to treat the public lands as a great treasure, just as so much money in the treasury, to be applied to all objects, constitutional and unconstitutional, to which the public money is constantly applied. I consider it as a sacred trust which we ought to fulfil, on the principles for which I have contended.

The senator from Massachusetts has thought proper to present, in strong contrast, the friendly feelings of the east towards the west, with sentiments of an opposite character displayed by the south in relation to appropriations for *internal improvements*. Now, sir, let it be recollected that the south have made no professions; I have certainly made none in their behalf, of regard for the west. It has been reserved for the gentleman from Massachusetts,

while he vaunts over his own personal devotion to western interests, to claim for the entire section of country to which he belongs an ardent friendship for the west, as manifested by their support of the system of internal improvement, while he casts in our teeth the reproach that the south has manifested hostility to western interests in opposing appropriations for such objects. That gentleman, at the same time, acknowledged that the south entertains *constitutional scruples* on this subject. Are we then, sir, to understand that the gentleman considers it a just subject of reproach that we respect our oaths, by which we are bound "to preserve, protect, and defend the constitution of the U. States?" Would the gentleman have us manifest our love to the west by trampling under foot our constitutional scruples? Does he not perceive, if the south is to *be reproached* with unkindness to the west, in voting against appropriations which the gentleman admits they could not vote for without doing violence to their constitutional opinions, that he exposes himself to the question, whether, if he was in our situation, he could vote for these appropriations, regardless of his scruples? No, sir, I will not do the gentleman so great injustice. He has fallen into this error from not having duly weighed the force and effect of the reproach which he was endeavoring to cast upon the south. In relation to the other point, the friendship manifested by New England towards the west, in their support of the system of internal improvement, the gentleman will pardon me for saying, that I think he is equally unfortunate in having introduced that topic. As that gentleman has forced it upon us, however, I cannot suffer it to pass unnoticed. When the gentleman tells us that the appropriations for internal improvement

in the west would, in almost every instance, have failed but for New England votes, he has forgotten to tell us the *when*, the *how*, and the *wherefore* this new-born zeal for the west sprung up in the bosom of New England. If we look back only a few years, we will find in both houses of Congress a uniform and steady opposition on the part of the members from the Eastern States, generally, to all appropriations of this character. At the time I became a member of this house, and for some time afterwards, a decided majority of the New England senators were opposed to the very measures which the senator from Massachusetts tells us they now cordially support. Sir, the Journals are before me, and an examination of them will satisfy every gentleman of that fact.

It must be well known to every one whose experience dates back as far as 1825, that up to a certain period, New England was generally opposed to appropriations for internal improvements in the west. The gentleman from Massachusetts may be himself an exception, but if he went for the system before 1825, it is certain that his colleagues did not go with him.

In the session of 1824 and ’25, however, (a memorable era in the history of this country,) a wonderful change took place in New England, in relation to western interests. Sir, an extraordinary union of sympathies and of interests was then effected, which brought the east and the west into close alliance. The book from which I have before read contains the first public annunciation of that happy reconciliation of conflicting interests, personal and political, which brought the east and west together and locked in a fraternal embrace the two great orators of the east and the west. Sir, it was on the 18th of January, 1825, while the result of the

presidential election, in the House of Representatives, was still doubtful, while the whole country was looking with intense anxiety to that legislative hall where the mighty drama was so soon to be acted, that we saw the leaders of two great parties in the house and in the nation, “taking sweet counsel together,” and in a celebrated debate on the *Cumberland road*, fighting side by side for *western interests*. It was on that memorable occasion that the senator from Massachusetts *held out the white flag to the west*, and uttered those liberal sentiments which he yesterday so indignantly repudiated. Then it was, that that happy union between the two members of the celebrated *coalition* was consummated, whose immediate issue was a president from *one quarter of the Union*, with the succession (as it was supposed) *secured to another*. The “American system,” before a rude, disjointed, and misshapen mass, now assumed form and consistency. Then it was that it became “the settled policy of the government,” that this system should be so administered as to create a reciprocity of interests and a reciprocal distribution of government favors, east and west, (the tariff and internal improvements,) while the south—yes, sir, the impracticable south—was to be “out of your protection.” The gentleman may boast as much as he pleases of the friendship of New England for the west, as displayed in their support of internal improvement; but when he next introduces that topic, I trust that he will tell us *when* that friendship commenced, *how* it was brought about, and *why* it was established. Before I leave this topic, I must be permitted to say that the true character of the policy now pursued by the gentleman from Massachusetts and his friends, in relation to appropriations of land and money, for the benefit of the west, is in my

estimation very similar to that pursued by Jacob of old towards his brother Esau: “it robs them of their birthright for a mess of pottage.”

The gentleman from Massachusetts, in alluding to a remark of mine, that before any disposition could be made of the public lands, the *national debt*, for which they stand pledged, must be first paid, took occasion to intimate “that the *extraordinary fervor* which seems to exist in a *certain quarter*, (meaning the south, sir,) for the payment of the debt, arises from a disposition *to weaken the ties which bind the people to the Union*.” While the gentleman deals us this blow, he professes an ardent desire to see the debt speedily extinguished. He must excuse me, however, for feeling some distrust on that subject until I find this disposition manifested by something stronger than professions. I shall look for acts, decided and unequivocal acts; for the performance of which an opportunity will very soon (if I am not greatly mistaken) be afforded. Sir, if I were at liberty to judge of the course which that gentleman would pursue, from the principles which he has laid down in relation to this matter, I should be bound to conclude that he will be found acting with those with whom it is a darling object to prevent the payment of the public debt. He tells us he is desirous of paying the debt, “because we are under an obligation to discharge it.” Now, sir, suppose it should happen that the public creditors, with whom we have contracted the obligation, should release us from it, so far as to declare their willingness to wait for payment for fifty years to come, provided only the interest shall be punctually discharged. The gentleman from Massachusetts will then be released from the obligation which now makes him desirous of paying the debt; and, let me tell the gentleman, the holders

of the stock will not only release us from this obligation, but they will implore, nay, they will even *pay us* not to pay them. But, adds the gentleman, so far as the debt may have an effect in binding the debtors to the country, and thereby serving as a link to hold the states together, he would be glad that it should exist forever. Surely then, sir, on the gentleman's own principles, he must be opposed to the payment of the debt.

Sir, let me tell that gentleman, that the south repudiates the idea that a *pecuniary dependence* on the federal government is one of the legitimate means of holding the states together. A moneyed interest in the government is essentially a base interest; and just so far as it operates to bind the feelings of those who are subjected to it to the government,—just so far as it operates in creating sympathies and interests that would not otherwise exist,—is it opposed to all the principles of free government, and at war with virtue and patriotism. Sir, the link which binds the public creditors, *as such*, to their country, binds them equally to all governments, whether arbitrary or free. In a free government, this principle of abject dependence, if extended through all the ramifications of society, must be fatal to liberty. Already have we made alarming strides in that direction. The entire class of manufacturers, the holders of stocks, with their hundreds of millions of capital, are held to the government by the strong link of *pecuniary interests*; millions of people—entire sections of country, interested, or believing themselves to be so, in the public lands, and the public treasure—are bound to the government by the expectation of *pecuniary favors*. If this system is carried much further, no man can fail to see that every generous motive of

attachment to the country will be destroyed, and in its place will spring up those low, grovelling, base, and selfish feelings which bind men to the footstool of a despot by bonds as strong and enduring as those which attach them to free institutions. Sir, I would lay the foundation of this government in the affections of the people—I would teach them to cling to it by dispensing equal justice, and above all, by securing the "blessings of liberty" to "themselves and to their posterity."

The honorable gentleman from Massachusetts has gone out of his way to pass a high eulogium on the state of Ohio. In the most impassioned tones of eloquence, he described her majestic march to greatness. He told us, that, having already left all the other states far behind, she was now passing by Virginia and Pennsylvania, and about to take her station by the side of New York. To all this, sir, I was disposed most cordially to respond. When, however, the gentleman proceeded to contrast the state of Ohio with Kentucky, to the disadvantage of the latter, I listened to him with regret; and when he proceeded further to attribute the great, and, as he supposed, acknowledged superiority of the former in population, wealth, and general prosperity, to the policy of Nathan Dane, of Massachusetts, which had secured to the people of Ohio (by the ordinance of '87) *a population of freemen*, I will confess that my feelings suffered a revulsion which I am now unable to describe in any language sufficiently respectful towards the gentleman from Massachusetts. In contrasting the state of Ohio with Kentucky, for the purpose of pointing out *the superiority of the former*, and of attributing that superiority to *the existence of slavery* in the one state, and its absence in the other, I thought I could discern *the very spirit of the Missouri*

question, intruded into this debate, for objects best known to the gentleman himself. Did that gentleman, sir, when he formed the determination to cross the southern border, in order to invade the state of South Carolina, deem it prudent or necessary to enlist under his banners *the prejudices of the world*, which, like *Swiss troops*, may be engaged in any cause, and are prepared to serve under any leader? Did he desire to avail himself of those remorseless allies, *the passions of mankind*, of which it may be more truly said than of the savage tribes of the wilderness, "that their known rule of warfare is an indiscriminate slaughter of all ages, sexes, and conditions?" Or was it supposed, sir, that, in a premeditated and unprovoked attack upon the south, it was advisable to begin by a gentle admonition of *our supposed weakness*, in order to prevent us from making that firm and manly resistance due to our own character and our dearest interests? Was the *significant hint* of the *weakness of slaveholding states*, when contrasted with *the superior strength of free states*,—like the glare of the weapon half drawn from its scabbard,—intended to enforce the lessons of prudence and of patriotism, which the gentleman had resolved, out of his abundant generosity, gratuitously to bestow upon us? Mr. President, the impression which has gone abroad of the *weakness of the south*, as connected with the *slave question*, exposes us to such constant attacks, has done us so much injury, and is calculated to produce such infinite mischiefs, that I embrace the occasion presented by the remarks of the gentleman of Massachusetts, to declare that we are ready to meet the question promptly and fearlessly. It is one from which we are not disposed to shrink, in whatever form or under whatever circumstances it may be pressed upon us.

We are ready to make up the issue with the gentleman, as to the influence of slavery on individual or national character—on the prosperity and greatness, either of the United States or of particular states. Sir, when arraigned before the bar of public opinion, on this charge of slavery, we can stand up with conscious rectitude, plead not guilty, and put ourselves upon God and our country. Sir, we will not consent to look at slavery in the abstract. We will not stop to inquire whether the black man, as some philosophers have contended, is of an inferior race, nor whether his color and condition are the effects of a curse inflicted for the offences of his ancestors. We deal in no *abstractions*. We will not look back to inquire whether our fathers were guiltless in introducing slaves into this country. If an inquiry should ever be instituted in these matters, however, it will be found that the profits of the slave trade were not confined to the south. Southern ships and southern sailors were not the instruments of bringing slaves to the shores of America, nor did our merchants reap the profits of that “accursed traffic.” But, sir, we will pass over all this. If slavery, as it now exists in this country, be an evil, we of the present day *found it ready made to our hands*. Finding our lot cast among a people whom God had manifestly committed to our care, we did not sit down to speculate on abstract questions of theoretical liberty. We met it as a practical question of *obligation and duty*. We resolved to make the best of the situation in which Providence had placed us, and to fulfil the high trusts which had devolved upon us as the owners of slaves, in the only way in which such a trust could be fulfilled, without spreading misery and ruin throughout the land. We found that we had to deal with a people whose physical, moral,

and intellectual habits and character totally disqualified them from the enjoyment of the blessings of freedom. We could not send them back to the shores from whence their fathers had been taken; their numbers forbade the thought, even if we did not know that their condition here is infinitely preferable to what it possibly could be among the barren sands and savage tribes of Africa; and it was wholly irreconcilable with all our notions of humanity to tear asunder the tender ties which they had formed among us, to gratify the feelings of a false philanthropy. What a commentary on the wisdom, justice, and humanity of the southern slave owner is presented by the example of certain benevolent associations and charitable individuals *elsewhere*! Shedding weak tears over sufferings which had existence in their own sickly imaginations, these "friends of humanity" set themselves systematically to work to seduce the slaves of the south from their masters. By means of missionaries and political tracts, the scheme was in a great measure successful. Thousands of these deluded victims of fanaticism were seduced into the enjoyment of freedom in our northern cities. And what has been the consequence? Go to these cities now and ask the question. Visit the dark and narrow lanes, and obscure recesses, which have been assigned by common consent as the abodes of those outcasts of the world, the free people of color. Sir, there does not exist, on the face of the whole earth, a population so poor, so wretched, so vile, so loathsome, so utterly destitute of all the comforts, conveniences, and decencies of life, as the unfortunate blacks of Philadelphia, and New York, and Boston. Liberty has been to them the greatest of calamities, the heaviest of curses. Sir, I have had some opportunities of making comparison between

the condition of the free negroes of the north and the slaves of the south, and the comparison has left not only an indelible impression of the superior advantages of the latter, but has gone far to reconcile me to slavery itself. Never have I felt so forcibly that touching description, “the foxes have holes, and the birds of the air have nests, but the Son of man hath not where to lay his head,” as when I have seen this unhappy race, naked and houseless, almost starving in the streets, and abandoned by all the world. Sir, I have seen in the neighborhood of one of the most moral, religious, and refined cities of the north, a family of free blacks, driven to the caves of the rocks, and there obtaining a precarious subsistence from charity and plunder.

When the gentleman from Massachusetts adopts and reiterates the old charge of weakness as resulting from slavery, I must be permitted to call for the proof of those blighting effects which he ascribes to its influence. I suspect that when the subject is closely examined, it will be found that there is not much force even in the plausible objection of the want of physical power in slaveholding states. The power of a country is compounded of its population and its wealth, and in modern times, where, from the very form and structure of society, by far the greater portion of the people must, even during the continuance of the most desolating wars, be employed in the cultivation of the soil and other peaceful pursuits, it may be well doubted whether slaveholding states, by reason of the superior value of their productions, are not able to maintain a number of troops in the field fully equal to what could be supported by states with a larger white population, but not possessed of equal resources.

It is a popular error to suppose that, in any

possible state of things, the people of a country could ever be called out *en masse*, or that a half, or a third, or even a fifth part of the physical force of any country could ever be brought into the field. The difficulty is, not to procure men, but to provide *the means of maintaining them*; and in this view of the subject, it may be asked whether the Southern States are not a source of *strength* and *power*, and not of *weakness*, to the country—whether they have not contributed, and are not now contributing, largely to the wealth and prosperity of every state in this Union. From a statement which I hold in my hand, it appears that in ten years—from 1818 to 1827, inclusive—the whole amount of the domestic exports of the United States was $521,811,045; of which three articles, (*the product of slave labor*,) viz., cotton, rice, and tobacco, amounted to $339,203,232—equal to *about two-thirds of the whole*. It is not true, as has been supposed, that the advantage of this labor is confined almost exclusively to the Southern States. Sir, I am thoroughly convinced that, at this time, *the states north of the Potomac actually derive greater profits from the labor of our slaves than we do ourselves*. It appears from our public documents, that in seven years—from 1821 to 1827, inclusive—the six Southern States *exported* $190,337,281, and *imported* only $55,646,301. Now, the difference between these two sums (near $140,000,000) *passed through the hands of the northern merchants*, and enabled them to carry on their commercial operations with all the world. Such part of these goods as found its way back to our hands came charged with the duties, as well as the profits, of the merchant, the ship owner, and a host of others, who found employment in carrying on these immense exchanges; and for such part as was consumed at the north, we received in

exchange *northern manufactures*, charged with an increased price, to cover all the taxes which the northern consumer had been compelled to pay on the imported article. It will be seen, therefore, at a glance, how much slave labor has contributed to the wealth and prosperity of the United States, and how largely our northern brethren have participated in the profits of that labor. Sir, on this subject I will quote an authority, which will, I doubt not, be considered by the Senator from Massachusetts as entitled to high respect. It is from the great father of the "American System," *honest Matthew Carey*—no great friend, it is true, at this time, to southern rights and southern interests, but not the worst authority on that account, *on the point in question*.

Speaking of the *relative importance to the Union* of the SOUTHERN and the EASTERN STATES, Matthew Carey, in the sixth edition of his Olive Branch, (p. 278,) after exhibiting a number of statistical tables to show the decided superiority of the former, thus proceeds:—

"But I am tired of this investigation—I sicken for the honor of the human species. What idea must the world form of the arrogance of the pretensions of the one side, [the east,] and of the folly and weakness of the rest of the Union, to have so long suffered them to pass without exposure and detection. The naked fact is, that the demagogues in the Eastern States, not satisfied *with deriving all the benefit from the southern section of the Union that they would from so many wealthy colonies*—with making princely fortunes by the carriage and exportation of its bulky and valuable productions, and *supplying it with their own manufactures*, and the productions of Europe and the East and West Indies, to an enormous amount, and at an immense profit, have uniformly treated it with

outrage, insult, and injury. And, regardless of their vital interests, the Eastern States were lately *courting their own destruction*, by allowing a few restless, turbulent men to lead them blindfolded *to a separation* which was *pregnant with their certain ruin*. Whenever that event takes place, they sink into insignificance. If a separation were desirable to any part of the Union, it would be to the Middle and Southern States, particularly the latter, who have been so long harassed with the complaints, the restlessness, the turbulence, and the ingratitude of the Eastern States, that their patience has been tried almost beyond endurance. '*Jeshurun waxed fat and kicked*'—and he will be severely punished for his kicking, in the event of a dissolution of the Union." Sir, I wish it to be distinctly understood that I do not adopt these sentiments as my own. I quote them to show that very different sentiments have prevailed in former times as to the weakness of the slaveholding states from those which now seem to have become fashionable in certain quarters. I know it has been supposed by certain ill-informed persons, that the south exists only by the countenance and protection of the north. Sir, this is the idlest of all idle and ridiculous fancies that ever entered into the mind of man. In every state of this Union, except one, the free white population actually preponderates; while in the British West India Islands, (where the average white population is *less than ten per cent. of the whole*,) the slaves are kept in entire subjection: it is preposterous to suppose that the Southern States could ever find the smallest difficulty in this respect. On this subject, as in all others, we ask nothing of our northern brethren but to "let us alone." Leave us to the undisturbed management of our domestic concerns, and the direction of our own industry, and

we will ask no more. Sir, all our difficulties on this subject have arisen from interference from abroad, which has disturbed, and may again disturb, our domestic tranquillity just so far as to bring down punishment upon the heads of the unfortunate victims of a fanatical and mistaken humanity.

There is a *spirit*, which, like the father of evil, is constantly "walking to and fro about the earth, seeking whom it may devour:" it is the spirit of FALSE PHILANTHROPY. The persons whom it possesses do not indeed throw themselves into the flames, but they are employed in lighting up the torches of discord throughout the community. Their first principle of action is to leave their own affairs, and neglect their own duties, to regulate the affairs and duties of others. Theirs is the task to feed the hungry, and clothe the naked, of other lands, while they thrust the naked, famished, and shivering beggar from their own doors; to instruct the heathen, while their own children want the bread of life. When this spirit infuses itself into the bosom of a statesman, (if one so possessed can be called a statesman,) it converts him at once into a visionary enthusiast. Then it is that he indulges in golden dreams of national greatness and prosperity. He discovers that "liberty is power," and not content with vast schemes of improvement at home, which it would bankrupt the treasury of the world to execute, he flies to foreign lands, to fulfil obligations to "the human race" by inculcating the principles of "political and religious liberty," and promoting the "general welfare" of the whole human race. It is a spirit which has long been busy with the *slaves of the south*; and is even now displaying itself in vain efforts to drive the government from its wise policy in relation to the *Indians*. It is this spirit which has filled the land with

thousands of wild and visionary projects, which can have no effect but to waste the energies and dissipate the resources of the country. It is the spirit of which the aspiring politician dexterously avails himself, when, by inscribing on his banner the magical words LIBERTY AND PHILANTHROPY, he draws to his support that class of persons who are ready to bow down at the very name of their idols.

But, sir, whatever difference of opinion may exist as to the effect of slavery on national wealth and prosperity, if we may trust to experience, there can be no doubt that it has never yet produced any injurious effect on *individual or national character*. Look through the whole history of the country, from the commencement of the revolution down to the present hour; where are there to be found brighter examples of intellectual and moral greatness than have been exhibited by the sons of the south? From the FATHER OF HIS COUNTRY down to the DISTINGUISHED CHIEFTAIN who has been elevated by a grateful people to the highest office in their gift, the interval is filled up by a long line of orators, of statesmen, and of heroes, justly entitled to rank among the ornaments of their country, and the benefactors of mankind. Look at the "Old Dominion," great and magnanimous Virginia, "whose jewels are her sons." Is there any state in this Union which has contributed so much to the honor and welfare of the country? Sir, I will yield the whole question—I will acknowledge the fatal effects of slavery upon character, if any one can say, that for noble disinterestedness, ardent love of country, exalted virtue, and a pure and holy devotion to liberty, the people of the Southern States have ever been surpassed by any in the world. I know, sir, that this *devotion to liberty* has sometimes been supposed to be

at war with our institutions; but it is in some degree the result of those very institutions. Burke, the most philosophical of statesmen, as he was the most accomplished of orators, well understood the operation of this principle, in elevating the sentiments and exalting the principles of the people in slaveholding states. I will conclude my remarks on this branch of the subject, by reading a few passages from his speech "on moving his resolutions for conciliation with the colonies," the 22d of March, 1775.

"There is a circumstance attending the southern colonies which makes the spirit of liberty still more high and haughty than in those to the northward. It is, that in Virginia and the Carolinas they have a *vast multitude of slaves*. Where this is the case, in any part of the world, those who are free are by far the most proud and jealous of their freedom. Freedom is to them not only an enjoyment, but a kind of rank and privilege. Not seeing there, as in countries where it is a common blessing, and as broad and general as the air, that it may be united with much abject toil, with great misery, with all the exterior of servitude, liberty looks among them like something more noble and liberal. I do not mean, sir, to commend the superior morality of this sentiment, which has, at least, as much pride as virtue in it—but I cannot alter the nature of man. The fact is so; and these people of the southern colonies are much more strongly, and with a higher and more stubborn spirit, attached to liberty than those to the northward. Such were all the ancient commonwealths—such were our Gothic ancestors—such, in our days, were the Poles—*and such will be all masters of slaves who are not slaves themselves*. In such a people, the haughtiness of domination combines with the spirit of freedom,

fortifies it, *and renders it invincible*."

In the course of my former remarks, Mr. President, I took occasion to deprecate, as one of the greatest evils, the *consolidation of this government*. The gentleman takes alarm at the sound. "*Consolidation*," "like the *tariff*," grates upon his ear. He tells us, "we have heard much of late about consolidation; that it is the rallying word of all who are endeavoring to *weaken the Union*, by adding to the power of the states." But consolidation (says the gentleman) was the very object for which the Union was formed; and, in support of that opinion, he read a passage from the address of the president of the convention to Congress, which he assumes to be authority on his side of the question. But, sir, the gentleman is mistaken. The object of the framers of the constitution, as disclosed in that address, was not the *consolidation of the government*, but "the consolidation of the Union." It was not to draw power from the states, in order to transfer it to a great national government, but, in the language of the constitution itself, "to form a more perfect Union;"—and by what means? By "establishing justice, promoting domestic tranquillity, and securing the blessings of liberty to ourselves and our posterity." This is the true reading of the constitution. But, according to the gentleman's reading, the object of the constitution was, to *consolidate the government*, and the means would seem to be, the promotion of *injustice*, causing domestic *discord*, and depriving the states and the people "of the blessings of liberty" forever.

The gentleman boasts of belonging to the party of NATIONAL REPUBLICANS. National Republicans! A new name, sir, for a very old thing. The National Republicans of the present day were the *Federalists* of '98, who became *Federal Republicans* during the war

of 1812, and were *manufactured* into *National Republicans* somewhere about the year 1825.

As a party, (by whatever name distinguished,) they have always been animated by the same principles, and have kept steadily in view a common object, the consolidation of the government. Sir, the party to which I am proud of having belonged, from the very commencement of my political life to the present day, were the *Democrats of '98*, (*Anarchists*, *Anti-Federalists*, *Revolutionists*, I think they were sometimes called.) They assumed the name of *Democratic-Republicans* in 1822, and have retained their name and principles up to the present hour. True to their political faith, they have always, as a party, been in favor of limitations of power; they have insisted that all powers not delegated to the federal government are reserved, and have been constantly struggling, as they now are, to preserve the rights of the states, and to prevent them from being drawn into the vortex, and swallowed up by one great consolidated government.

Sir, any one acquainted with the history of parties in this country will recognize in the points now in dispute between the senator from Massachusetts and myself the very grounds which have, from the beginning, divided the two great parties in this country, and which (call these parties by what names you will, and *amalgamate* them as you may) will divide them forever. The true distinction between those parties is laid down in a celebrated manifesto, issued by the convention of the Federalists of Massachusetts, assembled in Boston, in February, 1824, on the occasion of organizing a party opposition to the reëlection of Governor Eustis. The gentleman will recognize this as "the canonical book of political scripture;" and it instructs us that, when

the American colonies redeemed themselves from British bondage, and became so many *independent nations*, they proposed to form a NATIONAL UNION, (not a *Federal* Union, sir, but a national Union.) Those who were in favor of a *union of the states in this form* became known by the name of *Federalists*; those who wanted no union of the states, or disliked the proposed form of union, became known by the name of *Anti-Federalists*. By means which need not be enumerated, the *Anti-Federalists* became (after the expiration of twelve years) our national rulers, and for a period of sixteen years, until the close of Mr. Madison's administration, in 1817, continued to exercise the exclusive direction of our public affairs. Here, sir, is the true history of the origin, rise, and progress of the party of *National Republicans*, who date back to the very origin of the government, and who, then, as now, chose to consider the constitution as having created, not a *Federal*, but a *National Union*; who regarded "consolidation" as no evil, and who doubtless considered it "a consummation devoutly to be wished" to build up a great "central government," "one and indivisible." Sir, there have existed, in every age and every country, two distinct orders of men—the *lovers of freedom*, and the devoted *advocates of power*.

The same great leading principles, modified only by the peculiarities of manners, habits, and institutions, divided parties in the ancient republics, animated the *whigs* and *tories* of Great Britain, distinguished in our own times the *liberals* and *ultras* of France, and may be traced even in the bloody struggles of unhappy Spain. Sir, when the gallant *Riego*, who devoted himself, and all that he possessed, to the liberties of his country, was dragged to the scaffold followed by the tears and

lamentations of every lover of freedom throughout the world, he perished amid the deafening cries of "Long live the absolute king!" The people whom I represent, Mr. President, are the descendants of those who brought with them to this country, as the most precious of their possessions, "an ardent love of liberty;" and while that shall be preserved, they will always be found manfully struggling against the *consolidation of the government*—AS THE WORST OF EVILS.

The senator from Massachusetts, in alluding to the tariff, becomes quite facetious. He tells us that "he hears of nothing but *tariff, tariff, tariff*; and, if a word could be found to rhyme with it, he presumes it would be celebrated in verse, and set to music." Sir, perhaps the gentleman, *in mockery of our complaints*, may be himself disposed to sing the praises of the tariff, in doggerel verse, to the tune of "Old Hundred." I am not at all surprised, however, at the aversion of the gentleman to the very name of *tariff*. I doubt not that it must always bring up some very unpleasant recollections to his mind. If I am not greatly mistaken, the senator from Massachusetts was a leading actor at a great meeting got up in Boston, in 1820, *against the tariff*. It has generally been supposed that he drew up the resolutions adopted by that meeting, denouncing the tariff system as unequal, oppressive, and unjust, and if I am not much mistaken, *denying its constitutionality*. Certain it is, that the gentleman made a speech on that occasion in support of those resolutions, denouncing the system in no very measured terms; and, if my memory serves me, *calling its constitutionality in question*. I regret that I have not been able to lay my hands on those proceedings; but I have seen them, and cannot be mistaken in their character. At that time, sir, the senator from

Massachusetts entertained the very sentiments in relation to the tariff which the south now entertains. We next find the senator from Massachusetts expressing his opinion on the tariff, as a member of the House of Representatives from the city of Boston, in 1824. On that occasion, sir, the gentleman assumed a position which commanded the respect and admiration of his country. He stood forth the powerful and fearless champion of *free trade*. He met, in that conflict, the advocates of restriction and monopoly, and they "fled from before his face." With a profound sagacity, a fulness of knowledge, and a richness of illustration that have never been surpassed, he maintained and established the principles of commercial freedom, on a foundation never to be shaken. Great indeed was the victory achieved by the gentleman on that occasion; most striking the contrast between the clear, forcible, and convincing arguments by which he carried away the understandings of his hearers, and the narrow views and wretched sophistry of *another distinguished orator*, who may be truly said to have "held up his farthing candle to the sun."

Sir, the Senator from Massachusetts, on that, the proudest day of his life, like a mighty giant, bore away upon his shoulders the pillars of the temple of error and delusion, escaping himself unhurt, and leaving his adversaries overwhelmed in its ruins. Then it was that he erected to free trade a beautiful and enduring monument, and "inscribed the marble with his name." Mr. President, it is with pain and regret that I now go forward to the next great era in the political life of that gentleman when he was found on this floor, supporting, advocating, and finally voting for the tariff of 1828—that "bill of abominations." By that act, sir, the senator from

Massachusetts has destroyed the labors of his whole life, and given a wound to the cause of free trade never to be healed. Sir, when I recollect the position which that gentleman once occupied, and that which he now holds in public estimation, in relation to this subject, it is not at all surprising that the tariff should be hateful to his ears. Sir, if I had erected to my own fame so proud a monument as that which the gentleman built up in 1824, and I could have been tempted to destroy it with my own hands, I should hate the voice that should ring "the accursed tariff" in my ears. I doubt not the gentleman feels very much, in relation to the tariff, as a certain knight did to "*instinct*," and with him would be disposed to exclaim,—

"Ah! no more of that, Hal, an thou lovest me."

But, Mr. President, to be more serious; what are we of the south to think of what we have heard this day? The senator from Massachusetts tells us that the tariff is not an eastern measure, and treats it as if the east had no interest in it. The senator from Missouri insists it is not a western measure, and that it has done no good to the west. The south comes in, and, in the most earnest manner, represents to you that this measure, which we are told "is of no value to the east or the west," is "utterly destructive of our interests." We represent to you that it has spread ruin and devastation through the land, and prostrated our hopes in the dust. We solemnly declare that we believe the system to be wholly unconstitutional, and a violation of the compact between the states and the Union; and our brethren *turn a deaf ear to our complaints*, and refuse to relieve us from a system "which not enriches them, but makes us poor indeed." Good God! Mr. President, *has it come to this*? Do gentlemen hold the feelings and wishes of their brethren at so cheap a rate, that they refuse to gratify them at so small a price? Do gentlemen value so lightly the peace and harmony of the country, that they will not yield a measure of this description to the affectionate entreaties and earnest remonstrances of their friends? Do gentlemen estimate the value of the Union at so low a price, that they will not even make one effort to bind the states together with the cords of affection? And has it come to this? Is this the spirit in which this government is to be administered? If so, let me tell, gentlemen, the seeds of dissolution are already sown, and our children will reap the bitter fruit.

The honorable gentleman from Massachusetts,

(Mr. Webster,) while he exonerates me personally from the charge, intimates that there is a party in the country who are looking to disunion. Sir, if the gentleman had stopped there, the accusation would have "passed by me like the idle wind, which I regard not." But when he goes on to give to his accusation "a local habitation and a name," by quoting the expression of a distinguished citizen of South Carolina, (Dr. Cooper,) "that it was time for the south to calculate the value of the Union," and in the language of the bitterest sarcasm, adds, "Surely then the Union cannot last longer than July, 1831," it is impossible to mistake either the allusion or the object of the gentleman. Now, Mr. President, I call upon every one who hears me to bear witness that this controversy is not of my seeking. The Senate will do me the justice to remember that, at the time this unprovoked and uncalled-for attack was made on the south, not one word had been uttered by me in disparagement of New England; nor had I made the most distant allusion either to the senator from Massachusetts or the state he represents. But, sir, that gentleman has thought proper, for purposes best known to himself, to strike the south, through me, the most unworthy of her servants. He has crossed the border, he has invaded the state of South Carolina, is making war upon her citizens, and endeavoring to overthrow her principles and her institutions. Sir, when the gentleman provokes me to such a conflict, I meet him at the threshold; I will struggle, while I have life, for our altars and our firesides; and, if God gives me strength, I will drive back the invader discomfited. Nor shall I stop there. If the gentleman provokes the war, he shall have war. Sir, I will not stop at the border; I will carry the war into the enemy's territory, and not consent to lay

down my arms until I have obtained “indemnity for the past and security for the future.” It is with unfeigned reluctance, Mr. President, that I enter upon the performance of this part of my duty; I shrink almost instinctively from a course, however necessary, which may have a tendency to excite sectional feelings and sectional jealousies. But, sir, the task has been forced upon me; and I proceed right onward to the performance of my duty. Be the consequences what they may, the responsibility is with those who have imposed upon me this necessity. The senator from Massachusetts has thought proper to cast the first stone; and if he shall find, according to a homely adage, “that he lives in a glass house,” on his head be the consequences. The gentleman has made a great flourish about his fidelity to Massachusetts. I shall make no professions of zeal for the interests and honor of South Carolina; of that my constituents shall judge. If there be one state in the Union, Mr. President, (and I say it not in a boastful spirit,) that may challenge comparison with any other, for a uniform, zealous, ardent, and uncalculating devotion to the Union, that state is South Carolina. Sir, from the very commencement of the revolution up to this hour, there is no sacrifice, however great, she has not cheerfully made, no service she has ever hesitated to perform. She has adhered to you in your prosperity; but in your adversity she has clung to you with more than filial affection. No matter what was the condition of her domestic affairs, though deprived of her resources, divided by parties, or surrounded with difficulties, the call of the country has been to her as the voice of God. Domestic discord ceased at the sound; every man became at once reconciled to his brethren, and the sons of Carolina were all seen crowding together

to the temple, bringing their gifts to the altar of their common country.

What, sir, was the conduct of the South during the revolution? Sir, I honor New England for her conduct in that glorious struggle. But great as is the praise which belongs to her, I think, at least, equal honor is due to the south. They espoused the quarrel of their brethren with a generous zeal, which did not suffer them to stop to calculate their interest in the dispute. Favorites of the mother country, possessed of neither ships nor seamen to create a commercial rivalship, they might have found in their situation a guarantee that their trade would be forever fostered and protected by Great Britain. But, trampling on all considerations either of interest or of safety, they rushed into the conflict and fighting for principle, perilled all, in the sacred cause of freedom. Never was there exhibited in the history of the world higher examples of noble daring, dreadful suffering, and heroic endurance, than by the Whigs of Carolina during the revolution. The whole state, from the mountains to the sea, was overrun by an overwhelming force of the enemy. The fruits of industry perished on the spot where they were produced, or were consumed by the foe. The “plains of Carolina” drank up the most precious blood of her citizens. Black and smoking ruins marked the places which had been the habitations of her children. Driven from their homes into the gloomy and almost impenetrable swamps, even there the spirit of liberty survived, and South Carolina (sustained by the example of her Sumpters and her Marions) proved, by her conduct, that though her soil might be overrun, the spirit of her people was invincible.

But, sir, our country was soon called upon to engage in another revolutionary struggle, and that,

too, was a struggle for principle. I mean the political revolution which dates back to ’98, and which, if it had not been successfully achieved, would have left us none of the fruits of the revolution of ’76. The revolution of ’98 restored the constitution, rescued the liberty of the citizens from the grasp of those who were aiming at its life, and in the emphatic language of Mr. Jefferson, “saved the constitution at its last gasp.” And by whom was it achieved? By the south, sir, aided only by the democracy of the north and west.

I come now to the war of 1812—a war which, I will remember, was called in derision (while its event was doubtful) the southern war, and sometimes the Carolina war; but which is now universally acknowledged to have done more for the honor and prosperity of the country than all other events in our history put together. What, sir, were the objects of that war? “Free trade and sailors’ rights!” It was for the protection of northern shipping and New England seamen that the country flew to arms. What interest had the south in that contest? If they had sat down coldly to calculate the value of their interest involved in it, they would have found that they had every thing to lose, and nothing to gain. But, sir, with that generous devotion to country so characteristic of the south, they only asked if the rights of any portion of their fellow-citizens had been invaded; and when told that northern ships and New England seamen had been arrested on the common highway of nations, they felt that the honor of their country was assailed; and acting on that exalted sentiment “which feels a stain like a wound,” they resolved to seek, in open war, for a redress of those injuries which it did not become freemen to endure. Sir, the whole south, animated as by a common

impulse, cordially united in declaring and promoting that war. South Carolina sent to your councils, as the advocates and supporters of that war, the noblest of her sons. How they fulfilled that trust let a grateful country tell. Not a measure was adopted, not a battle fought, not a victory won, which contributed, in any degree, to the success of that war, to which southern councils and southern valor did not largely contribute. Sir, since South Carolina is assailed, I must be suffered to speak it to her praise, that at the very moment when, in one quarter, we heard it solemnly proclaimed, "that it did not become a religious and moral people to rejoice at the victories of our army or our navy," her legislature unanimously

"*Resolved*, That we will cordially support the government in the vigorous prosecution of the war, until a peace can be obtained on honorable terms, and we will cheerfully submit to every privation that may be required of us, by our government, for the accomplishment of this object."

South Carolina redeemed that pledge. She threw open her treasury to the government. She put at the absolute disposal of the officers of the United States all that she possessed—her men, her money, and her arms. She appropriated half a million of dollars, on her own account, in defence of her maritime frontier, ordered a brigade of state troops to be raised, and when left to protect herself by her own means, never suffered the enemy to touch her soil, without being instantly driven off or captured.

Such, sir, was the conduct of the south—such the conduct of my own state in that dark hour "which tried men's souls."

When I look back and contemplate the spectacle

exhibited at that time in another quarter of the Union—when I think of the conduct of certain portions of New England, and remember the part which was acted on that memorable occasion by the political associates of the gentleman from Massachusetts—nay, when I follow that gentleman into the councils of the nation, and listen to his voice during the darkest period of the war, I am indeed astonished that he should venture to touch upon the topics which he has introduced into this debate. South Carolina reproached by Massachusetts! And from whom does this accusation come? Not from the democracy of New England; for they have been in times past, as they are now, the friends and allies of the south. No, sir, the accusation comes from that party whose acts, during the most trying and eventful period of our national history, were of such a character, that their own legislature, but a few years ago, actually blotted them out from their records, as a stain upon the honor of the country. But how can they ever be blotted out from the recollection of any one who had a heart to feel, a mind to comprehend, and a memory to retain, the events of that day! Sir, I shall not attempt to write the history of the party in New England to which I have alluded—the war party in peace, and the peace party in war. That task I shall leave to some future biographer of Nathan Dane, and I doubt not it will be found quite easy to prove that the peace party of Massachusetts were the only defenders of their country during their war, and actually achieved all our victories by land and sea. In the meantime, sir, and until that history shall be written, I propose, with the feeble and glimmering lights which I possess, to review the conduct of this party, in connection with the war, and the events which

immediately preceded it.

It will be recollected, sir, that our great causes of quarrel with Great Britain were her depredations on the northern commerce, and the impressment of New England seamen. From every quarter we were called upon for protection. Importunate as the west is now represented to be on another subject, the importunity of the east on that occasion was far greater. I hold in my hands the evidence of the fact. Here are petitions, memorials, and remonstrances from all parts of New England, setting forth the injustice, the oppressions, the depredations, the insults, the outrages committed by Great Britain against the unoffending commerce and seamen of New England, and calling upon Congress for redress. Sir, I cannot stop to read these memorials. In that from Boston, after stating the alarming and extensive condemnation of our vessels by Great Britain, which threatened “to sweep our commerce from the face of the ocean,” and “to involve our merchants in bankruptcy,” they call upon the government “to assert our rights, and to adopt such measures as will support the dignity and honor of the United States.

From Salem we heard a language still more decisive; they call explicitly for “an appeal to arms,” and pledge their lives and property in support of any measures which Congress might adopt. From Newbury-port an appeal was made “to the firmness and justice of the government to obtain compensation and protection.” It was here, I think, that, when the war was declared, it was resolved “to resist our own government even unto blood.” (Olive Branch, p. 101.)

In other quarters the common language of that day was, that our commerce and our seamen were entitled to protection; and that it was the duty of the

government to afford it at every hazard. The conduct of Great Britain, we were then told, was “an outrage upon our national independence.” These clamors, which commenced as early as January, 1806, were continued up to 1812. In a message from the governor of one of the New England States, as late as the 10th October, 1811, this language is held: “A manly and decisive course has become indispensable; a course to satisfy foreign nations, that, while we desire peace, we have the means and the spirit to repel aggression. We are false to ourselves when our commerce, or our territory, is invaded with impunity.”

About this time, however, a remarkable change was observable in the tone and temper of those who had been endeavoring to force the country into a war. The language of complaint was changed into that of insult, and calls for protection converted into reproaches. “Smoke, smoke!” says one writer; “my life on it, our executive has no more idea of declaring war than my grandmother.” “The committee of ways and means,” says another, “have come out with their Pandora’s box of taxes, and yet nobody dreams of war.” “Congress do not mean to declare war; they dare not.” But why multiply examples? An honorable member of the other house, from the city of Boston, [Mr. Quincy,] in a speech delivered on the 3d April, 1812, says, “Neither promises, nor threats, nor asseverations, nor oaths will make me believe that you will go to war. The navigation states are sacrificed, and the spirit and character of the country prostrated by fear and avarice.” “You cannot,” said the same gentleman, on another occasion, “be kicked into a war.”

Well, sir, the war at length came, and what did we behold? The very men who had been for six years

clamorous for war, and for whose protection it was waged, became at once equally clamorous against it. They had received a miraculous visitation; a new light suddenly beamed upon their minds; the scales fell from their eyes, and it was discovered that the war was declared from “subserviency to France;” and that Congress, and the executive, “had sold themselves to Napoleon;” that Great Britain had in fact “done us no essential injury;” that she was “the bulwark of our religion;” that where “she took one of our ships, she protected twenty;” and that, if Great Britain had impressed a few of our seamen, it was because “she could not distinguish them from their own.” And so far did this spirit extend, that a committee of the Massachusetts legislature actually fell to calculation, and discovered, to their infinite satisfaction, but to the astonishment of all the world besides, that only eleven Massachusetts sailors had ever been impressed. Never shall I forget the appeals that had been made to the sympathies of the south in behalf of the “thousands of impressed Americans, who had been torn from their families and friends, and immured in the floating dungeons of Britain.” The most touching pictures were drawn of the hard condition of the American sailor, “treated like a slave,” forced to fight the battles of his enemy, “lashed to the mast, to be shot at like a dog.” But, sir, the very moment we had taken up arms in their defence, it was discovered that all these were mere “fictions of the brain;” and that the whole number in the state of Massachusetts was but eleven; and that even these had been “taken by mistake.” Wonderful discovery! The secretary of state had collected authentic lists of no less than six thousand impressed Americans. Lord Castlereagh himself acknowledged sixteen hundred. Calculations on the basis of the

number found on board of the Guerriere, the Macedonian, the Java, and other British ships, (captured by the skill and gallantry of those heroes whose achievements are the treasured monuments of their country's glory,) fixed the number at seven thousand; and yet, it seems, Massachusetts had lost but eleven! Eleven Massachusetts sailors taken by mistake! A cause of war indeed! Their ships too, the capture of which had threatened "universal bankruptcy," it was discovered that Great Britain was their friend and protector; "where she had taken one she had protected twenty." Then was the discovery made, that subserviency to France, hostility to commerce, "a determination, on the part of the south and west, to break down the Eastern States," and especially as reported by a committee of the Massachusetts legislature "to force the sons of commerce to populate the wilderness," were the true causes of the war. (Olive Branch, pp. 134, 291.) But let us look a little further into the conduct of the peace party of New England at that important crisis. Whatever difference of opinion might have existed as to the causes of the war, the country had a right to expect, that, when once involved in the contest, all America would have cordially united in its support. Sir, the war effected, in its progress, a union of all parties at the south. But not so in New England; there great efforts were made to stir up the minds of the people to oppose it. Nothing was left undone to embarrass the financial operations of the government, to prevent the enlistment of troops, to keep back the men and money of New England from the service of the Union, to force the president from his seat. Yes, sir, "the Island of Elba, or a halter!" were the alternatives they presented to the excellent and venerable James Madison. Sir, the war was

further opposed by openly carrying on illicit trade with the enemy, by permitting that enemy to establish herself on the very soil of Massachusetts, and by opening a free trade between Great Britain and America, with a separate custom house. Yes, sir, those who cannot endure the thought that we should insist on a free trade, in time of profound peace, could, without scruple, claim and exercise the right of carrying on a free trade with the enemy in a time of war; and finally by getting up the renowned "Hartford Convention," and preparing the way for an open resistance to the government, and a separation of the states. Sir, if I am asked for the proof of those things, I fearlessly appeal to the contemporary history, to the public documents of the country, to the recorded opinion and acts of public assemblies, to the declaration and acknowledgments, since made, of the executive and legislature of Massachusetts herself.[79]

Sir, the time has not been allowed me to trace this subject through, even if I had been disposed to do so. But I cannot refrain from referring to one or two documents, which have fallen in my way since this debate began. I read, sir, from the Olive Branch of Matthew Carey, in which are collected "the actings and doings" of the peace party in New England, during the continuance of the embargo and the war. I know the senator from Massachusetts will respect the high authority of his political friend and fellow-laborer in the great cause of "domestic industry."

In p. 301, et seq., 309 of this work, is a detailed account of the measures adopted in Massachusetts during the war, for the express purpose of embarrassing the financial operations of the government, by preventing loans, and thereby driving our rulers from their seats, and forcing the

country into a dishonorable peace. It appears that the Boston banks commenced an operation, by which a run was to be made upon all the banks of the south; at the same time stopping their own discounts; the effect of which was to produce a sudden and almost alarming diminution of the circulating medium, and universal distress over the whole country—"a distress which they failed not to attribute to the unholy war."

To such an extent was this system carried, that it appears, from a statement of the condition of the Boston banks, made up in January, 1814, that with nearly $5,000,000 of specie in their vaults, they had but $2,000,000 of bills in circulation. It is added by Carey, that at this very time an extensive trade was carried on in British government bills, for which specie was sent to Canada, for the payment of the British troops, then laying waste our northern frontier; and this too at the very moment when New England ships, sailing under British licenses, (a trade declared to be lawful by the courts both of Great Britain and Massachusetts,[80]) were supplying with provisions those very armies destined for the invasion of our own shores. Sir, the author of the Olive Branch, with a holy indignation, denounces these acts as "treasonable;" "giving aid and comfort to the enemy." I shall not follow his example. But I will ask, With what justice or propriety can the south be accused of disloyalty from that quarter? If we had any evidence that the senator from Massachusetts had admonished his brethren then, he might, with a better grace, assume the office of admonishing us now.

When I look at the measures adopted in Boston, at that day, to deprive the government of the necessary means for carrying on the war, and think of the

success and the consequences of these measures, I feel my pride, as an American, humbled in the dust. Hear, sir, the language of that day. I read from pages 301 and 302 of the Olive Branch. “Let no man who wishes to continue the war, by active means, by vote, or lending money, dare to prostrate himself at the altar on the fast day.” “Will federalists subscribe to the loan? Will they lend money to our national rulers? It is impossible. First, because of principle, and secondly, because of principal and interest.” “Do not prevent the abusers of their trust from becoming bankrupt. Do not prevent them from becoming odious to the public, and being replaced by better men.” “Any federalist who lends money to government must go and shake hands with James Madison, and claim fellowship with Felix Grundy.” (I beg pardon of my honorable friend from Tennessee—but he is in good company. I had thought it was “James Madison, Felix Grundy, and the devil.”) Let him no more “call himself a federalist, and a friend to his country: he will be called by others infamous,” &c.

Sir, the spirit of the people sunk under these appeals. Such was the effect produced by them on the public mind, that the very agents of the government (as appears from their public advertisements, now before me) could not obtain loans without a pledge that “the names of the subscribers should not be known.” Here are the advertisements: “The names of all subscribers” (say Gilbert and Dean, the brokers employed by government) “shall be known only to the undersigned.” As if those who came forward to aid their country, in the hour of her utmost need, were engaged in some dark and foul conspiracy, they were assured “that their names should not be known.” Can

any thing show more conclusively the unhappy state of public feeling which prevailed at that day than this single fact? Of the same character with these measures was the conduct of Massachusetts in withholding her militia from the service of the United States, and devising measures for withdrawing her quota of the taxes, thereby attempting, not merely to cripple the resources of the country, but actually depriving the government (as far as depended upon her) of all the means of carrying on the war—of the bone, and muscle, and sinews of war—"of man and steel—the soldier and his sword." But it seems Massachusetts was to reserve her resources for herself—she was to defend and protect her own shores. And how was that duty performed? In some places on the coast neutrality was declared, and the enemy was suffered to invade the soil of Massachusetts, and allowed to occupy her territory until the peace, without one effort to rescue it from his grasp. Nay, more—while our own government and our rulers were considered as enemies, the troops of the enemy were treated like friends—the most intimate commercial relations were established with them, and maintained up to the peace. At this dark period of our national affairs, where was the senator from Massachusetts? How were his political associates employed? "Calculating the value of the Union?" Yes, sir, that was the propitious moment, when our country stood alone, the last hope of the world, struggling for her existence against the colossal power of Great Britain, "concentrated one mighty effort to crush us at a blow;" that was the chosen hour to revive the grand scheme of building up "a great northern confederacy"—a scheme which, it is stated in the work before me, had its origin as far back as the year

1796, and which appears never to have been entirely abandoned.

In the language of the writers of that day, (1796,) "rather than have a constitution such as the anti-federalists were contending for, (such as we are now contending for,) the Union ought to be dissolved;" and to prepare the way for that measure, the same methods were resorted to then that have always been relied on for that purpose, exciting prejudice against the south. Yes, sir, our northern brethren were then told, "that if the negroes were good for food, their southern masters would claim the right to destroy them at pleasure." (Olive Branch, p. 267.) Sir, in 1814, all these topics were revived. Again we hear of "northern confederacy." "The slave states by themselves;" "the mountains are the natural boundary;" we want neither "the counsels nor the power of the west," &c., &c. The papers teemed with accusations against the *south* and the *west*, and the calls for a dissolution of all connection with them were loud and strong. I cannot consent to go through the disgusting details. But to show the height to which the spirit of disaffection was carried, I will take you to the temple of the living God, and show you *that sacred place*, which should be devoted to the extension of "peace on earth and good will towards men," where "*one day's truce* ought surely to be allowed to the dissensions and animosities of mankind," converted into *a fierce arena of political strife*, where, from the lips of the priest, standing between the horns of the altar, there went forth the most *terrible denunciations* against all who should be true to their country in the hour of her utmost need.

"If you do not wish," said a reverend clergyman, in a sermon preached in Boston, on the 23d of July, 1812, "to become the slaves of those who own

slaves, and who are themselves the slaves of French slaves, you must either, *in the language of the day*, CUT THE CONNECTION or so far alter the national compact as to insure to yourselves a due share in the government." (Olive Branch, p. 319.) "The Union," says the same writer, (p. 320,) "has been long since virtually dissolved, and it is full time that this part of the disunited states should take care of itself."

Another reverend gentleman, pastor of a church at Medford, (p. 321,) issues his anathema—"LET HIM STAND ACCURSED"—against all, all who by their "personal services," for "loans of money," "conversation," or "writing," or "influence," give countenance or support to the righteous war, in the following terms: "That man is an accomplice in the wickedness—he loads his conscience with the blackest crimes—he brings the guilt of blood upon his soul, and in the sight of God and his law, *he is a* MURDERER."

One or two more quotations, sir, and I shall have done. A reverend doctor of divinity, the pastor of a church at Byfield, Massachusetts, on the 7th of April, 1814, thus addresses his flock, (p. 321:) "The Israelites became weary of yielding the fruit of their labor to pamper their splendid tyrants. They left their political woes. THEY SEPARATED; where is our Moses? Where the rod of his miracles? Where is our Aaron? Alas! no voice from the burning bush has directed them here."

"We must trample on the mandates of despotism, or remain slaves forever," (p. 322.) "You must drag the chains of Virginian despotism, unless you discover some other mode of escape." "Those Western States which have been violent for this abominable war—those states which have thirsted for blood—God has given them blood to drink," (p.

323.) Mr. President, I can go no further. The records of the day are full of such sentiments, issued from the press, spoken in public assemblies, poured out from the sacred desk. God forbid, sir, that I should charge the people of Massachusetts with participating in these sentiments. The south and the west had there their friends—men who stood by their country, though encompassed all around by their enemies. The senator from Massachusetts (Mr. Silsbee) was one of them; the senator from Connecticut (Mr. Foot) was another; and there are others now on this floor. The sentiments I have read were the sentiments of a party embracing the political associates of the gentleman from Massachusetts. If they could only be found in the columns of a newspaper, in a few occasional pamphlets, issued by men of intemperate feeling, I should not consider them as affording any evidence of the opinions even of the peace party of New England. But, sir, they were the common language of that day; they pervaded the whole land; they were issued from the legislative hall, from the pulpit, and the press. Our books are full of them; and there is no man who now hears me but knows that they were the sentiments of a party, by whose members they were promulgated. Indeed, no evidence of this would seem to be required beyond the fact that such sentiments found their way even into the pulpits of New England. What must be the state of public opinion, where any respectable clergyman would venture to preach, and to print, sermons containing the sentiments I have quoted? I doubt not the piety or moral worth of these gentlemen. I am told they were respectable and pious men. But they were men, and they “kindled in a common blaze.” And now, sir, I must be suffered to remark that, at this awful and

melancholy period of our national history, the gentleman from Massachusetts, who now manifests so great a devotion to the Union, and so much anxiety lest it should be endangered from the south, was "with his brethren in Israel." He saw all these things passing before his eyes—he heard these sentiments uttered all around him. I do not charge that gentleman with any participation in these acts, or with approving of these sentiments.

But I will ask, why, if he was animated by the same sentiments then which he now professes, if he can "augur disunion at a distance, and snuff up rebellion in every tainted breeze," why did he not, at that day, exert his great talents and acknowledged influence with the political associates by whom he was surrounded, and who then, as now, looked up to him for guidance and direction, in allaying this general excitement, in pointing out to his deluded friends the value of the Union, in instructing them that, instead of looking "to some prophet to lead them out of the land of Egypt," they should become reconciled to their brethren, and unite with them in the support of a just and necessary war? Sir, the gentleman must excuse me for saying, that if the records of our country afforded any evidence that he had pursued such a course, then, if we could find it recorded in the history of those times, that, like the immortal Dexter, he had breasted that mighty torrent which was sweeping before it all that was great and valuable in our political institutions—if like him he had stood by his country in opposition to his party, sir, we would, like little children, listen to his precepts, and abide by his counsels.

As soon as the public mind was sufficiently prepared for the measure, the celebrated Hartford Convention was got up; not as the act of a few

unauthorized individuals, but by the authority of the legislature of Massachusetts; and, as has been shown by the able historian of that convention, in accordance with the views and wishes of the party of which it was the organ. Now, sir, I do not desire to call in question the motives of the gentlemen who composed that assembly. I knew many of them to be in private life accomplished and honorable men, and I doubt not there were some among them who did not perceive the dangerous tendency of their proceedings. I will even go further, and say, that if the authors of the Hartford Convention believed that "gross, deliberate, and palpable violations of the constitution" had taken place, utterly destructive of their rights and interests, I should be the last man to deny their right to resort to any constitutional measures for redress. But, sir, in any view of the case, the time when and the circumstances under which that convention assembled, as well as the measures recommended, render their conduct, in my opinion wholly indefensible. Let us contemplate, for a moment, the spectacle then exhibited to the view of the world. I will not go over the disasters of the war, nor describe the difficulties in which the government was involved. It will be recollected that its credit was nearly gone, Washington had fallen, the whole coast was blockaded, and an immense force, collected in the West Indies, was about to make a descent, which it was supposed we had no means of resisting. In this awful state of our public affairs, when the government seemed almost to be tottering on its base, when Great Britain, relieved from all her other enemies, had proclaimed her purpose of "reducing us to unconditional submission," we beheld the peace party of New England (in the language of the work before us)

pursuing a course calculated to do more injury to their country, “and to render England more effective service than all her armies.” Those who could not find it in their hearts to rejoice at our victories sang Te Deum at the King’s Chapel in Boston, for the restoration of the Bourbons. Those who could not consent to illuminate their dwellings for the capture of the Guerriere could give no visible tokens of their joy at the fall of Detroit. The “beacon fires” of their hills were lighted up, not for the encouragement of their friends, but as signals to the enemy; and in the gloomy hours of midnight, the very lights burned blue. Such were the dark and portentous signs of the times, which ushered into being the renowned Hartford Convention. That convention met, and, from their proceedings, it appears that their chief object was to keep back the money and men of New England from the service of the Union, and to effect radical changes in the government—changes that can never be effected without a dissolution of the Union.

Let us now, sir, look at their proceedings. I read from “A Short Account of the Hartford Convention,” (written by one of its members,) a very rare book, of which I was fortunate enough, a few years ago, to obtain a copy. [Here Mr. H. read from the proceedings.[81]]

It is unnecessary to trace the matter further, or to ask what would have been the next chapter in this history, if the measures recommended had been carried into effect; and if, with the men and money of New England withheld from the government of the United States, she had been withdrawn from the war; if New Orleans had fallen into the hands of the enemy; and if, without troops and almost destitute of money, the Southern and the Western States had been thrown upon their own resources, for the

prosecution of the war, and the recovery of New Orleans.

Sir, whatever may have been the issue of the contest, the Union must have been dissolved. But a wise and just Providence, which “shapes our ends, roughhew them as we will,” gave us the victory, and crowned our efforts with a glorious peace. The ambassadors of Hartford were seen retracing their steps from Washington, “the bearers of the glad tidings of great joy.” Courage and patriotism triumphed—the country was saved—the Union was preserved. And are we, Mr. President, who stood by our country then, who threw open our coffers, who bared our bosoms, who freely perilled all in that conflict, to be reproached with want of attachment to the Union? If, sir, we are to have lessons of patriotism read to us, they must come from a different quarter. The senator from Massachusetts, who is now so sensitive on all subjects connected with the Union, seems to have a memory forgetful of the political events that have passed away. I must therefore refresh his recollection a little further on these subjects. The history of disunion has been written by one whose authority stands too high with the American people to be questioned; I mean Thomas Jefferson. I know not how the gentleman may receive this authority. When that great and good man occupied the presidential chair, I believe he commanded no portion of the gentleman’s respect.

I hold in my hand a celebrated pamphlet on the embargo, in which language is held, in relation to Mr. Jefferson, which my respect for his memory will prevent me from reading, unless any gentleman should call for it. But the senator from Massachusetts has since joined in singing hosannas to his name; he

has assisted at his apotheosis, and has fixed him as "a brilliant star in the clear upper sky." I hope, therefore, he is now prepared to receive with deference and respect the high authority of Mr. Jefferson. In the fourth volume of his Memoirs, which has just issued from the press, we have the following history of disunion from the pen of that illustrious statesman: "Mr. Adams called on me pending the embargo, and while endeavors were making to obtain its repeal: he spoke of the dissatisfaction of the eastern portion of our confederacy with the restraints of the embargo then existing, and their restlessness under it; that there was nothing which might not be attempted to rid themselves of it; that he had information of the most unquestionable authority, that certain citizens of the Eastern States (I think he named Massachusetts particularly) were in negotiation with agents of the British government, the object of which was an agreement that the New England States should take no further part in the war (the commercial war, the 'war of restrictions,' as it was called) then going on, and that, without formally declaring their separation from the Union, they should withdraw from all aid and obedience to them, &c. From that moment," says Mr. J., "I saw the necessity of abandoning it, [the embargo,] and, instead of effecting our purpose by this peaceful measure, we must fight it out or break the Union." In another letter Mr. Jefferson adds, "I doubt whether a single fact known to the world will carry as clear conviction to it of the correctness of our knowledge of the treasonable views of the federal party of that day, as that disclosed by this, the most nefarious and daring attempt to dissever the Union, of which the Hartford Convention was a subsequent chapter; and both of these having failed,

consolidation becomes the fourth chapter of the next book of their history. But this opens with a vast accession of strength, from their younger recruits, who, having nothing in them of the feelings and principles of ’76, now look to a single and splendid government, &c., riding and ruling over the plundered ploughman and beggared yeomanry.” (vol. iv. pp. 419, 422.)

The last chapter, says Mr. Jefferson, of that history, is to be found in the conduct of those who are endeavoring to bring about consolidation; ay, sir, that very consolidation for which the gentleman from Massachusetts is contending—the exercise by the federal government of powers not delegated in relation to “internal improvements” and “the protection of manufactures.” And why, sir, does Mr. Jefferson consider consolidation as leading directly to disunion? Because he knew that the exercise, by the federal government, of the powers contended for, would make this “a government without limitation of powers,” the submission to which he considered as a greater evil than disunion itself. There is one chapter in this history, however, which Mr. Jefferson has not filled up; and I must therefore supply the deficiency. It is to be found in the protests made by New England against the acquisition of Louisiana. In relation to that subject, the New England doctrine is thus laid down by one of her learned doctors of that day, now a doctor of laws, at the head of the great literary institution of the east; I mean Josiah Quincy, president of Harvard College. I quote from the speech delivered by that gentleman on the floor of Congress, on the occasion of the admission of Louisiana into the Union.

“Mr. Quincy repeated and justified a remark he had made, which, to save all misapprehension, he

had committed to writing, in the following words: If this bill passes, it is my deliberate opinion that it is virtually a dissolution of the Union; that it will free the states from their moral obligation; and as it will be the right of all, so it will be the duty of some, to prepare for a separation, amicably if they can, violently if they must."

Mr. President, I wish it to be distinctly understood, that all the remarks I have made on this subject are intended to be exclusively applied to a party, which I have described as the "peace party of New England"—embracing the political associates of the senator from Massachusetts—a party which controlled the operations of that state during the embargo and the war, and who are justly chargeable with all the measures I have reprobated. Sir, nothing has been further from my thoughts than to impeach the character or conduct of the people of New England. For their steady habits and hardy virtues I trust I entertain a becoming respect. I fully subscribe to the truth of the description given before the revolution, by one whose praise is the highest eulogy, "that the perseverance of Holland, the activity of France, and the dexterous and firm sagacity of English enterprise, have been more than equalled by this recent people." The hardy people of New England of the present day are worthy of their ancestors. Still less, Mr. President, has it been my intention to say anything that could be construed into a want of respect for that party, who, have been true to their principles in the worst of times; I mean the democracy of New England.

Sir, I will declare that, highly as I appreciate the democracy of the south, I consider even higher praise to be due to the democracy of New England, who have maintained their principles "through good and

through evil report," who, at every period of our national history, have stood up manfully for "their country, their whole country, and nothing but their country." In the great political revolution of '98, they were found united with the democracy of the south, marching under the banner of the constitution, led on by the patriarch of liberty, in search of the land of political promise, which they lived not only to behold, but to possess and to enjoy. Again, sir, in the darkest and most gloomy period of the war, when our country stood singlehanded against "the conqueror of the conquerors of the world," when all about and around them was dark and dreary, disastrous and discouraging, they stood a Spartan band in that narrow pass, where the honor of their country was to be defended, or to find its grave. And in the last great struggle, involving, as we believe, the very existence of the principle of popular sovereignty, where were the democracy of New England? Where they always have been found, sir, struggling side by side, with their brethren of the south and the west for popular rights, and assisting in that triumph, by which the man of the people was elevated to the highest office in their gift.

Who, then, Mr. President, are the true friends of the Union? Those who would confine the federal government strictly within the limits prescribed by the constitution; who would preserve to the states and the people all powers not expressly delegated; who would make this a federal and not a national Union, and who, administering the government in a spirit of equal justice, would make it a blessing, and not a curse. And who are its enemies? Those who are in favor of consolidation; who are constantly stealing power from the states, and adding strength to the federal government; who, assuming an

unwarrantable jurisdiction over the states and the people, undertake to regulate the whole industry and capital of the country. But, sir, of all descriptions of men, I consider those as the worst enemies of the Union, who sacrifice the equal rights which belong to every member of the confederacy to combinations of interested majorities, for personal or political objects. But the gentleman apprehends no evil from the dependence of the states on the federal government; he can see no danger of corruption from the influence of money or of patronage. Sir, I know that it is supposed to be a wise saying that “patronage is a source of weakness;” and in support of that maxim, it has been said, that “every ten appointments make a hundred enemies.” But I am rather inclined to think, with the eloquent and sagacious orator now reposing on his laurels on the banks of the Roanoke, that “the power of conferring favors creates a crowd of dependants;” he gave a forcible illustration of the truth of the remark, when he told us of the effect of holding up the savory morsel to the eager eyes of the hungry hounds gathered around his door. It mattered not whether the gift was bestowed on Towzer or Sweetlips, “Tray, Blanche, or Sweetheart;” while held in suspense, they were governed by a nod, and when the morsel was bestowed, expectation of favors of to-morrow kept up the subjection of to-day.

The senator from Massachusetts, in denouncing what he is pleased to call the Carolina doctrine, has attempted to throw ridicule upon the idea that a state has any constitutional remedy, by the exercise of its sovereign authority, against “a gross, palpable, and deliberate violation of the constitution.” He calls it “an idle” or “a ridiculous notion,” or something to that effect, and added, that it would make the Union a “mere rope of sand.” Now, sir, as the gentleman

has not condescended to enter into any examination of the question, and has been satisfied with throwing the weight of his authority into the scale, I do not deem it necessary to do more than to throw into the opposite scale the authority on which South Carolina relies; and there, for the present, I am perfectly willing to leave the controversy. The South Carolina doctrine, that is to say, the doctrine contained in an exposition reported by a committee of the legislature in December, 1828, and published by their authority, is the good old republican doctrine of '98—the doctrine of the celebrated "Virginia Resolutions" of that year, and of "Madison's Report" of '99. It will be recollected that the legislature of Virginia, in December, '98, took into consideration the alien and sedition laws, then considered by all republicans as a gross violation of the constitution of the United States, and on that day passed, among others, the following resolutions,—

"The General Assembly doth explicitly and peremptorily declare, that it views the powers of the federal government, as resulting from the compact to which the states are parties, as limited by the plain sense and intention of the instrument constituting that compact, as no further valid than they are authorized by the grants enumerated in that compact; and that in case of a deliberate, palpable, and dangerous exercise of other powers not granted by the said compact, the states who are parties thereto have the right, and are in duty bound, to interpose for arresting the progress of the evil, and for maintaining, within their respective limits, authorities, rights, and liberties, belonging to them."

In addition to the above resolution, the General Assembly of Virginia "appealed to the other states, in the confidence that they would concur with that commonwealth, that the acts aforesaid [the alien and sedition laws] are unconstitutional, and that the

necessary and proper measures would be taken by each for co-operating with Virginia in maintaining unimpaired the authorities, rights, and liberties reserved to the states respectively, or to the people."

The legislatures of several of the New England States, having, contrary to the expectation of the legislature of Virginia, expressed their dissent from these doctrines, the subject came up again for consideration during the session of 1799, 1800, when it was referred to a select committee, by whom was made that celebrated report which is familiarly known as "Madison's Report," and which deserves to last as long as the constitution itself. In that report, which was subsequently adopted by the legislature, the whole subject was deliberately re-examined, and the objections urged against the Virginia doctrines carefully considered. The result was, that the legislature of Virginia reaffirmed all the principles laid down in the resolutions of 1798, and issued to the world that admirable report which has stamped the character of Mr. Madison as the preserver of that constitution which he had contributed so largely to create and establish. I will here quote from Mr. Madison's report one or two passages which bear more immediately on the point in controversy. "The resolutions, having taken this view of the federal compact, proceed to infer 'that in case of a deliberate, palpable, and dangerous exercise of other powers the states who are parties thereto have the right, and are in duty bound, to interpose for arresting the progress of the evil, and for maintaining, within their respective limits, the authorities, rights, and liberties appertaining to them.'"

"It appears to your committee to be a plain principle, founded in common sense, illustrated by common practice,

and essential to the nature of compacts, that, where resort can be had to no tribunal superior to the authority of the parties, the parties themselves must be the rightful judges in the last resort, whether the bargain made has been pursued or violated. The constitution of the United States was formed by the sanction of the states, given by each in its sovereign capacity. It adds to the stability and dignity, as well as to the authority, of the constitution, that it rests upon this legitimate and solid foundation. The states, then, being the parties to the constitutional compact, and in their sovereign capacity, it follows of necessity that there can be no tribunal above their authority, to decide, in the last resort, whether the compact made by them be violated, and consequently that, as the parties to it, they must decide, in the last resort, such questions as may be of sufficient magnitude to require their interposition."

"The resolution has guarded against any misapprehension of its object by expressly requiring for such an interposition 'the case of a deliberate, palpable, and dangerous breach of the constitution, by the exercise of powers not granted by it.' It must be a case, not of a light and transient nature, but of a nature dangerous to the great purposes for which the constitution was established.

"But the resolution has done more than guard against misconstructions, by expressly referring to cases of a deliberate, palpable, and dangerous nature. It specifies the object of the interposition, which it contemplates, to be solely that of arresting the progress of the evil of usurpation, and of maintaining the authorities, rights, and liberties appertaining to the states, as parties to the constitution.

"From this view of the resolution, it would seem inconceivable that it can incur any just disapprobation from those who, laying aside all momentary impressions, and recollecting the genuine source and object of the federal constitution, shall candidly and accurately interpret the meaning of the General Assembly. If the deliberate exercise of dangerous powers, palpably withheld by the constitution, could not justify the parties to it in interposing even so far as to arrest the progress of the evil,

and thereby to preserve the constitution itself, as well as to provide for the safety of the parties to it, there would be an end to all relief from usurped power, and a direct subversion of the rights specified or recognized under all the state constitutions, as well as a plain denial of the fundamental principles on which our independence itself was declared."

But, sir, our authorities do not stop here. The state of Kentucky responded to Virginia, and on the 10th of November, 1798, adopted those celebrated resolutions, well known to have been penned by the author of the Declaration of American Independence. In those resolutions, the legislature of Kentucky declare, "that the government created by this compact was not made the exclusive or final judge of the extent of the powers delegated to itself, since that would have made its discretion, and not the constitution, the measure of its powers; but that, as in all other cases of compact among parties having no common judge, each party has an equal right to judge, for itself, as well of infractions as of the mode and measure of redress."

At the ensuing session of the legislature, the subject was re-examined, and on the 14th of November, 1799, the resolutions of the preceding year were deliberately reaffirmed, and it was, among other things, solemnly declared,—

"That, if those who administer the general government be permitted to transgress the limits fixed by that compact, by a total disregard to the special delegations of power therein contained, an annihilation of the state governments, and the erection upon their ruins of a general consolidated government, will be the inevitable consequence. That the principles of construction contended for by sundry of the state legislatures, that the general government is the exclusive judge of the extent of the powers delegated to it, stop nothing short of despotism;

since the discretion of those who administer the government, and not the constitution, would be the measure of their powers. That the several states who formed that instrument, being sovereign and independent, have the unquestionable right to judge of its infraction, and that a nullification, by those sovereignties, of all unauthorized acts done under color of that instrument, is the rightful remedy."

Time and experience confirmed Mr. Jefferson's opinion on this all important point. In the year 1821, he expressed himself in this emphatic manner: "It is a fatal heresy to suppose that either our state governments are superior to the federal, or the federal to the state; neither is authorized literally to decide which belongs to itself or its copartner in government; in differences of opinion, between their different sets of public servants, the appeal is to neither, but to their employers peaceably assembled by their representatives in convention." The opinion of Mr. Jefferson on this subject has been so repeatedly and so solemnly expressed, that they may be said to have been the most fixed and settled convictions of his mind.

In the protest prepared by him for the legislature of Virginia, in December, 1825, in respect to the powers exercised by the federal government in relation to the tariff and internal improvements, which he declares to be "usurpations of the powers retained by the states, mere interpolations into the compact, and direct infractions of it," he solemnly reasserts all the principles of the Virginia Resolutions of '98, protests against "these acts of the federal branch of the government as null and void, and declares that, although Virginia would consider a dissolution of the Union as among the greatest calamities that could befall them, yet it is not the greatest. There is one yet greater—submission to a

government of unlimited powers. It is only when the hope of this shall become absolutely desperate, that further forbearance could not be indulged."

In his letter to Mr. Giles, written about the same time, he says,—

"I see as you do, and with the deepest affliction, the rapid strides with which the federal branch of our government is advancing towards the usurpation of all the rights reserved to the states, and the consolidation in itself of all powers, foreign and domestic, and that too by constructions which leave no limits to their powers, &c. Under the power to regulate commerce, they assume, indefinitely, that also over agriculture and manufactures, &c. Under the authority to establish post roads, they claim that of cutting down mountains for the construction of roads, and digging canals, &c. And what is our resource for the preservation of the constitution? Reason and argument? You might as well reason and argue with the marble columns encircling them, &c. Are we then to stand to our arms with the hot-headed Georgian? No; [and I say no, and South Carolina has said no;] that must be the last resource. We must have patience and long endurance with our brethren, &c., and separate from our companions only when the sole alternatives left are a dissolution of our Union with them, or submission. Between these two evils, when we must make a choice, there can be no hesitation."

Such, sir, are the high and imposing authorities in support of "The Carolina doctrine," which is, in fact, the doctrine of the Virginia Resolutions of 1798.

Sir, at that day the whole country was divided on this very question. It formed the line of demarcation between the federal and republican parties; and the great political revolution which then took place turned upon the very questions involved in these resolutions. That question was decided by the people, and by that decision the constitution was, in the emphatic language of Mr. Jefferson, "saved at its

last gasp." I should suppose, sir, it would require more self-respect than any gentleman here would be willing to assume, to treat lightly doctrines derived from such high resources. Resting on authority like this, I will ask gentlemen whether South Carolina has not manifested a high regard for the Union, when, under a tyranny ten times more grievous than the alien and sedition laws, she has hitherto gone no further than to petition, remonstrate, and to solemnly protest against a series of measures which she believes to be wholly unconstitutional and utterly destructive of her interests. Sir, South Carolina has not gone one step further than Mr. Jefferson himself was disposed to go, in relation to the present subject of our present complaints—not a step further than the statesman from New England was disposed to go, under similar circumstances; no further than the senator from Massachusetts himself once considered as within "the limits of a constitutional opposition." The doctrine that it is the right of a state to judge of the violations of the constitution on the part of the federal government, and to protect her citizens from the operations of unconstitutional laws, was held by the enlightened citizens of Boston, who assembled in Faneuil Hall, on the 25th of January, 1809. They state, in that celebrated memorial, that "they looked only to the state legislature, who were competent to devise relief against the unconstitutional acts of the general government. That your power (say they) is adequate to that object, is evident from the organization of the confederacy."

A distinguished senator from one of the New England States, (Mr. Hillhouse,) in a speech delivered here, on a bill for enforcing the embargo, declared, "I feel myself bound in conscience to

declare, (lest the blood of those who shall fall in the execution of this measure shall be on my head,) that I consider this to be an act which directs a mortal blow at the liberties of my country—an act containing unconstitutional provisions, to which the people are not bound to submit, and to which, in my opinion, they will not submit."

And the senator from Massachusetts himself, in a speech delivered on the same subject in the other house, said, "This opposition is constitutional and legal; it is also conscientious. It rests on settled and sober conviction, that such policy is destructive to the interests of the people, and dangerous to the being of government. The experience of every day confirms these sentiments. Men who act from such motives are not to be discouraged by trifling obstacles, nor awed by any dangers. They know the limit of constitutional opposition; up to that limit, at their own discretion, they will walk, and walk fearlessly." How "the being of the government" was to be endangered by "constitutional opposition" to the embargo, I leave the gentleman to explain.

Thus it will be seen, Mr. President, that the South Carolina doctrine is the republican doctrine of '98—that it was promulgated by the fathers of the faith—that it was maintained by Virginia and Kentucky in the worst of times—that it constituted the very pivot on which the political revolution of that day turned —that it embraces the very principles, the triumph of which, at that time, saved the constitution at its last gasp, and which New England statesmen were not unwilling to adopt, when they believed themselves to be the victims of unconstitutional legislation. Sir, as to the doctrine that the federal government is the exclusive judge of the extent as well as the limitations of its powers, it seems to me to be utterly

subversive of the sovereignty and independence of the states. It makes but little difference, in my estimation, whether Congress or the Supreme Court are invested with this power. If the federal government, in all, or any, of its departments, is to prescribe the limits of its own authority, and the states are bound to submit to the decision, and are not to be allowed to examine and decide for themselves, when the barriers of the constitution shall be overleaped, this is practically "a government without limitation of powers." The states are at once reduced to mere petty corporations, and the people are entirely at your mercy. I have but one word more to add. In all the efforts that have been made by South Carolina to resist the unconstitutional laws which Congress has extended over them, she has kept steadily in view the preservation of the Union, by the only means by which she believes it can be long preserved—a firm, manly, and steady resistance against usurpation. The measures of the federal government have, it is true, prostrated her interests, and will soon involve the whole south in irretrievable ruin. But even this evil, great as it is, is not the chief ground of our complaints. It is the principle involved in the contest—a principle which, substituting the discretion of Congress for the limitations of the constitution, brings the states and the people to the feet of the federal government, and leaves them nothing they can call their own. Sir, if the measures of the federal government were less oppressive, we should still strive against this usurpation. The south is acting on a principle she has always held sacred—resistance to unauthorized taxation. These, sir, are the principles which induced the immortal Hampden to resist the payment of a tax of twenty shillings. Would twenty shillings have

ruined his fortune? No! but the payment of half twenty shillings, on the principle on which it was demanded, would have made him a slave. Sir, if acting on these high motives—if animated by that ardent love of liberty which has always been the most prominent trait in the southern character—we should be hurried beyond the bounds of a cold and calculating prudence, who is there, with one noble and generous sentiment in his bosom, that would not be disposed, in the language of Burke, to exclaim, "You must pardon something to the spirit of liberty?"

Webster's Great Reply to Hayne,

In which he "Expounds the Constitution," delivered in Senate, January 26, 1830.

Following Mr. Hayne in the debate, Mr. Webster addressed the Senate as follows:—

Mr. President: When the mariner has been tossed, for many days, in thick weather, and on an unknown sea, he naturally avails himself of the first pause in the storm, the earliest glance of the sun, to take his latitude, and ascertain how far the elements have driven him from his true course. Let us imitate this prudence, and before we float farther, refer to the point from which we departed, that we may at least be able to conjecture where we now are. I ask for the reading of the resolution.

[The Secretary read the resolution as follows:

"*Resolved*, That the committee on public lands be instructed to inquire and report the quantity of the public lands remaining unsold within each state and territory, and

whether it be expedient to limit, for a certain period, the sales of the public lands to such lands only as have heretofore been offered for sale, and are now subject to entry at the minimum price. And, also, whether the office of surveyor general, and some of the land offices, may not be abolished without detriment to the public interest; or whether it be expedient to adopt measures to hasten the sales, and extend more rapidly the surveys of the public lands."]

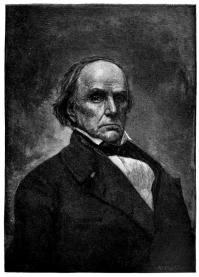
We have thus heard, sir, what the resolution is, which is actually before us for consideration; and it will readily occur to every one that it is almost the only subject about which something has not been said in the speech, running through two days, by which the Senate has been now entertained by the gentleman from South Carolina. Every topic in the wide range of our public affairs, whether past or present,—every thing, general or local, whether belonging to national politics or party politics,—seems to have attracted more or less of the honorable member's attention, save only the resolution before us. He has spoken of every thing but the public lands. They have escaped his notice. To that subject, in all his excursions, he has not paid even the cold respect of a passing glance.

When this debate, sir, was to be resumed, on Thursday morning, it so happened that it would have been convenient for me to be elsewhere. The honorable member, however, did not incline to put off the discussion to another day. He had a shot, he said, to return, and he wished to discharge it. That shot, sir, which it was kind thus to inform us was coming, that we might stand out of the way, or prepare ourselves to fall before it, and die with decency, has now been received. Under all advantages, and with expectation awakened by the tone which preceded it, it has been discharged, and

has spent its force. It may become me to say no more of its effect than that, if nobody is found, after all, either killed or wounded by it, it is not the first time in the history of human affairs that the vigor and success of the war have not quite come up to the lofty and sounding phrase of the manifesto.

The gentleman, sir, in declining to postpone the debate, told the Senate, with the emphasis of his hand upon his heart, that there was something rankling *here*, which he wished to relieve. [Mr. Hayne rose and disclaimed having used the word *rankling*.] It would not, Mr. President, be safe for the honorable member to appeal to those around him, upon the question whether he did, in fact, make use of that word. But he may have been unconscious of it. At any rate, it is enough that he disclaims it. But still, with or without the use of that particular word, he had yet something *here*, he said, of which he wished to rid himself by an immediate reply. In this respect, sir, I have a great advantage over the honorable gentleman. There is nothing *here*, sir, which gives me the slightest uneasiness; neither fear, nor anger, nor that which is sometimes more troublesome than either, the consciousness of having been in the wrong. There is nothing either originating *here*, or now received here, by the gentleman's shot. Nothing original, for I had not the slightest feeling of disrespect or unkindness towards the honorable member. Some passages, it is true, had occurred, since our acquaintance in this body, which I could have wished might have been otherwise; but I had used philosophy, and forgotten them. When the honorable member rose, in his first speech, I paid him the respect of attentive listening; and when he sat down, though surprised, and I must say even astonished, at some of his opinions, nothing was

farther from my intention than to commence any personal warfare; and through the whole of the few remarks I made in answer, I avoided, studiously and carefully, every thing which I thought possible to be construed into disrespect. And, sir, while there is thus nothing originating *here*, which I wished at any time, or now wish to discharge, I must repeat, also, that nothing has been received *here* which *rankles*, or in any way gives me annoyance. I will not accuse the honorable member of violating the rules of civilized war—I will not say that he poisoned his arrows. But whether his shafts were, or were not, dipped in that which would have caused rankling if they had reached, there was not, as it happened, quite strength enough in the bow to bring them to their mark. If he wishes now to find those shafts, he must look for them elsewhere; they will not be found fixed and quivering in the object at which they were aimed.



Daniel Webster

The honorable member complained that I had slept on his speech. I must have slept on it, or not slept at all. The moment the honorable member sat down, his friend from Missouri arose, and, with much honeyed commendation of the speech, suggested that the impressions which it had

produced were too charming and delightful to be disturbed by other sentiments or other sounds, and proposed that the Senate should adjourn. Would it have been quite amiable in me, sir, to interrupt this excellent good feeling? Must I not have been absolutely malicious, if I could have thrust myself forward to destroy sensations thus pleasing? Was it not much better and kinder, both to sleep upon them myself, and to allow others, also, the pleasure of sleeping upon them? But if it be meant, by sleeping upon his speech, that I took time to prepare a reply to it, it is quite a mistake; owing to other engagements, I could not employ even the interval between the adjournment of the Senate and its meeting the next morning in attention to the subject of this debate. Nevertheless, sir, the mere matter of fact is undoubtedly true—I did sleep on the gentleman's speech, and slept soundly. And I slept equally well on his speech of yesterday, to which I am now replying. It is quite possible that, in this respect, also, I possess some advantage over the honorable member, attributable, doubtless, to a cooler temperament on my part; for in truth I slept upon his speeches remarkably well. But the gentleman inquires why he was made the object of such a reply. Why was he singled out? If an attack had been made on the east, he, he assures us, did not begin it—it was the gentleman from Missouri. Sir, I answered the gentleman's speech, because I happened to hear it; and because, also, I choose to give an answer to that speech, which, if unanswered, I thought most likely to produce injurious impressions. I did not stop to inquire who was the original drawer of the bill. I found a responsible endorser before me, and it was my purpose to hold him liable, and to bring him to his just responsibility

without delay. But, sir, this interrogatory of the honorable member was only introductory to another. He proceeded to ask me whether I had turned upon him in this debate from the consciousness that I should find an overmatch if I ventured on a contest with his friend from Missouri. If, sir, the honorable member, *ex gratia modestiæ*, had chosen thus to defer to his friend, and to pay him a compliment, without intentional disparagement to others, it would have been quite according to the friendly courtesies of debate, and not at all ungrateful to my own feelings. I am not one of those, sir, who esteem any tribute of regard, whether light and occasional, or more serious and deliberate, which may be bestowed on others, as so much unjustly withholden from themselves. But the tone and manner of the gentleman's question, forbid me thus to interpret it. I am not at liberty to consider it as nothing more than a civility to his friend. It had an air of taunt and disparagement, a little of the loftiness of asserted superiority, which does not allow me to pass it over without notice. It was put as a question for me to answer, and so put as if it were difficult for me to answer, whether I deemed the member from Missouri an overmatch for myself in debate here. It seems to me, sir, that is extraordinary language, and an extraordinary tone for the discussions of this body.

Matches and overmatches? Those terms are more applicable elsewhere than here, and fitter for other assemblies than this. Sir, the gentleman seems to forget where and what we are. This is a Senate; a Senate of equals; of men of individual honor and personal character, and of absolute independence. We know no masters; we acknowledge no dictators. This is a hall of mutual consultation and discussion, not an arena for the exhibition of champions. I offer

myself, sir, as a match for no man; I throw the challenge of debate at no man's feet. But, then, sir, since the honorable member has put the question in a manner that calls for an answer. I will give him an answer; and I tell him that, holding myself to be the humblest of the members here, I yet know nothing in the arm of his friend from Missouri, either alone or when aided by the arm of his friend from South Carolina, that need deter even me from espousing whatever opinions I may choose to espouse, from debating whenever I may choose to debate, or from speaking whatever I may see fit to say on the floor of the Senate. Sir, when uttered as matter of commendation or compliment, I should dissent from nothing which the honorable member might say of his friend. Still less do I put forth any pretensions of my own. But when put to me as a matter of taunt, I throw it back, and say to the gentleman that he could possibly say nothing less likely than such a comparison to wound my pride of personal character. The anger of its tone rescued the remark from intentional irony, which otherwise, probably, would have been its general acceptation. But, sir, if it be imagined that by this mutual quotation and commendation; if it be supposed that, by casting the characters of the drama, assigning to each his part,—to one the attack, to another the cry of onset,—or if it be thought that by a loud and empty vaunt of anticipated victory any laurels are to be won here; if it be imagined, especially, that any or all these things will shake any purpose of mine, I can tell the honorable member, once for all, that he is greatly mistaken, and that he is dealing with one of whose temper and character he has yet much to learn. Sir, I shall not allow myself, on this occasion—I hope on no occasion—to be betrayed into any loss of temper;

but if provoked, as I trust I never shall allow myself to be, into crimination and recrimination, the honorable member may, perhaps, find that in that contest there will be blows to take as well as blows to give; that others can state comparisons as significant, at least, as his own; and that his impunity may, perhaps, demand of him whatever powers of taunt and sarcasm he may possess. I commend him to a prudent husbandry of his resources.

But, sir, the coalition! The coalition! Aye, “the murdered coalition!” The gentleman asks if I were led or frighted into this debate by the spectre of the coalition. “Was it the ghost of the murdered coalition,” he exclaims, “which haunted the member from Massachusetts, and which, like the ghost of Banquo, would never down?” “The murdered coalition!” Sir, this charge of a coalition, in reference to the late administration, is not original with the honorable member. It did not spring up in the Senate. Whether as a fact, as an argument, or as an embellishment, it is all borrowed. He adopts it, indeed, from a very low origin, and a still lower present condition. It is one of the thousand calumnies with which the press teemed during an excited political canvass. It was a charge of which there was not only no proof or probability, but which was, in itself, wholly impossible to be true. No man of common information ever believed a syllable of it. Yet it was of that class of falsehoods which, by continued repetition through all the organs of detraction and abuse, are capable of misleading those who are already far misled, and of further fanning passion already kindling into flame. Doubtless it served its day, and, in a greater or less degree, the end designed by it. Having done that, it has sunk into the general mass of stale and loathed

calumnies. It is the very castoff slough of a polluted and shameless press. Incapable of further mischief, it lies in the sewer lifeless and despised. It is not now, sir, in the power of the honorable member to give it dignity or decency, by attempting to elevate it, and to introduce it into the Senate. He cannot change it from what it is—an object of general disgust and scorn. On the contrary, the contact, if he choose to touch it, is more likely to drag him down, down, to the place where it lies itself.

But, sir, the honorable member was not, for other reasons, entirely happy in his allusion to the story of Banquo's murder and Banquo's ghost. It was not, I think, the friends, but the enemies of the murdered Banquo, at whose bidding his spirit would not down. The honorable gentleman is fresh in his reading of the English classics, and can put me right if I am wrong; but according to my poor recollection, it was at those who had begun with caresses, and ended with foul and treacherous murder, that the gory locks were shaken. The ghost of Banquo, like that of Hamlet, was an honest ghost. It disturbed no innocent man. It knew where its appearance would strike terror, and who would cry out. A ghost! It made itself visible in the right quarter, and compelled the guilty, and the conscience-smitten, and none others, to start, with,

> "Prithee, see there! behold!—look! lo!
> If I stand here, I saw him!"

Their eyeballs were seared—was it not so, sir?—who had thought to shield themselves by concealing their own hand and laying the imputation of the crime on a low and hireling agency in wickedness; who had vainly attempted to stifle the workings of their own coward consciences, by circulating,

through white lips and chattering teeth, “Thou canst not say I did it!” I have misread the great poet, if it was those who had no way partaken in the deed of the death, who either found that they were, *or feared that they should be*, pushed from their stools by the ghost of the slain, or who cried out to a spectre created by their own fears, and their own remorse, “Avaunt! and quit our sight!”

There is another particular, sir, in which the honorable member’s quick perception of resemblances might, I should think, have seen something in the story of Banquo, making it not altogether a subject of the most pleasant contemplation. Those who murdered Banquo, what did they win by it? Substantial good? Permanent power? Or disappointment, rather, and sore mortification—dust and ashes—the common fate of vaulting ambition overleaping itself? Did not even-handed justice, ere long, commend the poisoned chalice to their own lips? Did they not soon find that for another they had “filed their mind?” that their ambition though apparently for the moment successful, had but put a barren sceptre in their grasp? Aye, sir,—

> “A barren sceptre in their gripe,
> *Thence to be wrenched by an unlineal hand,*
> *No son of theirs succeeding.*”

Sir, I need pursue the allusion no further. I leave the honorable gentleman to run it out at his leisure, and to derive from it all the gratification it is calculated to administer. If he finds himself pleased with the associations, and prepared to be quite satisfied, though the parallel should be entirely completed, I had almost said I am satisfied also—but that I shall think of. Yes, sir, I will think of that.

In the course of my observations the other day, Mr. President, I paid a passing tribute of respect to a very worthy man, Mr. Dane, of Massachusetts. It so happened that he drew the ordinance of 1787 for the government of the Northwestern Territory. A man of so much ability, and so little pretence; of so great a capacity to do good, and so unmixed a disposition to do it for its own sake; a gentleman who acted an important part, forty years ago, in a measure the influence of which is still deeply felt in the very matter which was the subject of debate, might, I thought, receive from me a commendatory recognition.

But the honorable gentleman was inclined to be facetious on the subject. He was rather disposed to make it a matter of ridicule that I had introduced into the debate the name of one Nathan Dane, of whom he assures us he had never before heard. Sir, if the honorable member had never before heard of Mr. Dane, I am sorry for it. It shows him less acquainted with the public men of the country than I had supposed. Let me tell him, however, that a sneer from him at the mention of the name of Mr. Dane is in bad taste. It may well be a high mark of ambition, sir, either with the honorable gentleman or myself, to accomplish as much to make our names known to advantage, and remembered with gratitude, as Mr. Dane has accomplished. But the truth is, sir, I suspect that Mr. Dane lives a little too far north. He is of Massachusetts, and too near the north star to be reached by the honorable gentleman's telescope. If his sphere had happened to range south of Mason and Dixon's line, he might, probably, have come within the scope of his vision!

I spoke, sir, of the ordinance of 1787, which prohibited slavery in all future times northwest of

the Ohio, as a measure of great wisdom and foresight, and one which had been attended with highly beneficial and permanent consequences. I suppose that on this point no two gentlemen in the Senate could entertain different opinions. But the simple expression of this sentiment has led the gentleman, not only into a labored defence of slavery in the abstract, and on principle, but also into a warm accusation against me, as having attacked the system of slavery now existing in the Southern States. For all this there was not the slightest foundation in anything said or intimated by me. I did not utter a single word which any ingenuity could torture into an attack on the slavery of the South. I said only that it was highly wise and useful in legislating for the northwestern country, while it was yet a wilderness, to prohibit the introduction of slaves; and added, that I presumed, in the neighboring state of Kentucky, there was no reflecting and intelligent gentleman who would doubt that, if the same prohibition had been extended, at the same early period, over that commonwealth, her strength and population would, at this day, have been far greater than they are. If these opinions be thought doubtful, they are, nevertheless, I trust, neither extraordinary nor disrespectful. They attack nobody and menace nobody. And yet, sir, the gentleman's optics have discovered, even in the mere expression of this sentiment, what he calls the very spirit of the Missouri question! He represents me as making an attack on the whole south, and manifesting a spirit which would interfere with and disturb their domestic condition. Sir, this injustice no otherwise surprises me than as it is done here, and done without the slightest pretence of ground for it. I say

it only surprises me as being done here; for I know full well that it is and has been the settled policy of some persons in the south, for years, to represent the people of the north as disposed to interfere with them in their own exclusive and peculiar concerns. This is a delicate and sensitive point in southern feeling; and of late years it has always been touched, and generally with effect, whenever the object has been to unite the whole south against northern men or northern measures. This feeling, always carefully kept alive, and maintained at too intense a heat to admit discrimination or reflection, is a lever of great power in our political machine. It moves vast bodies, and gives to them one and the same direction. But the feeling is without adequate cause, and the suspicion which exists wholly groundless. There is not, and never has been, a disposition in the north to interfere with these interests of the south. Such interference has never been supposed to be within the power of the government, nor has it been in any way attempted. It has always been regarded as a matter of domestic policy, left with the states themselves, and with which the federal government had nothing to do. Certainly, sir, I am, and ever had been, of that opinion. The gentleman, indeed, argues that slavery in the abstract is no evil. Most assuredly I need not say I differ with him altogether and most widely on that point. I regard domestic slavery as one of the greatest evils, both moral and political. But, though it be a malady, and whether it be curable, and if so, by what means; or, on the other hand, whether it be the *culnus immedicabile* of the social system, I leave it to those whose right and duty it is to inquire and to decide. And this I believe, sir, is, and uniformly has been, the sentiment of the north. Let us look a little at the history of this matter.

When the present constitution was submitted for the ratification of the people, there were those who imagined that the powers of the government which it proposed to establish might, perhaps, in some possible mode, be exerted in measures tending to the abolition of slavery. This suggestion would, of course, attract much attention in the southern conventions. In that of Virginia, Governor Randolph said:—

"I hope there is none here, who, considering the subject in the calm light of philosophy, will make an objection dishonorable to Virginia—that, at the moment they are securing the rights of their citizens, an objection is started, that there is a spark of hope that those unfortunate men now held in bondage may, by the operation of the general government, be made free."

At the very first Congress, petitions on the subject were presented, if I mistake not, from different states. The Pennsylvania Society for promoting the Abolition of Slavery, took a lead, and laid before Congress a memorial, praying Congress to promote the abolition by such powers as it possessed. This memorial was referred, in the House of Representatives, to a select committee, consisting of Mr. Foster, of New Hampshire, Mr. Gerry, of Massachusetts, Mr. Huntington, of Connecticut, Mr. Lawrence, of New York, Mr. Dickinson, of New Jersey, Mr. Hartley, of Pennsylvania, and Mr. Parker, of Virginia; all of them, sir, as you will observe, northern men, but the last. This committee made a report, which was committed to a committee of the whole house, and there considered and discussed on several days; and being amended, although in no material respect, it was made to express three distinct propositions on the subjects of slavery and

the slave trade. First, in the words of the constitution, that Congress could not, prior to the year 1808, prohibit the migration or importation of such persons as any of the states then existing should think proper to admit. Second, that Congress had authority to restrain the citizens of the United States from carrying on the African slave trade for the purpose of supplying foreign countries. On this proposition, our early laws against those who engage in that traffic are founded. The third proposition, and that which bears on the present question, was expressed in the following terms:—

"*Resolved*, That Congress have no authority to interfere in the emancipation of slaves, or of the treatment of them in any of the states; it remaining with the several states alone to provide rules and regulations therein, which humanity and true policy may require."

This resolution received the sanction of the House of Representatives so early as March, 1790. And, now, sir, the honorable member will allow me to remind him, that not only were the select committee who reported the resolution, with a single exception, all northern men, but also that of the members then composing the House of Representatives, a large majority, I believe nearly two-thirds, were northern men also.

The house agreed to insert these resolutions in its journal; and, from that day to this, it has never been maintained or contended that Congress had any authority to regulate or interfere with the condition of slaves in the several states. No northern gentleman, to my knowledge, has moved any such question in either house of Congress.

The fears of the south, whatever fears they might have entertained, were allayed and quieted by this early decision; and so remained, till they were

excited afresh, without cause, but for collateral and indirect purposes. When it became necessary, or was thought so, by some political persons, to find an unvarying ground for the exclusion of northern men from confidence and from lead in the affairs of the republic, then, and not till then, the cry was raised, and the feeling industriously excited, that the influence of northern men in the public councils would endanger the relation of master and slave. For myself, I claim no other merit, than that this gross and enormous injustice towards the whole north has not wrought upon me to change my opinions, or my political conduct. I hope I am above violating my principles, even under the smart of injury and false imputations. Unjust suspicions and undeserved reproach, whatever pain I may experience from them, will not induce me, I trust, nevertheless, to overstep the limits of constitutional duty, or to encroach on the rights of others. The domestic slavery of the south I leave where I find it—in the hands of their own governments. It is their affair, not mine. Nor do I complain of the peculiar effect which the magnitude of that population has had in the distribution of power under this federal government. We know, sir, that the representation of the states in the other house is not equal. We know that great advantage, in that respect, is enjoyed by the slaveholding states; and we know, too, that the intended equivalent for that advantage—that is to say, the imposition of direct taxes in the same ratio—has become merely nominal; the habit of the government being almost invariably to collect its revenues from other sources, and in other modes. Nevertheless, I do not complain; nor would I countenance any movement to alter this arrangement of representation. It is the original bargain, the

compact—let it stand; let the advantage of it be fully enjoyed. The Union itself is too full of benefit to be hazarded in propositions for changing its original basis. I go for the constitution as it is, and for the Union as it is. But I am resolved not to submit, in silence, to accusations, either against myself individually, or against the north, wholly unfounded and unjust—accusations which impute to us a disposition to evade the constitutional compact, and to extend the power of the government over the internal laws and domestic condition of the states. All such accusations, wherever and whenever made, all insinuations of the existence of any such purposes, I know and feel to be groundless and injurious. And we must confide in southern gentlemen themselves; we must trust to those whose integrity of heart and magnanimity of feeling will lead them to a desire to maintain and disseminate truth, and who possess the means of its diffusion with the southern public; we must leave it to them to disabuse that public of its prejudices. But, in the mean time, for my own part, I shall continue to act justly, whether those towards whom justice is exercised receive it with candor or with contumely.

Having had occasion to recur to the ordinance of 1787, in order to defend myself against the inferences which the honorable member has chosen to draw from my former observations on that subject, I am not willing now entirely to take leave of it without another remark. It need hardly be said, that that paper expresses just sentiments on the great subject of civil and religious liberty. Such sentiments were common, and abound in all our state papers of that day. But this ordinance did that which was not so common, and which is not, even now, universal; that is, it set forth and declared, *as a high and binding*

duty of government itself, to encourage schools and advance the means of education; on the plain reason that religion, morality and knowledge are necessary to good government, and to the happiness of mankind. One observation further. The important provision incorporated into the constitution of the United States, and several of those of the states, and recently, as we have seen, adopted into the reformed constitution of Virginia, restraining legislative power, in questions of private right, and from impairing the obligation of contracts, is first introduced and established, as far as I am informed, as matter of express written constitutional law, in this ordinance of 1787. And I must add, also, in regard to the author of the ordinance, who has not had the happiness to attract the gentleman's notice heretofore, nor to avoid his sarcasm now, that he was chairman of that select committee of the old Congress, whose report first expressed the strong sense of that body, that the old confederation was not adequate to the exigencies of the country, and recommending to the states to send delegates to the convention which formed the present constitution.

An attempt has been made to transfer from the north to the south the honor of this exclusion of slavery from the Northwestern territory. The journal, without argument or comment, refutes such attempt. The session of Virginia was made March, 1784. On the 19th of April following, a committee, consisting of Messrs. Jefferson, Chase and Howell, reported a plan for a temporary government of the territory, in which was this article: "That after the year 1800, there should be neither slavery nor involuntary servitude in any of the said states, otherwise than in punishment of crimes, whereof the party shall have been convicted." Mr. Speight, of North Carolina,

moved to strike out this paragraph. The question was put according to the form then practiced: “Shall, these words stand, as part of the plan?” &c. New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey and Pennsylvania—seven states—voted in the affirmative; Maryland, Virginia and South Carolina, in the negative. North Carolina was divided. As the consent of nine states was necessary, the words could not stand, and were struck out accordingly. Mr. Jefferson voted for the clause, but was overruled by his colleagues.

In March of the next year (1785) Mr. King, of Massachusetts, seconded by Mr. Ellery, of Rhode Island, proposed the formerly rejected article, with this addition: “*And that this regulation shall be an article of compact, and remain a fundamental principle of the constitution between the thirteen original states and each of the states described in the resolve*,” &c. On this clause, which provided the adequate and thorough security, the eight Northern States, at that time, voted affirmatively, and the four Southern States negatively. The votes of nine states were not yet obtained, and thus the provision was again rejected by the Southern States. The perseverance of the north held out, and two years afterwards the object was attained. It is no derogation from the credit, whatever that may be, of drawing the ordinance, that its principles had before been prepared and discussed, in the form of resolutions. If one should reason in that way, what would become of the distinguished honor of the author of the declaration of Independence? There is not a sentiment in that paper which had not been voted and resolved in the assemblies, and other popular bodies in the country, over and over again.

But the honorable member has now found out that this gentleman, Mr. Dane, was a member of the Hartford Convention. However uninformed the honorable member may be of characters and occurrences at the north, it would seem that he has at his elbows, on this occasion, some highminded and lofty spirit, some magnanimous and true-hearted monitor, possessing the means of local knowledge, and ready to supply the honorable member with every thing, down even to forgotten and moth-eaten twopenny pamphlets, which may be used to the disadvantage of his own country. But, as to the Hartford Convention, sir, allow me to say that the proceedings of that body seem now to be less read and studied in New England than farther south. They appear to be looked to, not in New England, but elsewhere, for the purpose of seeing how far they may serve as a precedent. But they will not answer the purpose—they are quite too tame. The latitude in which they originated was too cold. Other conventions, of more recent existence, have gone a whole bar's length beyond it. The learned doctors of Colleton and Abbeville have pushed their commentaries on the Hartford collect so far that the original text writers are thrown entirely into the shade. I have nothing to do, sir, with the Hartford Convention. Its journal, which the gentleman has quoted, I never read. So far as the honorable member may discover in its proceedings a spirit in any degree resembling that which was avowed and justified in those other conventions to which I have alluded, or so far as those proceedings can be shown to be disloyal to the constitution, or tending to disunion, so far I shall be as ready as any one to bestow on them reprehension and censure.

Having dwelt long on this convention, and other

occurrences of that day, in the hope, probably, (which will not be gratified,) that I should leave the course of this debate to follow him at length in those excursions, the honorable member returned, and attempted another object. He referred to a speech of mine in the other house, the same which I had occasion to allude to myself the other day; and has quoted a passage or two from it, with a bold though uneasy and laboring air of confidence, as if he had detected in me an inconsistency. Judging from the gentleman's manner, a stranger to the course of the debate, and to the point in discussion, would have imagined, from so triumphant a tone, that the honorable member was about to overwhelm me with a manifest contradiction. Any one who heard him, and who had not heard what I had, in fact, previously said, must have thought me routed and discomfited, as the gentleman had promised. Sir, a breath blows all this triumph away. There is not the slightest difference in the sentiments of my remarks on the two occasions. What I said here on Wednesday is in exact accordance with the opinions expressed by me in the other house in 1825. Though the gentleman had the metaphysics of Hudibras—though he were able

> "to sever and divide
> A hair 'twixt north and north west side,"

he could not yet insert his metaphysical scissors between the fair reading of my remarks in 1825 and what I said here last week. There is not only no contradiction, no difference, but, in truth, too exact a similarity, both in thought and language, to be entirely in just taste. I had myself quoted the same speech; had recurred to it, and spoke with it open before me; and much of what I said was little more

than a repetition from it. In order to make finishing work with this alleged contradiction, permit me to recur to the origin of this debate, and review its course. This seems expedient, and may be done as well now as at any time.

Well, then, its history is this: the honorable member from Connecticut moved a resolution, which constituted the first branch of that which is now before us; that is to say, a resolution instructing the committee on public lands to inquire into the expediency of limiting, for a certain period, the sales of public lands to such as have heretofore been offered for sale; and whether sundry offices, connected with the sales of the lands, might not be abolished without detriment to the public service.

In the progress of the discussion which arose on this resolution, an honorable member from New Hampshire moved to amend the resolution, so as entirely to reverse its object; that is to strike it all out, and insert a direction to the committee to inquire into the expediency of adopting measures to hasten the sales, and extend more rapidly the surveys of the lands.

The honorable member from Maine (Mr. Sprague) suggested that both these propositions might well enough go, for consideration, to the committee; and in this state of the question, the member from South Carolina addressed the Senate in his first speech. He rose, he said, to give his own free thoughts on the public lands. I saw him rise, with pleasure, and listened with expectation, though before he concluded I was filled with surprise. Certainly, I was never more surprised than to find him following up, to the extent he did, the sentiments and opinions which the gentleman from Missouri had put forth, and which it is known he has long entertained.

I need not repeat, at large, the general topics of the honorable gentleman's speech. When he said, yesterday, that he did not attack the Eastern States, he certainly must have forgotten not only particular remarks, but the whole drift and tenor of his speech; unless he means by not attacking, that he did not commence hostilities, but that another had preceded him in the attack. He, in the first place, disapproved of the whole course of the government for forty years, in regard to its dispositions of the public land; and then, turning northward and eastward, and fancying he had found a cause for alleged narrowness and niggardliness in the "accursed policy" of the tariff, to which he represented the people of New England as wedded, he went on, for a full hour, with remarks, the whole scope of which was to exhibit the results of this policy, in feelings and in measures unfavorable to the west. I thought his opinions unfounded and erroneous, as to the general course of the government, and ventured to reply to them.

The gentleman had remarked on the analogy of other cases, and quoted the conduct of European governments towards their own subjects, settling on this continent, as in point, to show that we had been harsh and rigid in selling when we should have given the public lands to settlers. I thought the honorable member had suffered his judgment to be betrayed by a false analogy; that he was struck with an appearance of resemblance where there was no real similitude. I think so still. The first settlers of North America were enterprising spirits, engaging in private adventure, or fleeing from tyranny at home. When arrived here, they were forgotten by the mother country, or remembered only to be oppressed. Carried away again by the appearance of

analogy, or struck with the eloquence of the passage, the honorable member yesterday observed that the conduct of government towards the western emigrants, or my representation of it, brought to his mind a celebrated speech in the British Parliament. It was, sir, the speech of Colonel Barre. On the question of the stamp act, or tea tax, I forget which, Colonel Barre had heard a member on the treasury bench argue, that the people of the United States, being British colonists, planted by the maternal care, nourished by the indulgence, and protected by the arms of England, would not grudge their mite to relieve the mother country from the heavy burden under which she groaned. The language of Colonel Barre, in reply to this, was, “They planted by your care? Your oppression planted them in America. They fled from your tyranny, and grew by your neglect of them. So soon as you began to care for them, you showed your care by sending persons to spy out their liberties, misrepresent their character, prey upon them, and eat out their substance.”

And does this honorable gentleman mean to maintain that language like this is applicable to the conduct of the government of the United States towards the western emigrants, or to any representation given by me of that conduct? Were the settlers in the west driven thither by our oppression? Have they flourished only by our neglect of them? Has the government done nothing but prey upon them, and eat out their substance? Sir, this fervid eloquence of the British speaker, just when and where it was uttered, and fit to remain an exercise for the schools, is not a little out of place, when it was brought thence to be applied here, to the conduct of our own country towards her own citizens. From America to England it may be true;

from Americans to their own government it would be strange language. Let us leave it to be recited and declaimed by our boys against a foreign nation; not introduce it here, to recite and declaim ourselves against our own.

But I come to the point of the alleged contradiction. In my remarks on Wednesday, I contended that we could not give away gratuitously all the public lands; that we held them in trust; that the government had solemnly pledged itself to dispose of them as a common fund for the common benefit, and to sell and settle them as its discretion should dictate. Now, sir, what contradiction does the gentleman find to this sentiment in the speech of 1825? He quotes me as having then said, that we ought not to hug these lands as a very great treasure. Very well, sir; supposing me to be accurately reported in that expression, what is the contradiction? I have not now said, that we should hug these lands as a favorite source of pecuniary income. No such thing. It is not my view. What I have said, and what I do say, is, that they are a common fund—to be disposed of for the common benefit—to be sold at low prices, for the accommodation of settlers, keeping the object of settling the lands as much in view as that of raising money from them. This I say now, and this I have always said. Is this hugging them as a favorite treasure? Is there no difference between hugging and hoarding this fund, on the one hand, as a great treasure, and on the other of disposing of it at low prices, placing the proceeds in the general treasury of the Union? My opinion is, that as much is to be made of the land, as fair and reasonably may be, selling it all the while at such rates as to give the fullest effect to settlement. This is not giving it all

away to the states, as the gentleman would propose, nor is it hugging the fund closely and tenaciously, as a favorite treasure; but it is, in my judgment, a just and wise policy, perfectly according with all the various duties which rest on government. So much for my contradiction. And what is it? Where is the ground of the gentleman's triumph? What inconsistency, in word or doctrine, has he been able to detect? Sir, if this be a sample of that discomfiture with which the honorable gentleman threatened me, commend me to the word *discomfiture* for the rest of my life.

But, after all, this is not the point of the debate; and I must bring the gentleman back to that which is the point.

The real question between me and him is, Where has the doctrine been advanced, at the south or the east, that the population of the west should be retarded, or, at least, need not be hastened, on account of its effect to drain off the people from the Atlantic States? Is this doctrine, as has been alleged, of eastern origin? That is the question. Has the gentleman found anything by which he can make good his accusation? I submit to the Senate, that he has entirely failed; and as far as this debate has shown, the only person who has advanced such sentiments is a gentleman from South Carolina, and a friend to the honorable member himself. This honorable gentleman has given no answer to this; there is none which can be given. This simple fact, while it requires no comment to enforce it, defies all argument to refute it. I could refer to the speeches of another southern gentleman, in years before, of the same general character, and to the same effect, as that which has been quoted; but I will not consume the time of the Senate by the reading of them.

So then, sir, New England is guiltless of the policy of retarding western population, and of all envy and jealousy of the growth of the new states. Whatever there be of that policy in the country, no part of it is hers. If it has a local habitation, the honorable member has probably seen, by this time, where he is to look for it; and if it now has received a name, he himself has christened it.

We approach, at length, sir, to a more important part of the honorable gentleman's observations. Since it does not accord with my views of justice and policy, to vote away the public lands altogether, as mere matter of gratuity, I am asked, by the honorable gentleman, on what ground it is that I consent to give them away in particular instances. How, he inquires, do I reconcile with these professed sentiments my support of measures appropriating portions of the lands to particular roads, particular canals, particular rivers, and particular institutions of education in the west? This leads, sir, to the real and wide difference in political opinions between the honorable gentleman and myself. On my part, I look upon all these objects as connected with the common good, fairly embraced in its objects and its terms; he, on the contrary, deems them all, if good at all, only local good. This is our difference. The interrogatory which he proceeded to put, at once explains this difference. "What interest," asks he, "has South Carolina in a canal in Ohio?" Sir, this very question is full of significance. It develops the gentleman's whole political system; and its answer expounds mine. Here we differ *toto cœlo*. I look upon a road over the Alleghany, a canal round the falls of the Ohio, or a canal or railway from the Atlantic to the western waters, as being objects large and extensive enough to be fairly said to be for the common

benefit. The gentleman thinks otherwise, and this is the key to open his construction of the powers of the government. He may well ask, upon his system, What interest has South Carolina in a canal in Ohio? On that system, it is true, she has no interest. On that system, Ohio and Carolina are different governments and different countries, connected here, it is true, by some slight and ill-defined bond of union, but in all main respects separate and diverse. On that system, Carolina has no more interest in a canal in Ohio than in Mexico. The gentleman, therefore, only follows out his own principles; he does no more than arrive at the natural conclusions of his own doctrines; he only announces the true results of that creed which he has adopted himself, and would persuade others to adopt, when he thus declares that South Carolina has no interest in a public work in Ohio. Sir, we narrow-minded people of New England do not reason thus. Our notion of things is entirely different. We look upon the states not as separated, but as united. We love to dwell on that Union, and on the mutual happiness which it has so much promoted, and the common renown which it has so greatly contributed to acquire. In our contemplation, Carolina and Ohio are parts of the same country—states united under the same general government, having interests common, associated, intermingled. In whatever is within the proper sphere of the constitutional power of this government, we look upon the states as one. We do not impose geographical limits to our patriotic feeling or regard; we do not follow rivers, and mountains, and lines of latitude, to find boundaries beyond which public improvements do not benefit us. We, who come here as agents and representatives of those narrow-minded and selfish men of New England, consider ourselves as bound to

regard, with equal eye, the good of the whole, in whatever is within our power of legislation. Sir, if a railroad or canal, beginning in South Carolina, appeared to me to be of national importance and national magnitude, believing as I do that the power of government extends to the encouragement of works of that description, if I were to stand up here and ask, "What interest has Massachusetts in a railroad in South Carolina?" I should not be willing to face my constituents. These same narrow-minded men would tell me that they had sent me to act for the whole country, and that one who possessed too little comprehension, either of intellect or feeling—one who was not large enough, in mind and heart, to embrace the whole—was not fit to be intrusted with the interest of any part. Sir, I do not desire to enlarge the powers of government by unjustifiable construction, nor to exercise any not within a fair interpretation. But when it is believed that a power does exist, then it is, in my judgment, to be exercised for the general benefit of the whole: so far as respects the exercise of such a power, the states are one. It was the very great object of the constitution to create unity of interests to the extent of the powers of the general government. In war and peace we are one; in commerce one; because the authority of the general government reaches to war and peace, and to the regulation of commerce. I have never seen any more difficulty in erecting lighthouses on the lakes than on the ocean; in improving the harbors of inland seas, than if they were within the ebb and flow of the tide; or of removing obstructions in the vast streams of the west, more than in any work to facilitate commerce on the Atlantic coast. If there be power for one, there is power also for the other; and they are all and equally for the country.

There are other objects, apparently more local, or the benefit of which is less general, towards which, nevertheless, I have concurred with others to give aid by donations of land. It is proposed to construct a road in or through one of the new states in which the government possesses large quantities of land. Have the United States no right, as a great and untaxed proprietor—are they under no obligation—to contribute to an object thus calculated to promote the common good of all the proprietors, themselves included? And even with respect to education, which is the extreme case, let the question be considered. In the first place, as we have seen, it was made matter of compact with these states that they should do their part to promote education. In the next place, our whole system of land laws proceeds on the idea that education is for the common good; because, in every division, a certain portion is uniformly reserved and appropriated for the use of schools. And, finally have not these new states singularly strong claims, founded on the ground already stated, that the government is a great untaxed proprietor in the ownership of the soil? It is a consideration of great importance that probably there is in no part of the country, or of the world, so great a call for the means of education as in those new states, owing to the vast number of persons within those ages in which education and instruction are usually received, if received at all. This is the natural consequence of recency of settlement and rapid increase. The census of these states shows how great a proportion of the whole population occupies the classes between infancy and childhood. These are the wide fields, and here is the deep and quick soil for the seeds of knowledge and virtue; and this is the favored season, the spring time for sowing them. Let

them be disseminated without stint. Let them be scattered with a bountiful broadcast. Whatever the government can fairly do towards these objects, in my opinion, ought to be done.

These, sir, are the grounds, succinctly stated, on which my vote for grants of lands for particular objects rest, while I maintain, at the same time, that it is all a common fund, for the common benefit. And reasons like these, I presume, have influenced the votes of other gentlemen from New England. Those who have a different view of the powers of the government, of course, come to different conclusions on these as on other questions. I observed, when speaking on this subject before, that if we looked to any measure, whether for a road, a canal, or any thing else intended for the improvement of the west, it would be found, that if the New England *ayes* were struck out of the list of votes, the southern *noes* would always have rejected the measure. The truth of this has not been denied, and cannot be denied. In stating this, I thought it just to ascribe it to the constitutional scruples of the south, rather than to any other less favorable or less charitable cause. But no sooner had I done this, than the honorable gentleman asks if I reproach him and his friends with their constitutional scruples. Sir, I reproach nobody. I stated a fact, and gave the most respectful reason for it that occurred to me. The gentleman cannot deny the fact—he may, if he choose, disclaim the reason. It is not long since I had occasion, in presenting a petition from his own state, to account for its being intrusted to my hands by saying, that the constitutional opinions of the gentleman and his worthy colleague prevented them from supporting it. Sir, did I state this as a matter of reproach? Far from it. Did I attempt to find any other cause than an

honest one for these scruples? Sir, I did not. It did not become me to doubt, nor to insinuate that the gentleman had either changed his sentiments, or that he had made up a set of constitutional opinions, accommodated to any particular combination of political occurrences. Had I done so, I should have felt, that while I was entitled to little respect in thus questioning other people's motives, I justified the whole world in suspecting my own.

But how has the gentleman returned this respect for others' opinions? His own candor and justice, how have they been exhibited towards the motives of others, while he has been at so much pains to maintain—what nobody has disputed—the purity of his own? Why, sir, he has asked *when*, and *how*, and *why* New England votes were found going for measures favorable to the west; he has demanded to be informed whether all this did not begin in 1825, *and while the election of President was still pending*. Sir, to these questions retort would be justified; and it is both cogent and at hand. Nevertheless, I will answer the inquiry not by retort, but by facts. I will tell the gentleman *when*, and *how*, and *why* New England has supported measures favorable to the west. I have already referred to the early history of the government—to the first acquisition of the lands—to the original laws for disposing of them and for governing the territories where they lie; and have shown the influence of New England men and New England principles in all these leading measures. I should not be pardoned were I to go over that ground again. Coming to more recent times, and to measures of a less general character, I have endeavored to prove that every thing of this kind designed for western improvement has depended on the votes of New England. All this is true beyond the

power of contradiction.

And now, sir, there are two measures to which I will refer, not so ancient as to belong to the early history of the public lands, and not so recent as to be on this side of the period when the gentleman charitably imagines a new direction may have been given to New England feeling and New England votes. These measures, and the New England votes in support of them, may be taken as samples and specimens of all the rest. In 1820, (observe, Mr. President, in 1820,) the people of the west besought Congress for a reduction in the price of lands. In favor of that reduction, New England, with a delegation of forty members in the other house, gave thirty-three votes, and one only against it. The four Southern States, with fifty members, gave thirty-two votes for it, and seven against it. Again, in 1821, (observe again, sir, the time,) the law passed for the relief of the purchasers of the public lands. This was a measure of vital importance to the west, and more especially to the southwest. It authorized the relinquishment of contracts for lands, which had been entered into at high prices, and a reduction, in other cases, of not less than 37½ per cent. on the purchase money. Many millions of dollars, six or seven I believe at least,—probably much more,—were relinquished by this law. On this bill New England, with her forty members, gave more affirmative votes than the four Southern States with their fifty-two or three members. These two are far the most important measures respecting the public lands which have been adopted within the last twenty years. They took place in 1820 and 1821. That is the time when. And as to the manner how, the gentleman already sees that it was by voting, in solid column, for the required relief; and lastly, as to

the cause why, I tell the gentleman, it was because the members from New England thought the measures just and salutary; because they entertained towards the west neither envy, hatred, nor malice; because they deemed it becoming them, as just and enlightened public men, to meet the exigency which had arisen in the west with the appropriate measure of relief; because they felt it due to their own characters of their New England predecessors in this government, to act towards the new states in the spirit of a liberal, patronizing, magnanimous policy. So much, sir, for the cause *why*; and I hope that by this time, sir, the honorable gentleman is satisfied; if not, I do not know *when*, or *how*, or *why*, he ever will be.

Having recurred to these two important measures, in answer to the gentleman's inquiries, I must now beg permission to go back to a period still something earlier, for the purpose still further of showing how much, or rather how little reason there is for the gentleman's insinuation that political hopes, or fears, or party associations, were the grounds of these New England votes. And after what has been said, I hope it may be forgiven me if I allude to some political opinions and votes of my own, of very little public importance, certainly, but which, from the time at which they were given and expressed, may pass for good witnesses on this occasion.

This government, Mr. President, from its origin to the peace of 1815, had been too much engrossed with various other important concerns to be able to turn its thoughts inward, and look to the development of its vast internal resources. In the early part of President Washington's administration, it was fully occupied with organizing the government, providing for the public debt, defending

the frontiers, and maintaining domestic peace. Before the termination of that administration, the fires of the French revolution blazed forth, as from a new opened volcano, and the whole breadth of the ocean did not entirely secure us from its effects. The smoke and the cinders reached us, though not the burning lava. Difficult and agitating questions, embarrassing to government, and dividing public opinion, sprung out of the new state of our foreign relations, and were succeeded by others, and yet again by others, equally embarrassing, and equally exciting division and discord, through the long series of twenty years, till they finally issued in the war with England. Down to the close of that war, no distinct, marked and deliberate attention had been given, or could have been given, to the internal condition of the country, its capacities of improvement, or the constitutional power of the government, in regard to objects connected with such improvement.

The peace, Mr. President, brought about an entirely new and a most interesting state of things; it opened to us other prospects, and suggested other duties; we ourselves were changed, and the whole world was changed. The pacification of Europe, after June, 1815, assumed a firm and permanent aspect. The nations evidently manifested that they were disposed for peace: some agitation of the waves might be expected, even after the storm had subsided; but the tendency was, strongly and rapidly, towards settled repose.

It so happened, sir, that I was at that time a member of Congress, and, like others, naturally turned my attention to the contemplation of the newly-altered condition of the country, and of the world. It appeared plainly enough to me, as well as to wiser and more experienced men, that the policy

of the government would necessarily take a start in a new direction, because new directions would necessarily be given to the pursuits and occupations of the people. We had pushed our commerce far and fast, under the advantage of a neutral flag. But there were now no longer flags, either neutral or belligerent. The harvest of neutrality had been great, but we had gathered it all. With the peace of Europe, it was obvious there would spring up, in her circle of nations, a revived and invigorated spirit of trade, and a new activity in all the business and objects of civilized life. Hereafter, our commercial gains were to be earned only by success in a close and intense competition. Other nations would produce for themselves, and carry for themselves, and manufacture for themselves, to the full extent of their abilities. The crops of our plains would no longer sustain European armies, nor our ships longer supply those whom war had rendered unable to supply themselves. It was obvious that under these circumstances, the country would begin to survey itself, and to estimate its own capacity of improvement. And this improvement, how was it to be accomplished, and who was to accomplish it?

We were ten or twelve millions of people, spread over almost half a world. We were twenty-four states, some stretching along the same seaboard, some along the same line of inland frontier, and others on opposite banks of the same vast rivers. Two considerations at once presented themselves, in looking at this state of things, with great force. One was that that great branch of improvement, which consisted in furnishing new facilities of intercourse, necessarily ran into different states, in every leading instance, and would benefit the citizens of all such states. No one state therefore, in such cases, would

assume the whole expense, nor was the co-operation of several states to be expected. Take the instance of the Delaware Breakwater. It will cost several millions of money. Would Pennsylvania, New Jersey, and Delaware have united to accomplish it at their joint expense? Certainly not, for the same reason. It could not be done, therefore, but by the general government. The same may be said of the large inland undertakings, except that, in them, government, instead of bearing the whole expense, co-operates with others to bear a part. The other consideration is, that the United States have the means. They enjoy the revenues derived from commerce, and the states have no abundant and easy sources of public income. The custom houses fill the general treasury, while the states have scanty resources, except by resort to heavy direct taxes.

Under this view of things, I thought it necessary to settle, at least for myself, some definite notions, with respect to the powers of government, in regard to internal affairs. It may not savor too much of self-commendation to remark, that, with this object, I considered the constitution, its judicial construction, its contemporaneous exposition, and the whole history of the legislation of Congress under it; and I arrived at the conclusion that government had power to accomplish sundry objects, or aid in their accomplishment, which are now commonly spoken of as INTERNAL IMPROVEMENTS. That conclusion, sir, may have been right or it may have been wrong. I am not about to argue the grounds of it at large. I say only that it was adopted, and acted on, even so early as in 1816. Yes, Mr. President, I made up my opinion, and determined on my intended course of political conduct on these subjects, in the 14th Congress in 1816. And now, Mr. President, I have

further to say, that I made up these opinions, and entered on this course of political conduct, *Teucro duce*. Yes, sir, I pursued, in all this, a South Carolina track. On the doctrines of internal improvement, South Carolina, as she was then represented in the other house, set forth, in 1816, under a fresh and leading breeze; and I was among the followers. But if my leader sees new lights, and turns a sharp corner, unless I see new lights also, I keep straight on in the same path. I repeat, that leading gentlemen from South Carolina were first and foremost in behalf of the doctrines of internal improvements, when those doctrines first came to be considered and acted upon in Congress. The debate on the bank question, on the tariff of 1816, and on the direct tax, will show who was who, and what was what, at that time. The tariff of 1816, one of the plain cases of oppression and usurpation, from which, if the government does not recede, individual states may justly secede from the government, is, sir, in truth, a South Carolina tariff, supported by South Carolina votes. But for those votes, it could not have passed in the form in which it did pass; whereas, if it had depended on Massachusetts votes, it would have been lost. Does not the honorable gentleman well know all this? There are certainly those who do full well know it all. I do not say this to reproach South Carolina; I only state the fact, and I think it will appear to be true, that among the earliest and boldest advocates of the tariff, as a measure of protection, and on the express ground of protection, were leading gentlemen of South Carolina in Congress. I did not then, and cannot now, understand their language in any other sense. While this tariff of 1816 was under discussion in the House of Representatives, an honorable gentleman from Georgia, now of this

house, (Mr. Forsyth,) moved to reduce the proposed duty on cotton. He failed by four votes, South Carolina giving three votes (enough to have turned the scale) against his motion. The act, sir, then passed, and received on its passage the support of a majority of the representatives of South Carolina present and voting. This act is the first, in the order of those now denounced as plain usurpations. We see it daily in the list by the side of those of 1824 and 1828, as a case of manifest oppression, justifying disunion. I put it home to the honorable member from South Carolina, that his own state was not only "art and part" in this measure, but the *causa causans*. Without her aid, this seminal principle of mischief, this root of upas, could not have been planted. I have already said—and, it is true—that this act preceded on the ground of protection. It interfered directly with existing interests of great value and amount. It cut up the Calcutta cotton trade by the roots. But it passed, nevertheless, and it passed on the principle of protecting manufactures, on the principle against free trade, on the principle *opposed to that which lets us alone*.

Such, Mr. President, were the opinions of important and leading gentlemen of South Carolina, on the subject of internal improvement, in 1816. I went out of Congress the next year, and returning again in 1823, thought I found South Carolina where I had left her. I really supposed that all things remained as they were, and that the South Carolina doctrine of internal improvements would be defended by the same eloquent voices, and the same strong arms as formerly. In the lapse of these six years, it is true, political associations had assumed a new aspect and new divisions. A party had arisen in the south, hostile to the doctrine of internal

improvements, and had vigorously attacked that doctrine. Anti-consolidation was the flag under which this party fought, and its supporters inveighed against internal improvements, much after the same manner in which the honorable gentleman has now inveighed against them, as part and parcel of the system of consolidation.

Whether this party arose in South Carolina herself, or in her neighborhood, is more than I know. I think the latter. However that may have been, there were those found in South Carolina ready to make war upon it, and who did make intrepid war upon it. Names being regarded as things, in such controversies, they bestowed on the anti-improvement gentlemen the appellation of radicals. Yes, sir, the name of radicals, as a term of distinction, applicable and applied to those who defended the liberal doctrines of internal improvements, originated, according to the best of my recollection, somewhere between North Carolina and Georgia. Well, sir, those mischievous radicals were to be put down, and the strong arm of South Carolina was stretched out to put them down. About this time, sir, I returned to Congress. The battle with the radicals had been fought, and our South Carolina champions of the doctrine of internal improvements had nobly maintained their ground, and were understood to have achieved a victory. They had driven back the enemy with discomfiture; a thing, by the way, sir, which is not always performed when it is promised. A gentleman, to whom I have already referred in this debate, had come into Congress, during my absence from it, from South Carolina, and had brought with him a high reputation for ability. He came from a school with which we had been acquainted, *et noscitur a sociis*. I hold in my hand, sir,

a printed speech of this distinguished gentleman, (Mr. McDuffie,) "ON INTERNAL IMPROVEMENTS," delivered about the period to which I now refer, and printed with a few introductory remarks upon consolidation; in which, sir, I think he quite consolidated the arguments of his opponents, the radicals, if to *crush* be to consolidate. I give you a short but substantive quotation from these remarks. He is speaking of a pamphlet, then recently published, entitled, "Consolidation;" and having alluded to the question of re-chartering the former Bank of the United States, he says: "Moreover, in the early history of parties, and when Mr. Crawford advocated the renewal of the old charter, it was considered a federal measure; which internal improvement never was, as this author erroneously states. This latter measure originated in the administration of Mr. Jefferson, with the appropriation for the Cumberland road; and was first proposed, *as a system*, by Mr. Calhoun, and carried through the House of Representatives by a large majority of the republicans, including almost every one of the leading men who carried us through the late war."

So, then, internal improvement is not one of the federal heresies. One paragraph more, sir.

"The author in question, not content with denouncing as federalists Gen. Jackson, Mr. Adams, Mr. Calhoun, and the majority of the South Carolina delegation in Congress, modestly extends the denunciation to Mr. Monroe and the whole republican party. Here are his words. 'During the administration of Mr. Monroe, much has passed which the republican party would be glad to approve, if they could!! But the principal feature, and that which has chiefly elicited these

observations, is the renewal of the SYSTEM OF INTERNAL IMPROVEMENTS.' Now, this measure was adopted by a vote of 115 to 86, of a republican Congress, and sanctioned by a republican president. Who, then, is this author, who assumes the high prerogative of denouncing, in the name of the republican party, the republican administration of the country—a denunciation including within its sweep Calhoun, Lowndes, and Cheves; men who will be regarded as the brightest ornaments of South Carolina, and the strongest pillars of the republican party, as long as the late war shall be remembered, and talents and patriotism shall be regarded as the proper objects of the admiration and gratitude of a free people!!"

Such are the opinions, sir, which were maintained by South Carolina gentlemen in the House of Representatives on the subject of internal improvements, when I took my seat there as a member from Massachusetts, in 1823. But this is not all; we had a bill before us, and passed it in that house, entitled, "An act to procure the necessary surveys, plans, and estimates upon the subject of roads and canals." *It authorized the president to cause surveys and estimates to be made of the routes of such roads and canals as he might deem of national importance in a commercial or military point of view, or for the transportation of the mail*; and appropriated thirty thousand dollars out of the treasury to defray the expense. This act, though preliminary in its nature, covered the whole ground. It took for granted the complete power of internal improvement, as far as any of its advocates had ever contended for it. Having passed the other house, the bill came up to the Senate, and was here considered and debated in April, 1824. The honorable member from South Carolina was a member of the Senate at that time.

While the bill was under consideration here, a motion was made to add the following proviso:—

"*Provided*, That nothing herein contained shall be construed to affirm *or admit* a power in Congress, on their own authority, to make roads or canals within any of the states of the Union."

The yeas and nays were taken on this proviso, and the honorable member voted *in the negative*. The proviso failed.

A motion was then made to add this proviso, viz: —

"*Provided*, That the faith of the United States is hereby pledged, that no money shall ever be expended for roads or canals except it shall be among the several states, and in the same proportion as direct taxes are laid and assessed by the provisions of the constitution."

The honorable member voted *against this proviso* also, and it failed.

The bill was then put on its passage, and the honorable member voted *for it*, and it passed, and became a law.

Now, it strikes me, sir, that there is no maintaining these votes but upon the power of internal improvement, in its broadest sense. In truth, these bills for surveys and estimates have always been considered as test questions. They show who is for and who against internal improvement. This law itself went the whole length, and assumed the full and complete power. The gentleman's vote sustained that power, in every form in which the various propositions to amend presented it. He went for the entire and unrestrained authority, without consulting the states, and without agreeing to any proportionate distribution. And now, suffer me to remind you, Mr.

President, that it is this very same power, thus sanctioned, in every form, by the gentleman's own opinion, that is so plain and manifest a usurpation, that the state of South Carolina is supposed to be justified in refusing submission to any laws carrying the power into effect. Truly, sir, is not this a little too hard? May we not crave some mercy, under favor and protection of the gentleman's own authority? Admitting that a road or a canal must be written down flat usurpation as ever was committed, may we find no mitigation in our respect for his place, and his vote, as one that knows the law?

The tariff which South Carolina had an efficient hand in establishing in 1816, and this asserted power of internal improvement—advanced by her in the same year, and, as we have seen, approved and sanctioned by her representatives in 1824,—these two measures are the great grounds on which she is now thought to be justified in breaking up the Union, if she sees fit to break it up.

I may now safely say, I think, that we have had the authority of leading and distinguished gentlemen from South Carolina in support of the doctrine of internal improvement. I repeat that, up to 1824, I, for one, followed South Carolina; but when that star in its ascension veered off in an unexpected direction, I relied on its light no longer. [Here the Vice-President said, Does the Chair understand the gentleman from Massachusetts to say that the person now occupying the chair of the Senate has changed his opinion on the subject of internal improvement?] From nothing ever said to me, sir, have I had reason to know of any change in the opinions of the person filling the chair of the Senate. If such change has taken place, I regret it; I speak generally of the state of South Carolina. Individuals we know there are

who hold opinions favorable to the power. An application for its exercise in behalf of a public work in South Carolina itself is now pending, I believe, in the other house, presented by members from that state.

I have thus, sir, perhaps not without some tediousness of detail, shown that, if I am in error on the subject of internal improvements, how and in what company I fell into that error. If I am wrong, it is apparent who misled me.

I go to other remarks of the honorable member—and I have to complain of an entire misapprehension of what I said on the subject of the national debt—though I can hardly perceive how any one could misunderstand me. What I said was, not that I wished to put off the payment of the debt, but, on the contrary, that I had always voted for every measure for its reduction, as uniformly as the gentleman himself. He seems to claim the exclusive merit of a disposition to reduce the public charge; I do not allow it to him. As a debt, I was, I am, for paying it; because it is a charge on our finances, and on the industry of the country. But I observed that I thought I perceived a morbid fervor on that subject; an excessive anxiety to pay off the debt; not so much because it is a debt simply, as because, while it lasts, it furnishes one objection to disunion. It is a tie of common interest while it lasts. I did not impute such motive to the honorable member himself; but that there is such a feeling in existence I have not a particle of doubt. The most I said was, that if one effect of the debt was to strengthen our Union, that effect itself was not regretted by me, however much others might regret it. The gentleman has not seen how to reply to this otherwise than by supposing me to have advanced the doctrine that a national debt is

a national blessing. Others, I must hope, will find less difficulty in understanding me. I distinctly and pointedly cautioned the honorable member not to understand me as expressing an opinion favorable to the continuance of the debt. I repeated this caution, and repeated it more than once—but it was thrown away.

On yet another point I was still more unaccountably misunderstood. The gentleman had harangued against "consolidation." I told him, in reply, that there was one kind of consolidation to which I was attached, and that was, the CONSOLIDATION OF OUR UNION; and that this was precisely that consolidation to which I feared others were not attached; that such consolidation was the very end of the constitution—the leading object, as they had informed us themselves, which its framers had kept in view. I turned to their communication, and read their very words,—"the consolidation of the Union,"—and expressed my devotion to this sort of consolidation. I said in terms that I wished not, in the slightest degree, to augment the powers of this government; that my object was to preserve, not to enlarge; and that, by consolidating the Union, I understood no more than the strengthening of the Union and perpetuating it. Having been thus explicit; having thus read, from the printed book, the precise words which I adopted, as expressing my own sentiments, it passes comprehension, how any man could understand me as contending for an extension of the powers of the government, or for consolidation in the odious sense in which it means an accumulation, in the federal government, of the powers properly belonging to the states.

I repeat, sir, that, in adopting the sentiments of the framers of the constitution, I read their language

audibly, and word for word; and I pointed out the distinction, just as fully as I have now done, between the consolidation of the Union and that other obnoxious consolidation which I disclaimed; and yet the honorable gentleman misunderstood me. The gentleman had said that he wished for no fixed revenue—not a shilling. If, by a word, he could convert the Capitol into gold, he would not do it. Why all this fear of revenue? Why, sir, because, as the gentleman told us, it tends to consolidation. Now, this can mean neither more or less than that a common revenue is a common interest, and that all common interests tend to hold the union of the states together. I confess I like that tendency; if the gentleman dislikes it, he is right in deprecating a shilling's fixed revenue. So much, sir, for consolidation.

As well as I recollect the course of his remarks, the honorable gentleman next recurred to the subject of the tariff. He did not doubt the word must be of unpleasant sound to me, and proceeded, with an effort neither new nor attended with new success, to involve me and my votes in inconsistency and contradiction. I am happy the honorable gentleman has furnished me an opportunity of a timely remark or two on that subject. I was glad he approached it, for it is a question I enter upon without fear from any body. The strenuous toil of the gentleman has been to raise an inconsistency between my dissent to the tariff, in 1824 and my vote in 1828. It is labor lost. He pays undeserved compliment to my speech in 1824; but this is to raise me high, that my fall, as he would have it, in 1828 may be the more signal. Sir, there was no fall at all. Between the ground I stood on in 1824 and that I took in 1828, there was not only no precipice, but no declivity. It was a

change of position, to meet new circumstances, but on the same level. A plain tale explains the whole matter. In 1816, I had not acquiesced in the tariff, then supported by South Carolina. To some parts of it, especially, I felt and expressed great repugnance. I held the same opinions in 1821, at the meeting in Faneuil Hall, to which the gentleman has alluded. I said then, and say now, that, as an original question, the authority of Congress to exercise the revenue power, with direct reference to the protection of manufactures, is a questionable authority, far more questionable in my judgment, than the power of internal improvements. I must confess, sir, that, in one respect, some impression has been made on my opinions lately. Mr. Madison's publication has put the power in a very strong light. He has placed it, I must acknowledge, upon grounds of construction and argument which seem impregnable. But even if the power were doubted, on the face of the constitution itself, it had been assumed and asserted in the first revenue law ever passed under the same constitution; and, on this ground, as a matter settled by contemporaneous practice, I had refrained from expressing the opinion that the tariff laws transcended constitutional limits, as the gentleman supposes. What I did say at Faneuil Hall, as far as I now remember, was, that this was originally matter of doubtful construction. The gentleman himself, I suppose, thinks there is no doubt about it, and that the laws are plainly against the constitution. Mr. Madison's letters, already referred to, contain, in my judgment, by far the most able exposition extant of this part of the constitution. He has satisfied me, so far as the practice of the government had left it an open question.

With a great majority of the representatives of

Massachusetts, I voted against the tariff of 1824. My reasons were then given, and I will not now repeat them. But notwithstanding our dissent, the great states of New York, Pennsylvania, Ohio, and Kentucky went for the bill, in almost unbroken column, and it passed. Congress and the president sanctioned it, and it became the law of the land. What, then, were we to do? Our only option was either to fall in with this settled course of public policy, and to accommodate ourselves to it as well as we could, or to embrace the South Carolina doctrine, and talk of nullifying the statute by state interference.

The last alternative did not suit our principles, and, of course, we adopted the former. In 1827, the subject came again before Congress, on a proposition favorable to wool and woolens. We looked upon the system of protection as being fixed and settled. The law of 1824 remained. It had gone into full operation, and in regard to some objects intended by it, perhaps most of them had produced all its expected effects. No man proposed to repeal it—no man attempted to renew the general contest on its principle. But, owing to subsequent and unforeseen occurrences, the benefit intended by it to wool and woolen fabrics had not been realized. Events, not known here when the law passed, had taken place, which defeated its object in that particular respect. A measure was accordingly brought forward to meet this precise deficiency, to remedy this particular defect. It was limited to wool and woolens. Was ever any thing more reasonable? If the policy of the tariff laws had become established in principle as the permanent policy of the government, should they not be revised and amended, and made equal, like other laws, as exigencies should arise, or justice require?

Because we had doubted about adopting the system, were we to refuse to cure its manifest defects after it became adopted, and when no one attempted its repeal? And this, sir, is the inconsistency so much bruited. I had voted against the tariff of 1824—but it passed; and in 1827 and 1828, I voted to amend it in a point essential to the interest of my constituents. Where is the inconsistency? Could I do otherwise?

Sir, does political consistency consist in always giving negative votes? Does it require of a public man to refuse to concur in amending laws because they passed against his consent? Having voted against the tariff originally, does consistency demand that I should do all in my power to maintain an unequal tariff, burdensome to my own constituents, in many respects,—favorable in none? To consistency of that sort I lay no claim; and there is another sort to which I lay as little—and that is, a kind of consistency by which persons feel themselves as much bound to oppose a proposition after it has become the law of the land as before.

The bill of 1827, limited, as I have said, to the single object in which the tariff of 1824 had manifestly failed in its effects, passed the House of Representatives, but was lost here. We had then the act of 1828. I need not recur to the history of a measure so recent. Its enemies spiced it with whatsoever they thought would render it distasteful; its friends took it, drugged as it was. Vast amounts of property, many millions, had been invested in manufactures, under the inducements of the act of 1824. Events called loudly, I thought, for further regulations to secure the degree of protection intended by that act. I was disposed to vote for such regulations and desired nothing more; but certainly was not to be bantered out of my purpose by a

threatened augmentation of duty on molasses, put into the bill for the avowed purpose of making it obnoxious. The vote may have been right or wrong, wise or unwise; but it is a little less than absurd to allege against it an inconsistency with opposition to the former law.

Sir, as to the general subject of the tariff, I have little now to say. Another opportunity may be presented. I remarked, the other day, that this policy did not begin with us in New England; and yet, sir, New England is charged with vehemence as being favorable, or charged with equal vehemence as being unfavorable, to the tariff policy, just as best suits the time, place, and occasion for making some charge against her. The credulity of the public has been put to its extreme capacity of false impression relative to her conduct in this particular. Through all the south, during the late contest, it was New England policy, and a New England administration, that was inflicting the country with a tariff policy beyond all endurance, while on the other side of the Alleghany, even the act of 1828 itself—the very sublimated essence of oppression, according to southern opinions—was pronounced to be one of those blessings for which the west was indebted to the "generous south."

With large investments in manufacturing establishments, and various interests connected with and dependent on them, it is not to be expected that New England, any more than other portions of the country, will now consent to any measures destructive or highly dangerous. The duty of the government, at the present moment, would seem to be to preserve, not to destroy; to maintain the position which it has assumed; and for one, I shall feel it an indispensable obligation to hold it steady,

as far as in my power, to that degree of protection which it has undertaken to bestow. No more of the tariff.

Professing to be provoked by what he chose to consider a charge made by me against South Carolina, the honorable member, Mr. President, has taken up a new crusade against New England. Leaving altogether the subject of the public lands, in which his success, perhaps, had been neither distinguished nor satisfactory, and letting go, also, of the topic of the tariff, he sallied forth in a general assault on the opinions, politics, and parties of New England, as they have been exhibited in the last thirty years. This is natural. The “narrow policy” of the public lands had proved a legal settlement in South Carolina, and was not to be removed. The “accursed policy” of the tariff, also, had established the fact of its birth and parentage in the same state. No wonder, therefore, the gentleman wished to carry the war, as he expressed it, into the enemy’s country. Prudently willing to quit these subjects, he was doubtless desirous of fastening others, which could not be transferred south of Mason and Dixon’s line. The politics of New England became his theme; and it was in this part of his speech, I think, that he menaced me with such sore discomfiture.

Discomfiture! why, sir, when he attacks anything which I maintain, and overthrows it; when he turns the right or left of any position which I take up; when he drives me from any ground I choose to occupy, he may then talk of discomfiture, but not till that distant day. What has he done? Has he maintained his own charges? Has he proved what he alleged? Has he sustained himself in his attack on the government, and on the history of the north, in the matter of the public lands? Has he disproved a fact,

refuted a proposition, weakened an argument maintained by me? Has he come within beat of drum of any position of mine? O, no; but he has “carried the war into the enemy’s country!” Carried the war into the enemy’s country! Yes, sir, and what sort of a war has he made of it? Why, sir, he has stretched a dragnet over the whole surface of perished pamphlets, indiscreet sermons, frothy paragraphs, and fuming popular addresses; over whatever the pulpit in its moments of alarm, the press in its heats, and parties in their extravagances, have severally thrown off, in times of general excitement and violence. He has thus swept together a mass of such things, as, but they are not now old, the public health would have required him rather to leave in their state of dispersion.

For a good long hour or two, we had the unbroken pleasure of listening to the honorable member, while he recited, with his usual grace and spirit, and with evident high gusto, speeches, pamphlets, addresses, and all that *et ceteras* of the political press, such as warm heads produce in warm times, and such as it would be “discomfiture” indeed for any one, whose taste did not delight in that sort of reading, to be obliged to peruse. This is his war. This is to carry the war into the enemy’s country. It is in an invasion of this sort that he flatters himself with the expectation of gaining laurels fit to adorn a senator’s brow.

Mr. President, I shall not, it will, I trust, not be expected that I should, either now or at any time, separate this farrago into parts, and answer and examine its components. I shall hardly bestow upon it all a general remark or two. In the run of forty years, sir, under this constitution, we have experienced sundry successive violent party contests. Party arose, indeed, with the constitution itself, and

in some form or other has attended through the greater part of its history.

Whether any other constitution than the old articles of confederation was desirable, was itself, a question on which parties divided; if a new constitution was framed, what powers should be given to it was another question; and when it had been formed, what was, in fact, the just extent of the powers actually conferred was a third. Parties, as we know, existed under the first administration, as distinctly marked as those which manifested themselves at any subsequent period.

The contest immediately preceding the political change in 1801, and that, again, which existed at the commencement of the late war, are other instances of party excitement, of something more than usual strength and intensity. In all these conflicts there was, no doubt, much of violence on both and all sides. It would be impossible, if one had a fancy for such employment, to adjust the relative *quantum* of violence between these two contending parties. There was enough in each, as must always be expected in popular governments. With a great deal of proper and decorous discussion there was mingled a great deal, also, of declamation, virulence, crimination, and abuse.

In regard to any party, probably, at one of the leading epochs in the history of parties, enough may be found to make out another equally inflamed exhibition as that with which the honorable member has edified us. For myself, sir, I shall not rake among the rubbish of by-gone times to see what I can find or whether I cannot find something by which I can fix a blot on the escutcheon of any state, any party, or any part of the country. General Washington's administration was steadily and zealously

maintained, as we all know, by New England. It was violently opposed elsewhere. We know in what quarter he had the most earnest, constant and persevering support, in all his great and leading measures. We know where his private and personal character was held in the highest degree of attachment and veneration; and we know, too, where his measures were opposed, his services slighted, and his character vilified.

We know, or we might know, if we turn to the journals, who expressed respect, gratitude, and regret, when he retired from the chief magistracy; and who refused to express either respect, gratitude or regret. I shall not open those journals. Publications more abusive or scurrilous never saw the light than were sent forth against Washington, and all his leading measures, from presses south of New England; but I shall not look them up. I employ no scavengers—no one is in attendance on me, tendering such means of retaliation; and if there were, with an ass's load of them, with a bulk as huge as that which the gentleman himself has produced, I would not touch one of them. I see enough of the violence of our own times to be no way anxious to rescue from forgetfulness the extravagances of times past. Besides, what is all this to the present purpose? It has nothing to do with the public lands, in regard to which the attack was begun; and it has nothing to do with those sentiments and opinions, which I have thought tend to disunion, and all of which the honorable member seems to have adopted himself, and undertaken to defend. New England has, at times —so argues the gentleman,—held opinions as dangerous as those which he now holds. Be it so. But why, therefore, does he abuse New England? If he finds himself countenanced by acts of hers, how is it

that, while he relies on these acts, he covers, or seeks to cover, their authors with reproach?

But, sir, if, in the course of forty years, there have been undue effervescences of party in New England, has the same thing happened no where else? Party animosity and party outrage, not in New England, but elsewhere, denounced President Washington, not only as a federalist, but as a tory, a British agent, a man who, in his high office, sanctioned corruption. But does the honorable member suppose that, if I had a tender here, who should put such an effusion of wickedness and folly in my hand, that I would stand up and read it against the south? Parties ran into great heats, again, in 1799. What was said, sir, or rather what was not said, in those years, against John Adams, one of the signers of the Declaration of Independence, and its admitted ablest defender on the floor of Congress? If the gentleman wants to increase his stores of party abuse and frothy violence, if he has a determined proclivity to such pursuits, there are treasures of that sort south of the Potomac, much to his taste, yet untouched. I shall not touch them.

The parties which divided the country, at the commencement of the late war, were violent. But, then, there was violence on both sides, and violence in every state. Minorities and majorities were equally violent. There was no more violence against the war in New England than in other states; nor any more appearance of violence, except that, owing to a dense population, greater facility for assembling, and more presses, there may have been more, in quantity, spoken and printed there than in some other places. In the article of sermons, too, New England is somewhat more abundant than South Carolina: and for that reason, the chance of finding here and there

an exceptionable one may be greater. I hope, too, there are more good ones. Opposition may have been more formidable in New England, as it embraced a larger portion of the whole population: but it was no more unrestrained in its principle, or violent in manner. The minorities dealt quite as harshly with their own state governments as the majorities dealt with the administration here. There were presses on both sides, popular meetings on both sides, ay, and pulpits on both sides, also. The gentleman's purveyors have only catered for him among the productions of one side. I certainly shall not supply the deficiency by furnishing samples of the other. I leave to him, and to them, the whole concern.

It is enough for me to say, that if, in any part of this, their grateful occupation—if in all their researches—they find anything in the history of Massachusetts, or New England, or in the proceedings of any legislative or other public body, disloyal to the Union, speaking slightly of its value, proposing to break it up, or recommending non-intercourse with neighboring states, on account of difference of political opinion, then, sir, I give them all up to the honorable gentleman's unrestrained rebuke; expecting, however, that he will extend his buffetings, in like manner, to all similar proceedings, wherever else found.

The gentleman, sir, has spoken at large of former parties, now no longer in being, by their received appellations, and has undertaken to instruct us, not only in the knowledge of their principles, but of their respective pedigrees also. He has ascended to their origin and run out their genealogies. With most exemplary modesty, he speaks of the party to which he professes to have belonged himself, as the true, pure, the only honest, patriotic party, derived by

regular descent, from father to son, from the time of the virtuous Romans! Spreading before us the family tree of political parties, he takes especial care to show himself snugly perched on a popular bough! He is wakeful to the expediency of adopting such rules of descent, for political parties, as shall bring him in, in exclusion of others, as an heir to the inheritance of all public virtue, and all true political principles. His doxy is always orthodoxy. Heterodoxy is confined to his opponents. He spoke, sir, of the federalists, and I thought I saw some eyes begin to open and stare a little, when he ventured on that ground. I expected he would draw his sketches rather lightly, when he looked on the circle round him, and especially if he should cast his thoughts to the high places out of the Senate. Nevertheless, he went back to Rome, *ad annum urbs condita*, and found the fathers of the federalists in the primeval aristocrats of that renowned empire! He traced the flow of federal blood down through successive ages and centuries, till he got into the veins of the American tories, (of whom, by the way, there were twenty in the Carolinas for one in Massachusetts.) From the tories, he followed it to the federalists; and as the federal party was broken up, and there was no possibility of transmitting it farther on this side of the Atlantic, he seems to have discovered that it has gone off, collaterally, though against all the canons of descent, into the ultras of France, and finally became extinguished, like exploded gas, among the adherents of Don Miguel.

This, sir, is an abstract of the gentleman's history of federalism. I am not about to controvert it. It is not, at present, worth the pains of refutation, because, sir, if at this day one feels the sin of federalism lying heavily on his conscience, he can

easily obtain remission. He may even have an indulgence, if he is desirous of repeating the transgression. It is an affair of no difficulty to get into this same right line of patriotic descent. A man, nowadays, is at liberty to choose his political parentage. He may elect his own father. Federalist or not, he may, if he choose, claim to belong to the favored stock, and his claim will be allowed. He may carry back his pretensions just as far as the honorable gentleman himself; nay, he may make himself out the honorable gentleman's cousin, and prove satisfactorily that he is descended from the same political great-grandfather. All this is allowable. We all know a process, sir, by which the whole Essex Junto could, in one hour be all washed white from their ancient federalism, and come out every one of them, an original democrat, dyed in the wool! Some of them have actually undergone the operation, and they say it is quite easy. The only inconvenience it occasions, as they tell us, is a slight tendency of the blood to the face, a soft suffusion, which, however, is very transient, since nothing is said calculated to deepen the red on the cheek, but a prudent silence observed in regard to all the past. Indeed, sir, some smiles of approbation have been bestowed, and some crumbs of comfort have fallen, not a thousand miles from the door of the Hartford Convention itself. And if the author of the ordinance of 1787 possessed the other requisite qualifications, there is no knowing, notwithstanding his federalism, to what heights of favor he might not yet attain.

Mr. President, in carrying his warfare, such as it was, into New England, the honorable gentleman all along professes to be acting on the defensive. He desires to consider me as having assailed South Carolina and insists that he comes forth only as her

champion, and in her defence. Sir, I do not admit that I made any attack whatever on South Carolina. Nothing like it. The honorable member, in his first speech, expressed opinions, in regard to revenue, and some other topics, which I heard both with pain and surprise. I told the gentleman that I was aware that such sentiments were entertained OUT of the government, but had not expected to find them advanced in it; that I knew there were persons in the south who speak of our Union with indifference, or doubt, taking pains to magnify its evils, and to say nothing of its benefits; that the honorable member himself, I was sure, could never be one of these; and I regretted the expression of such opinions as he had avowed, because I thought their obvious tendency was to encourage feelings of disrespect to the Union, and to weaken its connection. This, sir, is the sum and substance of all I said on the subject. And this constitutes the attack which called on the chivalry of the gentleman, in his opinion, to harry us with such a forage among the party pamphlets and party proceedings of Massachusetts. If he means that I spoke with dissatisfaction or disrespect of the ebullitions of individuals in South Carolina, it is true. But, if he means that I had assailed the character of the state, her honor, or patriotism, that I had reflected on her history or her conduct, he had not the slightest ground for any such assumption. I did not even refer, I think, in my observations, to any collection of individuals. I said nothing of the recent conventions. I spoke in the most guarded and careful manner, and only expressed my regret for the publication of opinions which I presumed the honorable member disapproved as much as myself. In this, it seems, I was mistaken.

I do not remember that the gentleman has

disclaimed any sentiment, or any opinion, of a supposed anti-Union tendency, which on all or any of the recent occasions has been expressed. The whole drift of his speech has been rather to prove, that, in divers times and manners, sentiments equally liable to objection have been promulgated in New England. And one would suppose that his object, in this reference to Massachusetts, was to find a precedent to justify proceedings in the south, were it not for the reproach and contumely with which he labors, all along, to load his precedents.

By way of defending South Carolina from what he chooses to think an attack on her, he first quotes the example of Massachusetts, and then denounces that example, in good set terms. This twofold purpose, not very consistent with itself, one would think, was exhibited more than once in the course of his speech. He referred, for instance, to the Hartford Convention. Did he do this for authority, or for a topic of reproach? Apparently for both; for he told us that he should find no fault with the mere fact of holding such a convention, and considering and discussing such questions as he supposes were then and there discussed; but what rendered it obnoxious was the time it was holden, and the circumstances of the country then existing. We were in a war, he said, and the country needed all our aid; the hand of government required to be strengthened, not weakened; and patriotism should have postponed such proceedings to another day. The thing itself, then, is a precedent; the time and manner of it, only, subject of censure.

Now, sir, I go much farther, on this point, than the honorable member. Supposing, as the gentleman seems to, that the Hartford Convention assembled for any such purpose as breaking up the Union, because

they thought unconstitutional laws had been passed, or to concert on that subject, or to calculate the value of the Union; supposing this to be their purpose, or any part of it, then I say the meeting itself was disloyal, and obnoxious to censure, whether held in time of peace, or time of war, or under whatever circumstances. The material matter is the object. Is dissolution the object? If it be, external circumstances may make it a more or less aggravated case, but cannot affect the principle. I do not hold, therefore, that the Hartford Convention was pardonable, even to the extent of the gentleman's admission, if its objects were really such as have been imputed to it. Sir, there never was a time, under any degree of excitement, in which the Hartford Convention, or any other convention, could maintain itself one moment in New England, if assembled for any such purpose as the gentleman says would have been an allowable purpose. To hold conventions to decide questions of constitutional law! to try the validity of statutes, by votes in a convention! Sir, the Hartford Convention, I presume, would not desire that the honorable gentleman should be their defender or advocate, if he puts their case upon such untenable and extravagant grounds.

Then, sir, the gentleman has no fault to find with these recently-promulgated South Carolina opinions. And, certainly, he need have none; for his own sentiments, as now advanced, and advanced on reflection, as far as I have been able to comprehend them, go the full length of all these opinions. I propose, sir, to say something on these, and to consider how far they are just and constitutional. Before doing that, however, let me observe, that the eulogium pronounced on the character of the state of South Carolina, by the honorable gentleman, for her

revolutionary and other merits, meets my hearty concurrence. I shall not acknowledge that the honorable member goes before me in regard for whatever of distinguished talent or distinguished character South Carolina has produced. I claim part of the honor, I partake in the pride, of her great names. I claim them for countrymen, one and all. The Laurenses, the Rutledges, the Pinckneys, the Sumpters, the Marions—Americans all—whose fame is no more to be hemmed in by state lines than their talents and their patriotism were capable of being circumscribed within the same narrow limits. In their day and generation, they served and honored the country, and the whole country; and their renown is of the treasures of the whole country. Him whose honored name the gentleman himself bears—does he suppose me less capable of gratitude for his patriotism, or sympathy for his sufferings, than if his eyes had first opened upon the light in Massachusetts instead of South Carolina? Sir, does he suppose it is in his power to exhibit a Carolina name so bright as to produce envy in my bosom? No, sir, increased gratification and delight, rather.

Sir, I thank God that if I am gifted with little of the spirit which is said to be able to raise mortals to the skies, I have yet none, as I trust, of that other spirit, which would drag angels down. When I shall be found, sir, in my place here in the Senate, or elsewhere, to sneer at public merit, because it happened to spring up beyond the little limits of my own state, or neighborhood; when I refuse, for any such cause, or for any cause, the homage due to American talent, to elevated patriotism, to sincere devotion to liberty and the country; or if I see an uncommon endowment of Heaven, if I see extraordinary capacity and virtue in any son of the

south, and if, moved by local prejudice, or gangrened by state jealousy, I get up here to abate the tithe of a hair from his just character and just fame,—may my tongue cleave to the roof of my mouth! Sir, let me recur to pleasing recollections; let me indulge in refreshing remembrance of the past; let me remind you that in early times no states cherished greater harmony, both of principle and feeling, than Massachusetts and South Carolina. Would to God that harmony might again return. Shoulder to shoulder they went through the revolution; hand in hand they stood round the administration of Washington, and felt his own great arm lean on them for support. Unkind feeling, if it exist, alienation, and distrust are the growth, unnatural to such soils, of false principles since sown. They are weeds, the seeds of which that same great arm never scattered.

Mr. President, I shall enter on no encomium upon Massachusetts—she needs none. There she is—behold her, and judge for yourselves. There is her history—the world knows it by heart. The past, at least, is secure. There is Boston, and Concord, and Lexington, and Bunker Hill; and there they will remain forever. The bones of her sons, fallen in the great struggle for independence, now lie mingled with the soil of every state from New England to Georgia; and there they will lie forever. And, sir, where American liberty raised its first voice, and where its youth was nurtured and sustained, there it still lives, in the strength of its manhood, and full of its original spirit. If discord and disunion shall wound it; if folly and madness, if uneasiness under salutary and necessary restraint, shall succeed to separate it from that Union by which alone its existence is made sure,—it will stand, in the end, by the side of that cradle in which its infancy was

rocked; it will stretch forth its arm, with whatever vigor it may still retain, over the friends who gather around it; and it will fall at last, if fall it must, amidst the proudest monuments of its glory, and on the very spot of its origin.

There yet remains to be performed, Mr. President, by far the most grave and important duty; which I feel to be devolved on me by this occasion. It is to state, and to defend, what I conceive to be the true principles of the constitution under which we are here assembled. I might well have desired that so weighty a task should have fallen into other and abler hands. I could have wished that it should have been executed by those whose character and experience give weight and influence to their opinions, such as cannot possibly belong to mine. But, sir, I have met the occasion, not sought it; and I shall proceed to state my own sentiments, without challenging for them any particular regard, with studied plainness and as much precision as possible.

I understand the honorable gentleman from South Carolina to maintain that it is a right of the state legislatures to interfere, whenever in their judgment, this government transcends its constitutional limits, and to arrest the operation of its laws.

I understand him to maintain this right as a right existing under the constitution, not as a right to overthrow it, on the ground of extreme necessity, such as would justify violent revolution.

I understand him to maintain an authority, on the part of the states, thus to interfere for the purpose of correcting the exercise of power by the general government, of checking it, and of compelling it to conform to their opinion of the extent of its power.

I understand him to maintain that the ultimate

power of judging of the constitutional extent of its own authority is not lodged exclusively in the general government or any branch of it; but that, on the contrary, the states may lawfully decide for themselves, and each state for itself, whether, in a given case, the act of the general government transcends its power.

I understand him to insist that, if the exigency of the case, in the opinion of any state government, require it, such state government may, by its own sovereign authority, annul an act of the general government which it deems plainly and palpably unconstitutional.

This is the sum of what I understand from him to be the South Carolina doctrine. I propose to consider it, and to compare it with the constitution. Allow me to say, as a preliminary remark, that I call this the South Carolina doctrine, only because the gentleman himself has so denominated it. I do not feel at liberty to say that South Carolina, as a state, has ever advanced these sentiments. I hope she has not, and never may. That a great majority of her people are opposed to the tariff laws is doubtless true. That a majority, somewhat less than that just mentioned, conscientiously believe these laws unconstitutional, may probably be also true. But that any majority holds to the right of direct state interference, at state discretion, the right of nullifying acts of Congress by acts of state legislation, is more than I know, and what I shall be slow to believe.

That there are individuals, besides the honorable gentleman, who do maintain these opinions, is quite certain. I recollect the recent expression of a sentiment which circumstances attending its utterance and publication justify us in supposing was not unpremeditated—“The sovereignty of the state;

never to be controlled, construed, or decided on, but by her own feelings of honorable justice."

[Mr. HAYNE here rose, and said, that for the purpose of being clearly understood, he would state that his proposition was in the words of the Virginia resolution, as follows:—

"That this Assembly doth explicitly and peremptorily declare, that it views the powers of the federal government, as resulting from the compact, to which the states are parties, as limited by the plain sense and intention of the instrument constituting that compact, as no further valid than they are authorized by the grants enumerated in that compact; and that, in case of a deliberate, palpable, and dangerous exercise of other powers not granted by the same compact, the states who are parties thereto have the right and are in duty bound, to interpose for arresting the progress of the evil, and for maintaining, within their respective limits, the authorities, rights, and liberties pertaining to them."]

Mr. WEBSTER resumed:—

I am quite aware, Mr. President, of the existence of the resolution which the gentleman read, and has now repeated, and that he relies on it as his authority. I know the source, too, from which it is understood to have proceeded. I need not say, that I have much respect for the constitutional opinions of Mr. Madison; they would weigh greatly with me, always. But, before the authority of his opinion be vouched for the gentleman's proposition, it will be proper to consider what is the fair interpretation of that resolution, to which Mr. Madison is understood to have given his sanction. As the gentleman construes it, it is an authority for him. Possibly he may not have adopted the right construction. That resolution declares, *that in the case of the dangerous exercise of powers not granted by the general government, the states may interpose to arrest the*

progress of the evil. But how interpose? and what does this declaration purport? Does it mean no more than that there may be extreme cases in which the people, in any mode of assembling, may resist usurpation, and relieve themselves from a tyrannical government? No one will deny this. Such resistance is not only acknowledged to be just in America, but in England also. Blackstone admits as much, in the theory and practice, too, of the English constitution. We, sir, who oppose the Carolina doctrine, do not deny that the people may, if they choose, throw off any government, when it becomes oppressive and intolerable, and erect a better in its stead. We all know that civil institutions are established for the public benefit, and that, when they cease to answer the ends of their existence they may be changed.

But I do not understand the doctrine now contended for to be that which, for the sake of distinctness, we may call the right of revolution. I understand the gentleman to maintain, that without revolution, without civil commotion, without rebellion, a remedy for supposed abuse and transgression of the powers of the general government lies in a direct appeal to the interference of the state governments. [Mr. HAYNE here rose: He did not contend, he said, for the mere right of revolution, but for the right of constitutional resistance. What he maintained was, that, in case of a plain, palpable violation of the constitution by the general government, a state may interpose; and that this interposition is constitutional.]

Mr. WEBSTER resumed:

So, sir, I understood the gentleman, and am happy to find that I did not misunderstand him. What he contends for is, that it is constitutional to interrupt the administration of the constitution itself, in the

hands of those who are chosen and sworn to administer it, by the direct interference, in form of law, of the states, in virtue of their sovereign capacity. The inherent right in the people to reform their government I do not deny; and that they have another right, and that is, to resist unconstitutional laws without overturning the government. It is no doctrine of mine, that unconstitutional laws bind the people. The great question is, *Whose prerogative is it to decide on the constitutionality or unconstitutionality of the laws?* On that the main debate hinges. The proposition that, in the case of a supposed violation of the constitution by Congress, the states have a constitutional right to interfere, and annul the law of Congress, is the proposition of the gentleman; I do not admit it. If the gentleman had intended no more than to assert the right of revolution for justifiable cause, he would have said only what all agree to.— But I cannot conceive that there can be a middle course between submission to the laws, when regularly pronounced constitutional, on the one hand, and open resistance, which is revolution or rebellion, on the other. I say the right of a state to annul a law of Congress cannot be maintained but on the ground of the unalienable right of man to resist oppression; that is to say, upon the ground of revolution. I admit that there is no ultimate violent remedy, above the constitution, and defiance of the constitution, which may be resorted to, when a revolution is to be justified. But I do not admit that under the constitution, and in conformity with it, there is any mode in which a state government, as a member of the Union can interfere and stop the progress of the general government, by force of her own laws, under any circumstances whatever.

This leads us to inquire into the origin of this

government, and the source of its power. Whose agent is it? Is it the creature of the state legislatures, or the creature of the people? If the government of the United States be the agent of the state governments, then they may control it, provided they can agree in the manner of controlling it; if it is the agent of the people, then the people alone can control it, restrain it, modify or reform it. It is observable enough, that the doctrine for which the honorable gentleman contends leads him to the necessity of maintaining, not only that this general government is the creature of the states, but that it is the creature of each of the states severally; so that each may assert the power, for itself, of determining whether it acts within the limits of its authority. It is the servant of four and twenty masters, of different wills and different purposes; and yet bound to obey all. This absurdity (for it seems no less) arises from a misconception as to the origin of this government, and its true character. It is, sir, the people's constitution, the people's government; made for the people; made by the people; and answerable to the people. The people of the United States have declared that this constitution shall be the supreme law. We must either admit the proposition, or dispute their authority. The states are unquestionably sovereign, so far as their sovereignty is not affected by this supreme law. The state legislatures, as political bodies, however sovereign, are yet not sovereign over the people. So far as the people have given power to the general government, so far the grant is unquestionably good, and the government holds of the people, and not of the state governments. We are all agents of the same supreme power, the people. The general government and the state governments derive their authority from the

same source. Neither can, in relation to the other, be called primary; though one is definite and restricted, and the other general and residuary.

The national government possesses those powers which it can be shown the people have conferred on it, and no more. All the rest belongs to the state governments, or to the people themselves. So far as the people have restrained state sovereignty by the expression of their will, in the constitution of the United States, so far, it must be admitted, state sovereignty is effectually controlled. I do not contend that it is, or ought to be, controlled further. The sentiment to which I have referred propounds that state sovereignty is only to be controlled by its own "feelings of justice;" that is to say, it is not to be controlled at all; for one who is to follow his feelings, is under no legal control. Now, however men may think this ought to be, the fact is, that the people of the United States have chosen to impose control on state sovereignties. The constitution has ordered the matter differently from what this opinion announces. To make war, for instance, is an exercise of sovereignty; but the constitution declares that no state shall make war. To coin money is another exercise of sovereign power; but no state is at liberty to coin money. Again: the constitution says, that no sovereign state shall be so sovereign as to make a treaty. These prohibitions, it must be confessed, are a control on the state sovereignty of South Carolina, as well as of the other states, which does not arise "from feelings of honorable justice." Such an opinion, therefore, is in defiance of the plainest provisions of the constitution.

There are other proceedings of public bodies which have already been alluded to, and to which I refer again for the purpose of ascertaining more fully

what is the length and breadth of that doctrine, denominated the Carolina doctrine, which the honorable member has now stood up on this floor to maintain.

In one of them I find it resolved that “the tariff of 1828, and every other tariff designed to promote one branch of industry at the expense of others, is contrary to the meaning and intention of the federal compact; and as such a dangerous, palpable, and deliberate usurpation of power, by a determined majority, wielding the general government beyond the limits of its delegated powers, as calls upon the states which compose the suffering minority, in their sovereign capacity, to exercise the powers which, as sovereigns, necessarily devolve upon them, when their compact is violated.”

Observe, sir, that this resolution holds the tariff of 1828, and every other tariff, designed to promote one branch of industry at the expense of another, to be such a dangerous, palpable, and deliberate usurpation of power, as calls upon the states, in their sovereign capacity, to interfere, by their own power. This denunciation, Mr. President, you will please to observe, includes our old tariff of 1816, as well as all others; because that was established to promote the interest of the manufacturers of cotton, to the manifest and admitted injury of the Calcutta cotton trade. Observe, again, that all the qualifications are here rehearsed, and charged upon the tariff, which are necessary to bring the case within the gentleman’s proposition. The tariff is a usurpation; it is a dangerous usurpation; it is a palpable usurpation; it is a deliberate usurpation. It is such a usurpation as calls upon the states to exercise their right of interference. Here is a case, then, within the gentleman’s principles, and all his qualifications of

his principles. It is a case for action. The constitution is plainly, dangerously, palpably, and deliberately violated; and the states must interpose their own authority to arrest the law. Let us suppose the state of South Carolina to express this same opinion, by the voice of her legislature. That would be very imposing; but what then? Is the voice of one state conclusive? It so happens that, at the very moment when South Carolina resolves that the tariff laws are unconstitutional, Pennsylvania and Kentucky resolve exactly the reverse. *They* hold those laws to be both highly proper and strictly constitutional. And now, sir, how does the honorable member propose to deal with this case? How does he get out of this difficulty, upon any principle of his? His construction gets us into it; how does he propose to get us out?

In Carolina the tariff is a palpable, deliberate usurpation; Carolina, therefore, may *nullify* it, and refuse to pay the duties. In Pennsylvania, it is both clearly constitutional and highly expedient; and there the duties are to be paid. And yet we live under a government of uniform laws, and under a constitution, too, which contains an express provision, as it happens, that all duties shall be equal in all the states! Does not this approach absurdity?

If there be no power to settle such questions, independent of either of the states, is not the whole Union a rope of sand? Are we not thrown back again precisely upon the old confederation?

It is too plain to be argued. Four and twenty interpreters of constitutional law, each with a power to decide for itself, and none with authority to bind anybody else, and this constitutional law the only bond of their union! What is such a state of things but a mere connection during pleasure, or, to use the phraseology of the times, *during feeling*? And that

feeling, too, not the feeling of the people who established the constitution, but the feeling of the state governments.

In another of the South Carolina addresses, having premised that the crisis requires "all the concentrated energy of passion," an attitude of open resistance to the laws of the Union is advised. Open resistance to the laws, then, is the constitutional remedy, the conservative power of the state, which the South Carolina doctrines teach for the redress of political evils, real or imaginary. And its authors further say that, appealing with confidence to the constitution itself to justify their opinions, they cannot consent to try their accuracy by the courts of justice. In one sense, indeed, sir, this is assuming an attitude of open resistance in favor of liberty. But what sort of liberty? The liberty of establishing their own opinions, in defiance of the opinions of all others; the liberty of judging and of deciding exclusively themselves, in a matter in which others have as much right to judge and decide as they; the liberty of placing their opinions above the judgment of all others, above the laws, and above the constitution. This is their liberty, and this is the fair result of the proposition contended for by the honorable gentleman. Or it may be more properly said, it is identical with it, rather than a result from it. In the same publication we find the following: "Previously to our revolution, when the arm of oppression was stretched over New England, where did our northern brethren meet with a braver sympathy than that which sprung from the bosom of Carolinians? *We had no extortion, no oppression, no collision with the king's ministers, no navigation interest springing up, in envious rivalry of England.*"

This seems extraordinary language. South Carolina

no collision with the king's ministers in 1775! no extortion! no oppression! But, sir, it is also most significant language. Does any man doubt the purpose for which it was penned? Can any one fail to see that it was designed to raise in the reader's mind the question, whether, *at this time*,—that is to say, in 1828,—South Carolina has any collision with the king's ministers, any oppression, or extortion, to fear from England? whether, in short, England is not as naturally the friend of South Carolina as New England, with her navigation interests springing up in envious rivalry of England?

Is it not strange, sir, that an intelligent man in South Carolina, in 1828, should thus labor to prove, that in 1775, there was no hostility, no cause of war, between South Carolina and England? that she had no occasion, in reference to her own interest, or from regard to her own welfare, to take up arms in the revolutionary contest? Can any one account for the expression of such strange sentiments, and their circulation through the state, otherwise than by supposing the object to be, what I have already intimated, to raise the question, if they had no "*collision*" (mark the expression) with the ministers of King George the Third, in 1775, what *collision* have they, in 1828, with the ministers of King George the Fourth? What is there now, in the existing state of things, to separate Carolina from *Old*, more, or rather less, than from *New* England?

Resolutions, sir, have been recently passed by the legislature of South Carolina. I need not refer to them; they go no further than the honorable gentleman himself has gone—and I hope not so far. I content myself therefore, with debating the matter with him.

And now, sir, what I have first to say on this

subject is, that at no time, and under no circumstances, has New England, or any state in New England, or any respectable body of persons in New England, or any public man of standing in New England, put forth such a doctrine as this Carolina doctrine.

The gentleman has found no case—he can find none—to support his own opinions by New England authority. New England has studied the constitution in other schools, and under other teachers. She looks upon it with other regards, and deems more highly and reverently, both of its just authority and its utility and excellence. The history of her legislative proceedings may be traced—the ephemeral effusions of temporary bodies, called together by the excitement of the occasion, may be hunted up—they have been hunted up. The opinions and votes of her public men, in and out of Congress, may be explored —it will all be in vain. The Carolina doctrine can derive from her neither countenance nor support. She rejects it now; she always did reject it. The honorable member has referred to expressions on the subject of the embargo law, made in this place by an honorable and venerable gentleman (MR. HILLHOUSE) now favoring us with his presence. He quotes that distinguished senator as saying, that in his judgment the embargo law was unconstitutional, and that, therefore, in his opinion, the people were not bound to obey it.

That, sir, is perfectly constitutional language. An unconstitutional law is not binding; *but then it does not rest with a resolution or a law of a state legislature to decide whether an act of Congress be or be not constitutional*. An unconstitutional act of Congress would not bind the people of this district although they have no legislature to interfere in their behalf;

and, on the other hand, a constitutional law of Congress does bind the citizens of every state, although all their legislatures should undertake to annul it, by act or resolution. The venerable Connecticut senator is a constitutional lawyer, of sound principles and enlarged knowledge; a statesman practiced and experienced, bred in the company of Washington, and holding just views upon the nature of our governments. He believed the embargo unconstitutional, and so did others; but what then? Who did he suppose was to decide that question? The state legislature? Certainly not. No such sentiment ever escaped his lips. Let us follow up, sir, this New England opposition to the embargo laws; let us trace it, till we discern the principle which controlled and governed New England throughout the whole course of that opposition. We shall then see what similarity there is between the New England school of constitutional opinions and this modern Carolina school. The gentleman, I think, read a petition from some single individual, addressed to the legislature of Massachusetts, asserting the Carolina doctrine—that is, the right of state interference to arrest the laws of the Union. The fate of that petition shows the sentiment of the legislature. It met no favor. The opinions of Massachusetts were otherwise. They had been expressed in 1798, in answer to the resolutions of Virginia, and she did not depart from them, nor bend them to the times. Misgoverned, wronged, oppressed, as she felt herself to be, she still held fast her integrity to the Union. The gentleman may find in her proceedings much evidence of dissatisfaction with the measures of government, and great and deep dislike, she claimed no right still to sever asunder the bonds of the Union. There was heat, and

there was anger in her political feeling. Be it so. Her heat or her anger did not, nevertheless, betray her into infidelity to the government. The gentleman labors to prove that she disliked the embargo as much as South Carolina dislikes the tariff, and expressed her dislike as strongly. Be it so; *but did she propose the Carolina remedy? Did she threaten to interfere, by state authority, to annul the laws of the Union?* That is the question for the gentleman's consideration.

No doubt, sir, a great majority of the people of New England conscientiously believe the embargo law of 1807 unconstitutional—as conscientiously, certainly, as the people of South Carolina hold that opinion of the tariff.—They reasoned thus: Congress has power to regulate commerce; but here is a law, they said, stopping all commerce, and stopping it indefinitely. The law is perpetual, therefore, as the law against treason or murder. Now, is this regulating commerce, or destroying it? Is it guiding, controlling, giving the rule to commerce, as a subsisting thing, or is it putting an end to it altogether? Nothing is more certain than that a majority in New England deemed this law a violation of the constitution. This very case required by the gentleman to justify state interference had then arisen. Massachusetts believed this law to be "*a deliberate, palpable, and dangerous exercise of a power not granted by the constitution*." Deliberate it was, for it was long continued; palpable she thought it, as no words in the constitution gave the power, and only a construction, in her opinion most violent, raised it; dangerous it was, since it threatened utter ruin to her most important interests. Here, then, was a Carolina case. How did Massachusetts deal with it? It was, as she thought, a plain, manifest, palpable violation of

the constitution; and it brought ruin to her doors. Thousands of families, and hundreds of thousands of individuals, were beggared by it. While she saw and felt all this, she saw and felt, also, that as a measure of national policy, it was perfectly futile; that the country was no way benefited by that which caused so much individual distress; that it was efficient only for the production of evil, and all that evil inflicted on ourselves. In such a case, under such circumstances, how did Massachusetts demean herself? Sir, she remonstrated, she memorialized, she addressed herself to the general government, not exactly "with the concentrated energy of passion," but with her strong sense, and the energy of sober conviction. But she did not interpose the arm of her power to arrest the law, and break the embargo. Far from it. Her principles bound her to two things; and she followed her principles, lead where they might. First, to submit to every constitutional law of Congress; and secondly, if the constitutional validity of the law be doubted, to refer that question to the decision of the proper tribunals. The first principle is vain and ineffectual without the second. A majority of us in New England believe the embargo law unconstitutional; but the great question was, and always will be in such cases, Who is to decide this? Who is to judge between the people and the government? And, sir, it is quite plain, that the constitution of the United States confers on the government itself, to be exercised by its appropriate department, this power of deciding, ultimately and conclusively, upon the just extent of its own authority. If this had not been done, we should not have advanced a single step beyond the old confederation.

Being fully of opinion that the embargo law was

unconstitutional, the people of New England were yet equally clear in the opinion—it was a matter they did not doubt upon—that the question, after all, must be decided by the judicial tribunals of the United States. Before those tribunals, therefore, they brought the question. Under the provisions of the law, they had given bonds, to millions in amount, and which were alleged to be forfeited. They suffered the bonds to be sued, and thus raised the question. In the old-fashioned way of settling disputes, they went to law. The case came to hearing and solemn argument; and he who espoused their cause and stood up for them against the validity of the act, was none other than that great man, of whom the gentleman has made honorable mention, SAMUEL DEXTER. He was then, sir, in the fulness of his knowledge and the maturity of his strength. He had retired from long and distinguished public service here, to the renewed pursuit of professional duties; carrying with him all that enlargement and expansion, all the new strength and force, which an acquaintance with the more general subjects discussed in the national councils is capable of adding to professional attainment, in a mind of true greatness and comprehension. He was a lawyer, and he was also a statesman. He had studied the constitution, when he filled public station, that he might defend it; he had examined its principles, that he might maintain them. More than all men, or at least as much as any man, he was attached to the general government, and to the union of the states. His feelings and opinions all ran in that direction. A question of constitutional law, too, was, of all subjects, that one which was best suited to his talents and learning. Aloof from technicality, and unfettered by artificial rule, such a question gave opportunity

for that deep and clear analysis, that mighty grasp of principle, which so much distinguished his higher efforts. His very statement was argument; his inference seemed demonstration. The earnestness of his own conviction wrought conviction in others. One was convinced, and believed, and consented, because it was gratifying, delightful, to think, and feel, and believe, in unison with an intellect of such evident superiority.

Mr. Dexter, sir, such as I have described him, argued the New England cause. He put into his effort his whole heart, as well as all the powers of his understanding; for he had avowed, in the most public manner, his entire concurrence with his neighbors, on the point in dispute. He argued the cause; it was lost, and New England submitted. The established tribunals pronounced the law constitutional, and New England acquiesced. Now, sir, is not this the exact opposite of the doctrine of the gentleman from South Carolina? According to him, instead of referring to the judicial tribunals, we should have broken up the embargo, by laws of our own; we should have repealed it, *quoad* New England; for we had a strong, palpable, and oppressive case. Sir, we believe the embargo unconstitutional; but still, that was matter of opinion, and who was to decide it? We thought it a clear case; but, nevertheless, we did not take the laws into our hands, *because we did not wish to bring about a revolution, nor to break up the Union*; for I maintain, that, between submission to the decision of the constituted tribunals, and revolution, or disunion, there is no middle ground—there is no ambiguous condition, half allegiance and half rebellion. There is no treason, *madcosy*. And, sir, how futile, how very futile it is, to admit the right of state

interference, and then to attempt to save it from the character of unlawful resistance, by adding terms of qualification to the causes and occasions, leaving all the qualifications, like the case itself in the discretion of the state governments. It must be a clear case, it is said; a deliberate case; a palpable case; a dangerous case. But, then, the state is still left at liberty to decide for herself what is clear, what is deliberate, what is palpable, what is dangerous.

Do adjectives and epithets avail any thing? Sir, the human mind is so constituted, that the merits of both sides of a controversy appear very clear, and very palpable, to those who respectively espouse them, and both sides usually grow clearer, as the controversy advances. South Carolina sees unconstitutionality in the tariff—she sees oppression there, also, and she sees danger. Pennsylvania, with a vision not less sharp, looks at the same tariff, and sees no such thing in it—she sees it all constitutional, all useful, all safe. The faith of South Carolina is strengthened by opposition, and she now not only sees, but *resolves*, that the tariff is palpably unconstitutional, oppressive, and dangerous; but Pennsylvania, not to be behind her neighbors, and equally willing to strengthen her own faith by a confident asseveration, *resolves* also, and gives to every warm affirmative of South Carolina, a plain downright Pennsylvania negative. South Carolina, to show the strength and unity of her opinions, brings her assembly to a unanimity, within seven votes; Pennsylvania, not to be outdone in this respect more than others, reduces her dissentient fraction to one vote. Now, sir, again I ask the gentleman, what is to be done? Are these states both right? Is he bound to consider them both right? If not, which is in the wrong? or, rather, which has the best right to

decide?

And if he, and if I, are not to know what the constitution means, and what it is, till those two state legislatures, and the twenty-two others, shall agree in its construction what have we sworn to, when we have sworn to maintain it? I was forcibly struck, sir, with one reflection, as the gentleman went on with his speech. He quoted Mr. Madison's resolutions to prove that a state may interfere, in a case of deliberate, palpable, and dangerous exercise of a power not granted. The honorable member supposes the tariff law to be such an exercise of power, and that consequently, a case has risen in which the state may, if it see fit, interfere by its own law. Now, it so happens, nevertheless, that Madison himself deems this same tariff law quite constitutional. Instead of a clear and palpable violation, it is, in his judgment, no violation at all. So that, while they use his authority for a hypothetical case, they reject it in the very case before them. All this, sir, shows the inherent futility. I had almost used a stronger word—of conceding this power of interference to the states, and then attempting to secure it from abuse by imposing qualifications of which the states themselves are to judge. One of two things is true: either the laws of the Union are beyond the control of the states, or else we have no constitution of general government, and are thrust back again to the days of the confederacy.

Let me here say, sir, that if the gentleman's doctrine had been received and acted upon in New England, in the times of the embargo and non-intercourse, we should probably not now have been here. The government would very likely have gone to pieces and crumbled into dust. No stronger case can ever arise than existed under those laws; no

states can ever entertain a clearer conviction than the New England States then entertained; and if they had been under the influence of that heresy of opinion, as I must call it, which the honorable member espouses, this Union would, in all probability have been scattered to the four winds. I ask the gentleman, therefore, to apply his principles to that case; I ask him to come forth and declare whether, in his opinion, the New England States would have been justified in interfering to break up the embargo system, under the conscientious opinions which he held upon it. Had they a right to annul that law? Does he admit, or deny? If that which is thought palpably unconstitutional in South Carolina justifies that state in arresting the progress of the law, tell me whether that which was thought palpably unconstitutional also in Massachusetts would have justified her in doing the same thing. Sir, I deny the whole doctrine. It has not a foot of ground in the constitution to stand on. No public man of reputation ever advanced it in Massachusetts, in the warmest times, or could maintain himself upon it there at any time.

I wish now, sir, to make a remark upon the Virginia resolutions of 1798. I cannot undertake to say how these resolutions were understood by those who passed them. Their language is not a little indefinite. In the case of the exercise, by Congress, of a dangerous power, not granted to them, the resolutions assert the right, on the part of the state to interfere, and arrest the progress of the evil. This is susceptible of more than one interpretation. It may mean no more than that the states may interfere by complaint and remonstrance, or by proposing to the people an alteration of the federal constitution. This would all be quite unobjectionable; or it may be that

no more is meant than to assert the general right of revolution, as against all governments, in cases of intolerable oppression. This no one doubts; and this, in my opinion, is all that he who framed these resolutions could have meant by it; for I shall not readily believe that he was ever of opinion that a state, under the constitution, and in conformity with it, could, upon the ground of her own opinion of its unconstitutionality, however clear and palpable she might think the case, annul a law of Congress, so far as it should operate on herself, by her own legislative power.

I must now beg to ask, sir, Whence is this supposed right of the states derived? Where do they get the power to interfere with the laws of the Union? Sir, the opinion which the honorable gentleman maintains is a notion founded in a total misapprehension, in my judgment, of the origin of this government, and of the foundation on which it stands. I hold it to be a popular government, erected by the people, those who administer it responsible to the people, and itself capable of being amended and modified, just as the people may choose it should be. It is as popular, just as truly emanating from the people, as the state governments. It is created for one purpose; the state governments for another. It has its own powers; they have theirs. There is no more authority with them to arrest the operation of a law of Congress, than with Congress to arrest the operation of their laws. We are here to administer a constitution emanating immediately from the people, and trusted by them to our administration. It is not the creature of the state governments. It is of no moment to the argument that certain acts of the state legislatures are necessary to fill our seats in this body. That is not one of their original state powers, a

part of the sovereignty of the state. It is a duty which the people, by the constitution itself, have imposed on the state legislatures, and which they might have left to be performed elsewhere, if they had seen fit. So they have left the choice of president with electors; but all this does not affect the proposition that this whole government—President, Senate and House of Representatives—is a popular government. It leaves it still all its popular character. The governor of a state (in some of the states) is chosen not directly by the people for the purpose of performing, among other duties, that of electing a governor. Is the government of the state on that account not a popular government? This government, sir, is the independent offspring of the popular will. It is not the creature of state legislatures; nay, more, if the whole truth must be told, the people brought it into existence, established it, and have hitherto supported it, for the very purpose, amongst others, of imposing certain salutary restraints on state sovereignties. The states cannot now make war; they cannot contract alliances; they cannot make, each for itself, separate regulations of commerce; they cannot lay imposts; they cannot coin money. If this constitution, sir, be the creature of state legislatures, it must be admitted that it has obtained a strange control over the volition of its creators.

The people then, sir, erected this government. They gave it a constitution, and in that constitution they have enumerated the powers which they bestow on it. They have made it a limited government. They have defined its authority. They have restrained it to the exercise of such powers as are granted; and all others, they declare, are reserved to the states or the people. But, sir, they have not stopped here. If they

had, they would have accomplished but half their work. No definition can be so clear as to avoid possibility of doubt; no limitation so precise as to exclude all uncertainty. Who, then, shall construe this grant or the people? Who shall interpret their will, where it may be supposed they have left it doubtful? With whom do they leave this ultimate right of deciding on the powers of the government? Sir, they have settled all this in the fullest manner. They have left it with the government itself, in its appropriate branches. Sir, the very chief end, the main design for which the whole constitution was framed and adopted, was to establish a government that should not be obliged to act through state agency, or depend on state opinion and discretion. The people had had quite enough of that kind of government under the confederacy. Under that system, the legal action—the application of law to individuals—belonged exclusively to the states. Congress could only recommend—their acts were not of binding force till the states had adopted and sanctioned them. Are we in that condition still? Are we yet at the mercy of state discretion and state construction? Sir, if we are, then vain will be our attempt to maintain the constitution under which we sit.

But, sir, the people have wisely provided, in the constitution itself, a proper, suitable mode and tribunal for settling questions of constitutional law. There are, in the constitution, grants of powers to Congress, and restrictions on those powers. There are also prohibitions on the states. Some authority must therefore necessarily exist, having the ultimate jurisdiction to fix and ascertain the interpretation of these grants, restrictions and prohibitions. The constitution has itself pointed out, ordained, and established that authority. How has it accomplished this great and essential end? By declaring, sir, that "*the constitution and the laws of the United States, made in pursuance thereof, shall be the supreme law of the land, any thing in the constitution or laws of any state to the contrary notwithstanding.*"

This, sir, was the first great step. By this, the supremacy of the constitution and laws of the United States is declared. The people so will it. No state law is to be valid which comes in conflict with the constitution or any law of the United States. But who shall decide this question of interference? To whom lies the last appeal? This, sir, the constitution itself decides also, by declaring "*that the judicial power shall extend to all cases arising under the constitution and laws of the United States*." These two provisions, sir, cover the whole ground. They are, in truth, the keystone of the arch. With these it is a government; without them it is a confederacy. In pursuance of these clear and express provisions, Congress established, at its very first session, in the judicial act, a mode for carrying them into full effect, and for bringing all questions of constitutional power to the final decision of the Supreme Court. It then, sir, became a government. It then had the means of self-

protection; and but for this, it would, in all probability, have been now among things which are passed. Having constituted the government, and declared its powers, the people have further said, that since somebody must decide on the extent of these powers, the government shall itself decide—subject always like other popular governments, to its responsibility to the people. And now, sir, I repeat, how is it that a state legislature acquires any right to interfere? Who, or what, gives them the right to say to the people, "We, who are your agents and servants for one purpose, will undertake to decide, that your other agents and servants, appointed by you for another purpose, have transcended the authority you gave them"? The reply would be, I think, not impertinent, "Who made you a judge over another's servants. To their own masters they stand or fall."

Sir, I deny this power of state legislatures altogether. It cannot stand the test of examination. Gentlemen may say, that, in an extreme case, a state government might protect the people from intolerable oppression. Sir, in such a case the people might protect themselves, without the aid of the state governments. Such a case warrants revolution. It must make, when it comes, a law for itself. A nullifying act of a state legislature cannot alter the case, nor make resistance any more lawful. In maintaining these sentiments, sir, I am but asserting the rights of the people. I state what they have declared, and insist on their right to declare it. They have chosen to repose this power in the general government, and I think it my duty to support it, like other constitutional powers.

For myself, sir, I doubt the jurisdiction of South Carolina, or any other state, to prescribe my constitutional duty, or to settle, between me and the

people, the validity of laws of Congress for which I have voted. I decline her umpirage. I have not sworn to support the constitution according to her construction of its clauses. I have not stipulated, by my oath of office or otherwise, to come under any responsibility, except to the people and those whom they have appointed to pass upon the question, whether the laws, supported by my votes, conform to the constitution of the country. And, sir, if we look to the general nature of the case, could any thing have been more preposterous than to have made a government for the whole Union, and yet left its powers subject, not to one interpretation, but to thirteen or twenty-four interpretations? Instead of one tribunal, established by all, responsible to all, with power to decide for all, shall constitutional questions be left to four and twenty popular bodies, each at liberty to decide for itself, and none bound to respect the decisions of others; and each at liberty, too, to give a new construction, on every new election of its own members? Would any thing, with such a principle in it, or rather with such a destitution of all principle, be fit to be called a government? No, sir. It should not be denominated a constitution. It should be called, rather, a collection of topics for everlasting controversy; heads of debate for a disputatious people. It would not be a government. It would not be adequate to any practical good, nor fit for any country to live under. To avoid all possibility of being misunderstood, allow me to repeat again, in the fullest manner, that I claim no powers for the government by forced or unfair construction. I admit that it is a government of strictly limited powers, of enumerated, specified, and particularized powers; and that whatsoever is not granted is withheld. But, notwithstanding all this,

and however the grant of powers may be expressed, its limits and extent may yet, in some cases, admit of doubt; and the general government would be good for nothing, it would be incapable of long existence, if some mode had not been provided in which those doubts, as they should arise, might be peaceably, but not authoritatively solved.

And now, Mr. President, let me run the honorable gentleman's doctrine a little into its practical application. Let us look at his probable *modus operandi*. If a thing can be done, an ingenious man can tell *how* it is to be done. Now, I wish to be informed *how* this state interference is to be put in practice. We will take the existing case of the tariff law. South Carolina is said to have made up her opinion upon it. If we do not repeal it, (as we probably shall not,) she will then apply to the case the remedy of her doctrine. She will, we must suppose, pass a law of her legislature, declaring the several acts of Congress, usually called the tariff laws, null and void, so far as they respect South Carolina, or the citizens thereof. So far, all is a paper transaction, and easy enough. But the collector at Charleston is collecting the duties imposed by these tariff laws—he, therefore, must be stopped. The collector will seize the goods if the tariff duties are not paid. The state authorities will undertake their rescue: the marshal, with his posse, will come to the collector's aid; and here the contest begins. The militia of the state will be called out to sustain the nullifying act. They will march, sir, under a very gallant leader; for I believe the honorable member himself commands the militia of that part of the state. He will raise the NULLIFYING ACT on his standard, and spread it out as his banner. It will have a preamble, bearing that the tariff laws are palpable,

deliberate, and dangerous violations of the constitution. He will proceed, with his banner flying, to the custom-house in Charleston,—

> "all the while
> Sonorous metal blowing martial sounds."

Arrived at the custom-house, he will tell the collector that he must collect no more duties under any of the tariff laws. This he will be somewhat puzzled to say, by the way, with a grave countenance, considering what hand South Carolina herself had in that of 1816. But, sir, the collector would, probably, not desist at his bidding. Here would ensue a pause; for they say, that a certain stillness precedes the tempest. Before this military array should fall on custom-house, collector, clerks, and all, it is very probable some of those composing it would request of their gallant commander-in-chief to be informed a little upon the point of law; for they have doubtless a just respect for his opinion as a lawyer, as well as for his bravery as a soldier. They know he has read Blackstone and the constitution, as well as Turenne and Vauban. They would ask him, therefore, something concerning their rights in this matter. They would inquire whether it was not somewhat dangerous to resist a law of the United States. What would be the nature of their offence, they would wish to learn, if they, by military force and array, resisted the execution in Carolina of a law of the United States, and it should turn out, after all, that the law *was constitutional*. He would answer, of course, treason. No lawyer could give any other answer. John Fries, he would tell them, had learned that some years ago. How, then, they would ask, do you propose to defend us? We are not afraid of bullets, but treason has a way of taking people off

that we do not much relish. How do you propose to defend us? “Look at my floating banner,” he would reply; “see there the *nullifying law*!” Is it your opinion, gallant commander, they would then say, that if we should be indicted for treason, that same floating banner of yours would make a good plea in bar? “South Carolina is a sovereign state,” he would reply. That is true; but would the judge admit our plea? “These tariff laws,” he would repeat, “are unconstitutional, palpably, deliberately, dangerously.” That all may be so; but if the tribunals should not happen to be of that opinion, shall we swing for it? We are ready to die for our country, but it is rather an awkward business, this dying without touching the ground. After all, this is a sort of *hemp*-tax, worse than any part of the tariff.

Mr. President, the honorable gentleman would be in a dilemma like that of another great general. He would have a knot before him which he could not untie. He must cut it with his sword. He must say to his followers, Defend yourselves with your bayonets; and this is war—civil war.

Direct collision, therefore, between force and force, is the unavoidable result of that remedy for the revision of unconstitutional laws which the gentleman contends for. It must happen in the very first case to which it is applied. Is not this the plain result? To resist, by force, the execution of a law, generally, is treason. Can the courts of the United States take notice of the indulgence of a state to commit treason? The common saying, that a state cannot commit treason herself, is nothing to the purpose. Can it authorize others to do it? If John Fries had produced an act of Pennsylvania, annulling the law of Congress, would it have helped his case? Talk about it as we will, these doctrines go the

length of revolution. They are incompatible with any peaceable administration of the government. They lead directly to disunion and civil commotion; and therefore it is, that at the commencement, when they are first found to be maintained by respectable men, and in a tangible form, that I enter my public protest against them all.

The honorable gentleman argues, that if this government be the sole judge of the extent of its own powers, whether that right of judging be in Congress or the Supreme Court, it equally subverts state sovereignty. This the gentleman sees, or thinks he sees, although he cannot perceive how the right of judging in this matter, if left to the exercise of state legislatures, has any tendency to subvert the government of the Union. The gentleman's opinion may be that the right *ought not* to have been lodged with the general government; he may like better such a constitution as we should have under the right of state interference; but I ask him to meet me on the plain matter of fact—I ask him to meet me on the constitution itself—I ask him if the power is not there—clearly and visibly found there.

But, sir, what is this danger, and what the grounds of it? Let it be remembered, that the constitution of the United States is not unalterable. It is to continue in its present form no longer than the people who established it shall choose to continue it. If they shall become convinced that they have made an injudicious or inexpedient partition and distribution of power between the state governments and the general government, they can alter that distribution at will.

If anything be found in the national constitution, either by original provision or subsequent interpretation, which ought not to be in it, the

people know how to get rid of it. If any construction be established, unacceptable to them, so as to become, practically, a part of the constitution, they will amend it at their own sovereign pleasure. But while the people choose to maintain it as it is, while they are satisfied with it, and refuse to change it, who has given, or who can give, to the state legislatures a right to alter it, either by interference, construction, or otherwise? Gentlemen do not seem to recollect that the people have any power to do anything for themselves; they imagine there is no safety for them any longer than they are under the close guardianship of the state legislatures. Sir, the people have not trusted their safety, in regard to the general constitution, to these hands they have required other security, and taken other bonds. They have chosen to trust themselves, first to the plain words of the instrument, and to such construction as the government itself, in doubtful cases, should put on its own powers, under their oaths of office, and subject to their responsibility to them; just as the people of a state trust their own state governments with a similar power. Secondly, they have reposed their trust in the efficacy of frequent elections, and in their own power to remove their own servants and agents, whenever they see cause. Thirdly, they have reposed trust in the judicial power, which, in order that it might be trustworthy, they have made as respectable, as disinterested, and as independent as practicable. Fourthly, they have seen fit to rely, in case of necessity, or high expediency, on their known and admitted power to alter or amend the constitution, peaceably and quietly, whenever experience shall point out defects or imperfections. And finally, the people of the United States have at no time, in no way, directly or indirectly, authorized

any state legislature to construe or interpret *their* instrument of government; much less to interfere, by their own power, to arrest its course and operation.

If sir, the people, in these respects, had done otherwise than they have done, their constitution could neither have been preserved, nor would it have been worth preserving. And if its plain provision shall now be disregarded, and these new doctrines interpolated in it, it will become as feeble and helpless a being as enemies, whether early or more recent, could possibly desire. It will exist in every state, but as a poor dependant on state permission. It must borrow leave to be, and will be, no longer than state pleasure, or state discretion, sees fit to grant the indulgence, and to prolong its poor existence.

But, sir, although there are fears, there are hopes also. The people have preserved this, their own chosen constitution, for forty years, and have seen their happiness, prosperity, and renown grow with its growth and strengthen with its strength. They are now, generally, strongly attached to it. Overthrown by direct assault it cannot be; evaded, undermined, NULLIFIED, it will not be, if we, and those who shall succeed us here, as agents and representatives of the people, shall conscientiously and vigilantly discharge the two great branches of our public trust—faithfully to preserve and wisely to administer it.

Mr. President, I have thus stated the reasons of my dissent to the doctrines which have been advanced and maintained. I am conscious of having detained you, and the Senate, much too long. I was drawn into the debate with no previous deliberation such as is suited to the discussion of so grave and important a subject. But it is a subject of which my heart is full, and I have not been willing to suppress the utterance of its spontaneous sentiments.

I cannot, even now, persuade myself to relinquish it, without expressing once more, my deep conviction, that since it respects nothing less than the union of the states, it is of most vital and essential importance to the public happiness. I profess, sir, in my career hitherto, to have kept steadily in view the prosperity and honor of the whole country, and the preservation of our Federal Union. It is to that Union we owe our safety at home and our consideration and dignity abroad. It is to that Union we are chiefly indebted for whatever makes us most proud of our country. That Union we reached only by the discipline of our virtues in the severe school of adversity. It had its origin in the necessities of disordered finance, prostrate commerce, and ruined credit. Under its benign influences, these great interests immediately awoke, as from the dead, and sprang forth with newness of life. Every year of its duration has teemed with fresh proofs of its utility and its blessings; and although our territory has stretched out wider and wider, and our population spread farther and farther, they have not outrun its protection or its benefits. It has been to us all a copious fountain of national, social, personal happiness. I have not allowed myself, sir, to look beyond the Union, to see what might lie hidden in the dark recess behind. I have not coolly weighed the chances of preserving liberty, when the bonds that unite us together shall be broken asunder. I have not accustomed myself to hang over the precipice of disunion, to see whether, with my short sight, I can fathom the depth of the abyss below; nor could I regard him as a safe counsellor in the affairs of this government, whose thoughts should be mainly bent on considering, not how the Union should be best preserved, but how tolerable might be the condition

of the people when it shall be broken up and destroyed. While the Union lasts, we have high, exciting, gratifying prospects spread out before us, for us and our children. Beyond that I seek not to penetrate the veil. God grant that in my day at least, that curtain may not rise. God grant that on my vision never may be opened what lies behind. When my eyes shall be turned to behold, for the last time, the sun in heaven, may I not see him shining on the broken and dishonored fragments of a once glorious Union; on states dissevered, discordant, belligerent; on a land rent with civil feuds, or drenched, it may be, in fraternal blood! Let their last feeble and lingering glance, rather, behold the gorgeous ensign of the republic, now known and honored throughout earth, still full high advanced, its arms and trophies streaming in their original lustre, not a stripe erased or polluted, nor a single star obscured—bearing for its motto no such miserable interrogatory as, *What is all this worth?* nor those other words of delusion and folly, *Liberty first, and Union afterwards*; but every where, spread all over in characters of living light, blazing on all its ample folds as they float over the sea and over the land, and in every wind under the whole heavens, that other sentiment, dear to every true American heart—Liberty *and* Union, now and forever, one and inseparable!

John C. Calhoun on the Rights of the States.

Delivered July 26, 1831.

The question of the relation which the states and general government bear to each other, is not one of recent origin. From the commencement of our system, it has divided public sentiment. Even in the convention, while the Constitution was struggling into existence, there were two parties, as to what this relation should be, whose different sentiments constituted no small impediment in forming that instrument. After the general government went into operation, experience soon proved that the question had not terminated with the labors of the convention. The great struggle that preceded the political revolution of 1801, which brought Mr. Jefferson into power, turned essentially on it; and the doctrines and arguments on both sides were embodied and ably sustained; on the one, in the Virginia and Kentucky resolutions and the report to the Virginia legislature; and on the other, in the replies of the legislature of Massachusetts and some of the other states. These resolutions and this report, with the decision of the Supreme Court of Pennsylvania about the same time (particularly in the case of Cobbett, delivered by Chief Justice McKean, and concurred in by the whole bench), contain what I believe to be the true doctrine on this important subject. I refer to them in order to avoid the necessity of presenting my views, with the reasons in support of them in detail.

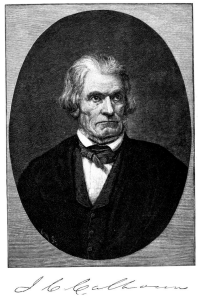
As my object is simply to state my opinions, I might pause with this reference to documents that so fully and ably state all the points immediately connected with this deeply important subject; but as there are many who may not have the opportunity or leisure to refer to them, and, as it is possible, however clear they may be, that different persons may place different interpretations on their meaning,

I will, in order that my sentiments may be fully known, and to avoid all ambiguity, proceed to state, summarily, the doctrines which I conceive they embrace.

The great and leading principle is, that the general government emanated from the people of the several states, forming distinct political communities, and acting in their separate and sovereign capacity, and not from all of the people forming one aggregate political community; that the Constitution of the United States is in fact a compact, to which each state is a party, in the character already described; and that the several states, or parties, have a right to judge of its infractions, and in case of a deliberate, palpable, and dangerous exercise of power not delegated, they have the right, in the last resort, to use the language of the Virginia resolutions; “to interpose for arresting the progress of the evil, and for maintaining, within their respective limits, the authorities, rights, and liberties appertaining to them.” This right of interposition thus solemnly asserted by the state of Virginia, be it called what it may—state right, veto, nullification, or by any other name—I conceive to be the fundamental principle of our system, resting on facts, historically as certain as our revolution itself, and deductions as simple and demonstrative as that of any political or moral truth whatever; and I firmly believe that on its recognition depends the stability and safety of our political institutions.

I am not ignorant that those opposed to the doctrine have always, now and formerly, regarded it in a very different light, as anarchical and revolutionary. Could I believe such in fact to be its tendency, to me it would be no recommendation. I yield to none, I trust, in a deep and sincere

attachment to our political institutions, and the union of these states. I never breathed an opposite sentiment; but, on the contrary, I have ever considered them the great instruments of preserving our liberty, and promoting the happiness of ourselves and our posterity; and next to these, I have ever held them most dear. Nearly half my life has passed in the service of the Union, and whatever public reputation I have acquired, is indissolubly identified with it. To be too national has, indeed, been considered, by many, even of my friends, to be my greatest political fault. With these strong feelings of attachment, I have examined, with the utmost care, the bearing of the doctrine in question; and so far from anarchical or revolutionary, I solemnly believe it to be the only solid foundation of our system, and of the Union itself, and that the opposite doctrine, which denies to the states the right of protecting their reserved powers, and which would vest in the general government (it matters not through what department) the right of determining exclusively and finally the powers delegated to it, is incompatible with the sovereignty of the states, and of the Constitution itself, considered as the basis of a Federal Union. As strong as this language is, it is not stronger than that used by the illustrious Jefferson, who said, to give to the general government the final and exclusive right to judge of its powers, is to make "its discretion and not the Constitution the measure of its powers;" and that "in all cases of compact between parties having no common judge, each party has an equal right to judge for itself, as well of the operation, as of the mode and measure of redress." Language cannot be more explicit; nor can higher authority be adduced.



That different opinions are entertained on this subject, I consider but as an additional evidence of the great diversity of the human intellect. Had not able, experienced, and patriotic individuals, for whom I have the highest respect, taken different views, I would have thought the right too clear to admit of doubt; but I am taught by this, as well as by many similar instances, to treat with deference opinions differing from my own. The error may possibly be with me; but, if so, I can only say, that after the most mature and conscientious examination, I have not been able to detect it. But with all proper deference, I must think that theirs is the error, who deny what seems to be an essential attribute of the conceded sovereignty of the states; and who attribute to the general government a right utterly incompatible with what all acknowledge to be its limited and restricted character; an error originating principally, as I must think, in not duly reflecting on the nature of our institutions, and on what constitutes the only rational object of all political constitutions.

It has been well said by one of the most sagacious men of antiquity, that the object of a constitution is to restrain the government, as that of laws is to restrain individuals. The remark is correct, nor is it

less true where the government is vested in a majority, than where it is in a single or a few individuals; in a republic, than a monarchy or aristocracy. No one can have a higher respect for the maxim that the majority ought to govern than I have, taken in its proper sense, subject to the restrictions imposed by the Constitution, and confined to subjects in which every portion of the community have similar interests; but it is a great error to suppose, as many do, that the right of a majority to govern is a natural and not a conventional right; and, therefore, absolute and unlimited. By nature every individual has the right to govern himself; and governments, whether founded on majorities or minorities, must derive their right from the assent, expressed or implied, of the governed, and be subject to such limitations as they may impose. Where the interests are the same, that is, where the laws that may benefit one will benefit all, or the reverse, it is just and proper to place them under the control of the majority; but where they are dissimilar, so that the law that may benefit one portion may be ruinous to another, it would be, on the contrary, unjust and absurd to subject them to its will: and such I conceive to be the theory on which our Constitution rests.

That such dissimilarity of interests may exist it is impossible to doubt. They are to be found in every community, in a greater or less degree, however small or homogeneous, and they constitute, everywhere, the great difficulty of forming and preserving free institutions. To guard against the unequal action of the laws, when applied to dissimilar and opposing interests, is in fact what mainly renders a constitution indispensable; to overlook which in reasoning on our Constitution,

would be to omit the principal element by which to determine its character. Were there no contrariety of interests, nothing would be more simple and easy than to form and preserve free institutions. The right of suffrage alone would be a sufficient guarantee. It is the conflict of opposing interests which renders it the most difficult work of man.

Where the diversity of interests exists in separate and distinct classes of the community, as is the case in England, and was formerly the case in Sparta, Rome, and most of the free states of antiquity, the rational constitutional provision is, that each should be represented in the government as a separate estate, with a distinct voice, and a negative on the acts of its co-estates, in order to check their encroachments. In England the constitution has assumed expressly this form, while in the governments of Sparta and Rome the same thing was effected, under different but not much less efficacious forms. The perfection of their organization, in this particular, was that which gave to the constitutions of these renowned states all of their celebrity, which secured their liberty for so many centuries, and raised them to so great a height of power and prosperity. Indeed, a constitutional provision giving to the great and separate interests of the community the right of self-protection, must appear to those who will duly reflect on the subject, not less essential to the preservation of liberty than the right of suffrage itself. They in fact have a common object, to effect which the one is as necessary as the other—to secure responsibility; that is, that those who make and execute the laws should be accountable to those on whom the laws in reality operate; the only solid and durable foundation of liberty. If without the right to suffrage our rulers

would oppress us, so without the right of self-protection, the major would equally oppress the minor interests of the community. The absence of the former would make the governed the slaves of the rulers, and of the latter the feebler interests the victim of the stronger.

Happily for us we have no artificial and separate classes of society. We have wisely exploded all such distinctions; but we are not, on that account, exempt from all contrariety of interests, as the present distracted and dangerous condition of our country unfortunately but too clearly proves. With us they are almost exclusively geographical, resulting mainly from difference of climate, soil, situation, industry, and production, but are not, therefore, less necessary to be protected by an adequate constitutional provision than where the distinct interests exist in separate classes. The necessity is, in truth, greater, as such separate and dissimilar geographical interests are more liable to come into conflict, and more dangerous when in that state than those of any other description; so much so, that ours is the first instance on record where they have not formed in an extensive territory separate and independent communities, or subjected the whole to despotic sway. That such may not be our unhappy fate also, must be the sincere prayer of every lover of his country.

So numerous and diversified are the interests of our country, that they could not be fairly represented in a single government, organized so as to give to each great and leading interest a separate and distinct voice, as in governments to which I have referred. A plan was adopted better suited to our situation, but perfectly novel in its character. The powers of the government were divided, not as

heretofore, in reference to classes, but geographically. One general government was formed for the whole, to which was delegated all of the powers supposed to be necessary to regulate the interests common to all of the states, leaving others subject to the separate control of the states, being from their local and peculiar character such that they could not be subject to the will of the majority of the whole Union, without the certain hazard of injustice and oppression. It was thus that the interests of the whole were subjected, as they ought to be, to the will of the whole, while the peculiar and local interests were left under the control of the states separately, to whose custody only they could be safely confided. This distribution of power, settled solemnly by a constitutional compact, to which all of the states are parties, constitutes the peculiar character and excellence of our political system. It is truly and emphatically American, without example or parallel.

To realize its perfection, we must view the general government and the states as a whole, each in its proper sphere, sovereign and independent; each perfectly adapted to their respective objects; the states acting separately, representing and protecting the local and peculiar interests; acting jointly, through one general government, with the weight respectively assigned to each by the Constitution, representing and protecting the interest of the whole, and thus perfecting, by an admirable but simple arrangement, the great principle of representation and responsibility, without which no government can be free or just. To preserve this sacred distribution as originally settled, by coercing each to move in its prescribed orb, is the great and difficult problem, on the solution of which the duration of our

Constitution, of our Union, and, in all probability our liberty, depends. How is this to be effected?

The question is new when applied to our peculiar political organization, where the separate and conflicting interests of society are represented by distinct but connected governments; but is in reality an old question under a new form, long since perfectly solved. Whenever separate and dissimilar interests have been separately represented in any government; whenever the sovereign power has been divided in its exercise, the experience and wisdom of ages have devised but one mode by which such political organization can be preserved; the mode adopted in England, and by all governments, ancient or modern, blessed with constitutions deserving to be called free; to give to each co-estate the right to judge of its powers, with a negative or veto on the acts of the others, in order to protect against encroachments the interests it particularly represents; a principle which all of our constitutions recognize in the distribution of power among their respective departments, as essential to maintain the independence of each, but which, to all who will duly reflect on the subject, must appear far more essential, for the same object, in that great and fundamental distribution of powers between the states and general government. So essential is the principle, that to withhold the right from either, where the sovereign power is divided, is, in fact, to annul the division itself, and to consolidate in the one left in the exclusive possession of the right, all of the powers of the government; for it is not possible to distinguish practically between a government having all power, and one having the right to take what powers it pleases. Nor does it in the least vary the principle, whether the distribution of power

between co-estates, as in England, or between distinctly organized but connected governments, as with us. The reason is the same in both cases, while the necessity is greater in our case, as the danger of conflict is greater where the interests of a society are divided geographically than in any other, as has already been shown.

These truths do seem to me to be incontrovertible; and I am at a loss to understand how any one, who has maturely reflected on the nature of our institutions, or who has read history or studied the principles of free government to any purpose, can call them in question. The explanation must, it appears to me, be sought in the fact, that in every free state, there are those who look more to the necessity of maintaining power, than guarding against its abuses. I do not intend reproach, but simply to state a fact apparently necessary to explain the contrariety of opinions, among the intelligent, where the abstract consideration of the subject would seem scarcely to admit of doubt. If such be the true cause, I must think the fear of weakening the government too much in this case to be in a great measure unfounded, or at least that the danger is much less from that than the opposite side. I do not deny that a power of so high a nature may be abused by a state, but when I reflect that the states unanimously called the general government into existence with all of its powers, which they freely surrendered on their part, under the conviction that their common peace, safety and prosperity required it; that they are bound together by a common origin, and the recollection of common suffering and common triumph in the great and splendid achievement of their independence; and the strongest feelings of our nature, and among them, the love of

national power and distinction, are on the side of the Union; it does seem to me, that the fear which would strip the states of their sovereignty, and degrade them, in fact, to mere dependent corporations, lest they should abuse a right indispensable to the peaceable protection of those interests which they reserved under their own peculiar guardianship when they created the general government, is unnatural and unreasonable. If those who voluntarily created the system, cannot be trusted to preserve it, what power can?

So far from extreme danger, I hold that there never was a free state, in which this great conservative principle, indispensable in all, was ever so safely lodged. In others, when the co-estates, representing the dissimilar and conflicting interests of the community, came into contact, the only alternative was compromise, submission or force. Not so in ours. Should the general government and a state come into conflict, we have a higher remedy; the power which called the general government into existence, which gave it all its authority, and can enlarge, contract, or abolish its powers at its pleasure, may be invoked. The states themselves may be appealed to, three-fourths of which, in fact, form a power, whose decrees are the constitution itself, and whose voice can silence all discontent. The utmost extent then of the power is, that a state acting in its sovereign capacity, as one of the parties to the constitutional compact, may compel the government, created by that compact, to submit a question touching its infraction to the parties who created it; to avoid the supposed dangers of which, it is proposed to resort to the novel, the hazardous, and, I must add, fatal project of giving to the general government the sole and final right of interpreting the Constitution,

thereby reserving the whole system, making that instrument the creature of its will, instead of a rule of action impressed on it at its creation, and annihilating in fact the authority which imposed it, and from which the government itself derives its existence.

That such would be the result, were the right in question vested in the legislative or executive branch of the government, is conceded by all. No one has been so hardy as to assert that Congress or the President ought to have the right, or to deny that, if vested finally and exclusively in either, the consequences which I have stated would not necessarily follow; but its advocates have been reconciled to the doctrine, on the supposition that there is one department of the general government, which, from its peculiar organization, affords an independent tribunal through which the government may exercise the high authority which is the subject of consideration, with perfect safety to all.

I yield, I trust, to few in my attachment to the judiciary department. I am fully sensible of its importance, and would maintain it to the fullest extent in its constitutional powers and independence; but it is impossible for me to believe that it was ever intended by the Constitution, that it should exercise the power in question, or that it is competent to do so, and, if it were, that it would be a safe depository of the power.

Its powers are judicial and not political, and are expressly confined by the Constitution “to all cases in law and equity arising under this Constitution, the laws of the United States, and the treaties made, or which shall be made, under its authority;” and which I have high authority in asserting, excludes political questions, and comprehends those only where there

are parties amenable to the process of the court.[82] Nor is its incompetency less clear, than its want of constitutional authority. There may be many and the most dangerous infractions on the part of Congress, of which it is conceded by all, the court, as a judicial tribunal, cannot from its nature take cognisance. The tariff itself is a strong case in point; and the reason applies equally to all others, where Congress perverts a power from an object intended to one not intended, the most insidious and dangerous of all the infractions; and which may be extended to all of its powers, more especially to the taxing and appropriating. But supposing it competent to take cognisance of all infractions of every description, the insuperable objection still remains, that it would not be a safe tribunal to exercise the power in question.

It is an universal and fundamental political principle, that the power to protect, can safely be confided only to those interested in protecting, or their responsible agents—a maxim not less true in private than in public affairs. The danger in our system is, that the general government, which represents the interests of the whole, may encroach on the states, which represent the peculiar and local interests, or that the latter may encroach on the former.

In examining this point, we ought not to forget that the government, through all of its departments, judicial as well as others, is administered by delegated and responsible agents; and that the power which really controls ultimately all the movements, is not in the agents, but those who elect or appoint them. To understand then its real character, and what would be the action of the system in any supposable case, we must raise our view from the mere agents, to this high controlling power which

finally impels every movement of the machine. By doing so, we shall find all under the control of the will of a majority, compounded of the majority of the states, taken as corporate bodies, and the majority of the people of the states estimated in federal numbers. These united constitute the real and final power, which impels and directs the movements of the general government. The majority of the states elect the majority of the Senate; of the people of the states, that of the House of Representatives; the two united, the President; and the President and a majority of the Senate appoint the judges, a majority of whom and a majority of the Senate and the House with the President, really exercise all of the powers of the government with the exception of the cases where the Constitution requires a greater number than a majority. The judges are, in fact, as truly the judicial representatives of this united majority, as the majority of Congress itself, or the President, is its legislative or executive representative; and to confide the power to the judiciary to determine finally and conclusively what powers are delegated and what reserved, would be in reality to confide it to the majority, whose agents they are, and by whom they can be controlled in various ways; and, of course, to subject (against the fundamental principle of our system, and all sound political reasoning) the reserved powers of the states, with all of the local and peculiar interests they were intended to protect, to the will of the very majority against which the protection was intended. Nor will the tenure by which the judges hold their office, however valuable the provision in many other respects, materially vary the case. Its highest possible effect would be to retard, and not finally to resist, the will of a dominant majority.

But it is useless to multiply arguments. Were it possible that reason could settle a question where the passions and interests of men are concerned, this point would have been long since settled for ever, by the state of Virginia. The report of her legislature, to which I have already referred, has really, in my opinion, placed it beyond controversy. Speaking in reference to this subject, it says, “It has been objected” (to the right of a state to interpose for the protection of her reserved rights), “that the judicial authority is to be regarded as the sole expositor of the Constitution; on this subject it might be observed first that there may be instances of usurped powers which the forms of the Constitution could never draw within the control of the judicial department; secondly, that if the decision of the judiciary be raised above the sovereign parties to the Constitution, the decisions of the other departments, not carried by the forms of the Constitution before the judiciary, must be equally authoritative and final with the decision of that department. But the proper answer to the objection is, that the resolution of the General Assembly relates to those great and extraordinary cases, in which all of the forms of the Constitution may prove ineffectual against infraction dangerous to the essential rights of the parties to it. The resolution supposes that dangerous powers not delegated, may not only be usurped and executed by the other departments, but that the judicial department may also exercise or sanction dangerous powers beyond the grant of the Constitution, and consequently that the ultimate right of the parties to the Constitution to judge whether the compact has been dangerously violated, must extend to violations by one delegated authority, as well as by another—by the judiciary, as well as by the executive or

legislative."

Against these conclusive arguments, as they seem to me, it is objected, that if one of the parties has the right to judge of infractions of the Constitution, so has the other, and that consequently in cases of contested powers between a state and the general government, each would have a right to maintain its opinion, as is the case when sovereign powers differ in the construction of treaties or compacts, and that of course it would come to be a mere question of force. The error is in the assumption that the general government is a party to the constitutional compact. The states, as has been shown, formed the compact, acting as sovereign and independent communities. The general government is but its creature; and though in reality a government with all the rights and authority which belong to any other government, within the orb of its powers, it is, nevertheless, a government emanating from a compact between sovereigns, and partaking, in its nature and object, of the character of a joint commission, appointed to superintend and administer the interests in which all are jointly concerned, but having, beyond its proper sphere, no more power than if it did not exist. To deny this would be to deny the most incontestable facts, and the clearest conclusions; while to acknowledge its truth, is to destroy utterly the objection that the appeal would be to force, in the case supposed. For if each party has a right to judge, then under our system of government, the final cognisance of a question of contested power would be in the states, and not in the general government. It would be the duty of the latter, as in all similar cases of a contest between one or more of the principals and a joint commission or agency, to refer the contest to the

principals themselves. Such are the plain dictates of reason and analogy both. On no sound principle can the agents have a right to final cognisance, as against the principals, much less to use force against them, to maintain their construction of their powers. Such a right would be monstrous; and has never, heretofore, been claimed in similar cases.

That the doctrine is applicable to the case of a contested power between the states and the general government, we have the authority not only of reason and analogy, but of the distinguished statesman already referred to. Mr. Jefferson, at a late period of his life, after long experience and mature reflection, says, “With respect to our state and federal governments, I do not think their relations are correctly understood by foreigners. They suppose the former subordinate to the latter. This is not the case. They are co-ordinate departments of one simple and integral whole. But you may ask if the two departments should claim each the same subject of power, where is the umpire to decide between them? In cases of little urgency or importance, the prudence of both parties will keep them aloof from the questionable ground; but if it can neither be avoided nor compromised, a convention of the states must be called to ascribe the doubtful power to that department which they may think best.”—It is thus that our Constitution, by authorizing amendments, and by prescribing the authority and mode of making them, has by a simple contrivance, with its characteristic wisdom, provided a power which, in the last resort, supersedes effectually the necessity and even the pretext for force; a power to which none can fairly object; with which the interests of all are safe; which can definitely close all controversies in the only effectual mode, by freeing the compact of

every defect and uncertainty, by an amendment of the instrument itself. It is impossible for human wisdom, in a system like ours, to devise another mode which shall be safe and effectual, and at the same time consistent with what are the relations and acknowledged powers of the two great departments of our government. It gives a beauty and security peculiar to our system, which, if duly appreciated, will transmit its blessings to the remotest generations; but, if not, our splendid anticipations of the future will prove but an empty dream. Stripped of all its covering, and the naked question is, whether ours is a federal or a consolidated government: a constitutional or absolute one; a government resting ultimately on the solid basis of the sovereignty of the states, or on the unrestrained will of a majority; a form of government, as in all other unlimited ones, in which injustice and violence, and force, must finally prevail. Let it never be forgotten, that where the majority rules, the minority is the subject; and that if we should absurdly attribute to the former the exclusive right of construing the Constitution, there would be in fact between the sovereign and subject, under such a government, no constitution; or at least nothing deserving the name, or serving the legitimate object of so sacred an instrument.

How the states are to exercise this high power of interposition which constitutes so essential a portion of their reserved rights that it cannot be delegated without an entire surrender of their sovereignty, and converting our system from a federal into a consolidated government, is a question that the states only are competent to determine. The arguments which prove that they possess the power, equally prove that they are, in the language of

Jefferson, “the rightful judges of the mode and measure of redress.” But the spirit of forbearance, as well as the nature of the right itself, forbids a recourse to it, except in cases of dangerous infractions of the Constitution; and then only in the last resort, when all reasonable hope of relief from the ordinary action of the government has failed; when, if the right to interpose did not exist, the alternative would be submission and oppression on the one side, or resistance by force on the other. That our system should afford, in such extreme cases, an intermediate point between these dire alternatives, by which the government may be brought to a pause, and thereby an interval obtained to compromise differences, or, if impracticable, be compelled to submit the question to a constitutional adjustment, through an appeal to the states themselves, is an evidence of its high wisdom; an element not, as is supposed by some, of weakness, but of strength; not of anarchy or revolution, but of peace and safety. Its general recognition would of itself, in a great measure, if not altogether, supersede the necessity of its exercise, by impressing on the movements of the government that moderation and justice so essential to harmony and peace, in a country of such vast extent and diversity of interests as ours; and would, if controversy should come, turn the resentment of the aggrieved from the system to those who had abused its powers (a point all important), and cause them to seek redress, not in revolution or overthrow, but in reformation. It is, in fact, properly understood, a substitute where the alternative would be force, tending to prevent, and if that fails, to correct peaceably the aberrations to which all political systems are liable, and which, if permitted to accumulate, without correction, must finally end in a

general catastrophe.

Speech of Henry Clay

In Defence of the American System[83] *in which is given the Previous History of Tariff Contests in the Senate of the United States, February 2d, 3d and 6th, 1832.*

[Mr. CLAY, having retired from Congress soon after the establishment of the American System, by the passage of the Tariff of 1824, did not return to it till 1831–2, when the opponents of this system had acquired the ascendency, and were bent on its destruction. An act reducing the duties on many of the protected articles, was devised and passed. The bill being under consideration in the Senate, Mr. CLAY addressed that body as follows:]

In one sentiment, Mr. President, expressed by the honorable gentleman from South Carolina, (General Hayne,) though perhaps not in the sense intended by him, I entirely concur. I agree with him, that the decision on the system of policy embraced in this debate, involves the future destiny of this growing country. One way I verily believe, it would lead to deep and general distress, general bankruptcy and national ruin, without benefit to any part of the Union: the other, the existing prosperity will be preserved and augmented, and the nation will continue rapidly to advance in wealth, power, and greatness, without prejudice to any section of the confederacy.

Thus viewing the question, I stand here as the humble but zealous advocate, not of the interests of one State, or seven States only, but of the whole

Union. And never before have I felt more intensely, the overpowering weight of that share of responsibility which belongs to me in these deliberations. Never before have I had more occasion than I now have to lament my want of those intellectual powers, the possession of which might enable me to unfold to this Senate, and to illustrate to this people great truths, intimately connected with the lasting welfare of my country. I should, indeed, sink overwhelmed and subdued beneath the appalling magnitude of the task which lies before me, if I did not feel myself sustained and fortified by a thorough consciousness of the justness of the cause which I have espoused, and by a persuasion I hope not presumptuous, that it has the approbation of that Providence who has so often smiled upon these United States.

Eight years ago it was my painful duty to present to the other House of Congress, an unexaggerated picture of the general distress pervading the whole land. We must all yet remember some of its frightful features. We all know that the people were then oppressed and borne down by an enormous load of debt; that the value of property was at the lowest point of depression; that ruinous sales and sacrifices were everywhere made of real estate; that stop laws, and relief laws, and paper money were adopted to save the people from impending destruction; that a deficit in the public revenue existed, which compelled government to seize upon, and divert from its legitimate object the appropriations to the sinking fund, to redeem the national debt; and that our commerce and navigation were threatened with a complete paralysis. In short, sir, if I were to select any term of seven years since the adoption of the present constitution which exhibited a scene of the

most widespread dismay and desolation, it would be exactly that term of seven years which immediately preceded the establishment of the tariff of 1824.

I have now to perform the more pleasing task of exhibiting an imperfect sketch of the existing state of the unparalleled prosperity of the country. On a general survey, we behold cultivation extended, the arts flourishing, the face of the country improved, our people fully and profitably employed, and the public countenance exhibiting tranquillity, contentment and happiness. And if we descend into particulars, we have the agreeable contemplation of a people out of debt, land rising slowly in value, but in a secure and salutary degree; a ready though not extravagant market for all the surplus productions of our industry; innumerable flocks and herds browsing and gamboling on ten thousand hills and plains, covered with rich and verdant grasses; our cities expanded, and whole villages springing up, as it were, by enchantment; our exports and imports increased and increasing; our tonnage, foreign and coastwise, swelling and fully occupied; the rivers of our interior animated by the perpetual thunder and lightning of countless steam-boats; the currency sound and abundant; the public debt of two wars nearly redeemed; and, to crown all, the public treasury overflowing, embarrassing Congress, not to find subjects of taxation, but to select the objects which shall be liberated from the impost. If the term of seven years were to be selected, of the greatest prosperity which this people have enjoyed since the establishment of their present constitution, it would be exactly that period of seven years which immediately followed the passage of the tariff of 1824.

This transformation of the condition of the country

from gloom and distress to brightness and prosperity, has been mainly the work of American legislation, fostering American industry, instead of allowing it to be controlled by foreign legislation, cherishing foreign industry. The foes of the American System, in 1824, with great boldness and confidence, predicted, 1st. The ruin of the public revenue, and the *creation of a necessity* to resort to direct taxation. The gentleman from South Carolina, (General Hayne,) I believe, thought that the tariff of 1824 would operate a reduction of revenue to the large amount of eight millions of dollars. 2d. The destruction of our navigation. 3d. The desolation of commercial cities. And 4th. The augmentation of the price of objects of consumption, and further decline in that of the articles of our exports. Every prediction which they made has failed—utterly failed. Instead of the ruin of the public revenue, with which they then sought to deter us from the adoption of the American System, we are now threatened with its subversion, by the vast amount of the public revenue produced by that system. Every branch of our navigation has increased.

Whilst we thus behold the entire failure of all that was foretold against the system, it is a subject of just felicitation to its friends, that all their anticipations of its benefits have been fulfilled, or are in progress of fulfillment. The honorable gentleman from South Carolina has made an allusion to a speech made by me, in 1824, in the other House, in support of the tariff, and to which, otherwise, I should not have particularly referred. But I would ask any one, who can now command the courage to peruse that long production, what principle there laid down is not true? what prediction then made has been falsified

by practical experience?

It is now proposed to abolish the system, to which we owe so much of the public prosperity, and it is urged that the arrival of the period of the redemption of the public debt has been confidently looked to as presenting a suitable occasion to rid the country of evils with which the system is alleged to be fraught. Not an inattentive observer of passing events, I have been aware that, among those who were most early pressing the payment of the public debt, and upon that ground were opposing appropriations to other great interests, there were some who cared less about the debt than the accomplishment of other objects. But the people of the United States have not coupled the payment of *their* public debt with the destruction of the protection of *their* industry, against foreign laws and foreign industry. They have been accustomed to regard the extinction of the public debt as relief from a burthen, and not as the infliction of a curse. If it is to be attended or followed by the subversion of the American system, and an exposure of our establishments and our productions to the unguarded consequences of the selfish policy of foreign powers, the payment of the public debt will be the bitterest of curses. Its fruit will be like the fruit

> "Of that forbidden tree, whose mortal taste
> Brought death into the world, and all our woe,
> With loss of Eden."

If the system of protection be founded on principles erroneous in theory, pernicious in practice —above all if it be unconstitutional, as is alleged, it ought to be forthwith abolished, and not a vestige of it suffered to remain. But, before we sanction this sweeping denunciation, let us look a little at this

system, its magnitude, its ramifications, its duration, and the high authorities which have sustained it. We shall see that its foes will have accomplished comparatively nothing, after having achieved their present aim of breaking down our iron-foundries, our woolen, cotton, and hemp manufactories, and our sugar plantations. The destruction of these would, undoubtedly, lead to the sacrifice of immense capital, the ruin of many thousands of our fellow-citizens, and incalculable loss to the whole community. But their prostration would not disfigure, nor produce greater effect upon the *whole* system of protection, in all its branches, than the destruction of the beautiful domes upon the capitol would occasion to the magnificent edifice which they surmount. Why, sir, there is scarcely an interest, scarcely a vocation in society, which is not embraced by the beneficence of this system.

It comprehends our coasting tonnage and trade, from which all foreign tonnage is absolutely excluded.

It includes all our foreign tonnage, with the inconsiderable exception made by treaties of reciprocity with a few foreign powers.

It embraces our fisheries, and all our hardy and enterprising fishermen.

It extends to almost every mechanic art: * * *

It extends to all lower Louisiana, the Delta of which might as well be submerged again in the Gulf of Mexico, from which it has been a gradual conquest, as now to be deprived of the protecting duty upon its great staple.

It affects the cotton planter himself, and the tobacco planter, both of whom enjoy protection.

Such are some of the items of this vast system of

protection, which it is now proposed to abandon. We might well pause and contemplate, if human imagination could conceive the extent of mischief and ruin from its total overthrow, before we proceed to the work of destruction. Its duration is worthy also of serious consideration. Not to go behind the constitution, its date is coeval with that instrument. It began on the ever memorable fourth day of July—the fourth day of July, 1789. The second act which stands recorded in the statute book, bearing the illustrious signature of George Washington, laid the corner-stone of the whole system. That there might be no mistake about the matter, it was then solemnly proclaimed to the American people and to the world, that it was *necessary* for "the encouragement and *protection* of manufactures," that duties should be laid. It is in vain to urge the small amount of the measure of the protection then extended. The great principle was then established by the fathers of the constitution, with the father of his country at their head. And it cannot now be questioned, that, if the government had not then been new and the subject untried, a greater measure of protection would have been applied, if it had been supposed necessary. Shortly after, the master minds of Jefferson and Hamilton were brought to act on this interesting subject. Taking views of it appertaining to the departments of foreign affairs and of the treasury, which they respectively filled, they presented, severally, reports which yet remain monuments of their profound wisdom, and came to the same conclusion of protection to American industry. Mr. Jefferson argued that foreign restrictions, foreign prohibitions, and foreign high duties, ought to be met at home by American restrictions, American prohibitions, and American high duties. Mr.

Hamilton, surveying the entire ground, and looking at the inherent nature of the subject, treated it with an ability, which, if ever equalled, has not been surpassed, and earnestly recommended protection.

The wars of the French revolution commenced about this period, and streams of gold poured into the United States through a thousand channels, opened or enlarged by the successful commerce which our neutrality enabled us to prosecute. We forgot or overlooked, in the general prosperity, the necessity of encouraging our domestic manufactures. Then came the edicts of Napoleon, and the British orders in council; and our embargo, non-intercourse, non-importation, and war, followed in rapid succession. These national measures, amounting to a total suspension, for the period of their duration, of our foreign commerce, afforded the most efficacious encouragement to American manufactures; and accordingly they everywhere sprung up. While these measures of restriction, and this state of war continued, the manufacturers were stimulated in their enterprise by every assurance of support, by public sentiment, and by legislative resolves. It was about that period (1808) that South Carolina bore her high testimony to the wisdom of the policy, in an act of her legislature, the preamble of which, now before me, reads:

"Whereas, the establishment and *encouragement* of domestic manufactures, is conducive to the interests of a State, by adding new *incentives to industry*, and as being the means of disposing to advantage the surplus productions of the *agriculturist*: and whereas, in the present unexampled state of the world, their establishment in our country is not only *expedient*, but politic in rendering us *independent* of foreign nations."

The legislature, not being competent to afford the most efficacious aid, by imposing duties on foreign rival articles, proceeded to incorporate a company.

Peace, under the treaty of Ghent, returned in 1815, but there did not return with it the golden days which preceded the edicts levelled at our commerce by Great Britain and France. It found all Europe tranquilly resuming the arts and business of civil life. It found Europe no longer the consumer of our surplus, and the employer of our navigation, but excluding, or heavily burthening, almost all the productions of our agriculture, and our rivals in manufactures, in navigation, and in commerce. It found our country, in short, in a situation totally different from all the past—new and untried. It became necessary to adapt our laws, and especially our laws of impost, to the new circumstances in which we found ourselves. Accordingly, that eminent and lamented citizen, then at the head of the treasury, (Mr. Dallas,) was required, by a resolution of the House of Representatives, under date the twenty-third day of February, 1815, to prepare and report to the succeeding session of Congress, a system of revenue conformable with the actual condition of the country. He had the circle of a whole year to perform the work, consulted merchants, manufacturers, and other practical men, and opened an extensive correspondence. The report which he made at the session of 1816, was the result of his inquiries and reflections, and embodies the principles which he thought applicable to the subject. It has been said, that the tariff of 1816 was a measure of mere revenue, and that it only reduced the war duties to a peace standard. It is true that the question then was, how much and in what way should the double duties of the war be reduced?

Now, also, the question is, on what articles shall the duties be reduced so as to subject the amounts of the future revenue to the wants of the government? Then it was deemed an inquiry of the first importance, as it should be now, how, the reduction should be made, so as to secure proper encouragement to our domestic industry. That this was a leading object in the arrangement of the tariff of 1816, I well remember, and it is demonstrated by the language of Mr. Dallas. He says in his report:

"There are few, if any governments, which do not regard the establishment of domestic manufactures as a chief object of public policy. The United States have *always* so regarded it. * * * The demands of the country, while the acquisitions of supplies from foreign nations was either prohibited or impracticable, may have afforded sufficient inducement for this investment of capital, and this application of labor; but the inducement, in its necessary extent, must fail when the day of *competition* returns. Upon that change in the condition of the country, the preservation of the manufactures, which private citizens under favorable auspices have constituted the property of the nation, becomes a consideration of general policy, to be resolved by a recollection of past embarrassments; by the certainty of an increased difficulty of reinstating, upon any emergency, the manufactures which shall be allowed to perish and pass away," &c.

The measure of protection which he proposed was not adopted, in regard to some leading articles, and there was great difficulty in ascertaining what it ought to have been. But the *principle* was then distinctly asserted and fully sanctioned.

The subject of the American system was again brought up in 1820, by the bill reported by the

chairman of the committee of manufactures, now a member of the bench of the Supreme Court of the United States, and the principle was successfully maintained by the representatives of the people; but the bill which they passed was defeated in the Senate. It was revived in 1824; the whole ground carefully and deliberately explored, and the bill then introduced, receiving all the sanctions of the constitution, became the law of the land. An amendment of the system was proposed in 1828, to the history of which I refer with no agreeable recollections. The bill of that year, in some of its provisions, was framed on principles directly adverse to the declared wishes of the friends of the policy of protection. I have heard, without vouching for the fact, that it was so framed, upon the advice of a prominent citizen, now abroad, with the view of ultimately defeating the bill, and with assurances that, being altogether unacceptable to the friends of the American system, the bill would be lost. Be that as it may, the most exceptional features of the bill were stamped upon it, against the earnest remonstrances of the friends of the system, by the votes of southern members, upon a principle, I think, as unsound in legislation as it is reprehensible in ethics. The bill was passed, notwithstanding all this, it having been deemed better to take the bad along with the good which it contained, than reject it altogether. Subsequent legislation has corrected the error then perpetrated, but still that measure is vehemently denounced by gentlemen who contributed to make it what it was.

Thus, sir, has this great system of protection been gradually built, stone upon stone, and step by step, from the fourth of July, 1789, down to the present period. In every stage of its progress it has received

the deliberate sanction of Congress. A vast majority of the people of the United States has approved and continue to approve it. Every chief magistrate of the United States, from Washington to the present, in some form or other, has given to it the authority of his name; and however the opinions of the existing President are interpreted South of Mason's and Dixon's line, on the north they are at least understood to favor the establishment of a *judicious* tariff.

The question, therefore, which we are now called upon to determine, is not whether we shall establish a new and doubtful system of policy, just proposed, and for the first time presented to our consideration, but whether we shall break down and destroy a long established system, patiently and carefully built up and sanctioned, during a series of years, again and again, by the nation and its highest and most revered authorities. Are we not bound deliberately to consider whether we can proceed to this work of destruction without a violation of the public faith? The people of the United States have justly supposed that the policy of protecting their industry against foreign legislation and foreign industry was fully settled, not by a single act, but by repeated and deliberate acts of government, performed at distant and frequent intervals. In full confidence that the policy was firmly and unchangeably fixed, thousands upon thousands have invested their capital, purchased a vast amount of real and other estate, made permanent establishments, and accommodated their industry. Can we expose to utter and irretrievable ruin this countless multitude, without justly incurring the reproach of violating the national faith?

Such are the origin, duration, extent and sanctions

of the policy which we are now called upon to subvert. Its beneficial effects, although they may vary in degree, have been felt in all parts of the Union. To none, I verily believe, has it been prejudicial. In the North, every where, testimonials are borne to the high prosperity which it has diffused. There, all branches of industry are animated and flourishing. Commerce, foreign and domestic, active; cities and towns springing up, enlarging and beautifying; navigation fully and profitably employed, and the whole face of the country smiling with improvement, cheerfulness and abundance.

When gentlemen have succeeded in their design of an immediate or gradual destruction of the American System, what is their substitute? Free trade! Free trade! The call for free trade is as unavailing as the cry of a spoiled child, in its nurse's arms, for the moon, or the stars that glitter in the firmament of heaven. It never has existed, it never will exist. Trade implies, at least two parties. To be free, it should be fair, equal and reciprocal. But if we throw our ports wide open to the admission of foreign productions, free of all duty, what ports of any other foreign nation shall we find open to the free admission of our surplus produce? We may break down all barriers to free trade on our part, but the work will not be complete until foreign powers shall have removed theirs. There would be freedom on one side, and restrictions, prohibitions and exclusions on the other. The bolts, and the bars, and the chains of all other nations will remain undisturbed. It is, indeed, possible, that our industry and commerce would accommodate themselves to this unequal and unjust state of things; for, such is the flexibility of our

nature, that it bends itself to all circumstances. The wretched prisoner incarcerated in a jail, after a long time becomes reconciled to his solitude, and regularly notches down the passing days of his confinement.

Gentlemen deceive themselves. It is not free trade that they are recommending to our acceptance. It is in effect, the British colonial system that we are invited to adopt; and, if their policy prevail, it will lead substantially to the re-colonization of these States, under the commercial dominion of Great Britain. And whom do we find some of the principal supporters, out of Congress, of this foreign system? Mr. President, there are some foreigners who always remain exotics, and never become naturalized in our country; whilst, happily, there are many others who readily attach themselves to our principles and our institutions. The honest, patient and industrious German readily unites with our people, establishes himself upon some of our fat land, fills his capacious barn, and enjoys in tranquillity, the abundant fruits which his diligence gathers around him, always ready to fly to the standard of his adopted country, or of its laws, when called by the duties of patriotism. The gay, the versatile, the philosophic Frenchman, accommodating himself cheerfully to all the vicissitudes of life, incorporates himself without difficulty in our society. But, of all foreigners, none amalgamate themselves so quickly with our people as the natives of the Emerald Isle. In some of the visions which have passed through my imagination, I have supposed that Ireland was originally, part and parcel of this continent, and that, by some extraordinary convulsion of nature, it was torn from America, and drifting across the ocean, was placed in the unfortunate vicinity of Great Britain. The same

open-heartedness; the same generous hospitality; the same careless and uncalculating indifference about human life, characterize the inhabitants of both countries. Kentucky has been sometimes called the Ireland of America. And I have no doubt, that if the current of emigration were reversed, and set from America upon the shores of Europe, instead of bearing from Europe to America, every American emigrant to Ireland would there find, as every Irish emigrant here finds, a hearty welcome and a happy home!

But I have said that the system nominally called "free trade," so earnestly and eloquently recommended to our adoption, is a mere revival of the British colonial system, forced upon us by Great Britain during the existence of our colonial vassalage. The whole system is fully explained and illustrated in a work published as far back as the year 1750, entitled "The Trade and Navigation of Great Britain considered, by Joshua Gee," with extracts from which I have been furnished by the diligent researches of a friend. It will be seen from these, that the South Carolina policy now, is identical with the long cherished policy of Great Britain, which remains the same as it was when the thirteen colonies were part of the British empire.

I regret, Mr. President, that one topic has, I think, unnecessarily been introduced into this debate. I allude to the charge brought against the manufacturing system, as favoring the growth of aristocracy. If it were true, would gentlemen prefer supporting foreign accumulations of wealth, by that description of industry, rather than in their own country? But is it correct? The joint stock companies of the north, as I understand them, are nothing more than associations, sometimes of hundreds, by means

of which the small earnings of many are brought into a common stock, and the associates, obtaining corporate privileges, are enabled to prosecute, under one superintending head, their business to better advantage. Nothing can be more essentially democratic or better devised to counterpoise the influence of individual wealth. In Kentucky, almost every manufactory known to me, is in the hands of enterprising and self-made men, who have acquired whatever wealth they possess by patient and diligent labor. Comparisons are odious, and but in defence, would not be made by me. But is there more tendency to aristocracy in a manufactory supporting hundreds of freemen, or in a cotton plantation, with its not less numerous slaves, sustaining perhaps only two white families—that of the master and the overseer?

I pass, with pleasure, from this disagreeable topic, to two general propositions, which cover the entire ground of debate. The first is, that under the operation of the American System, the objects which it protects and fosters are brought to the consumer at cheaper prices than they commanded prior to its introduction, or, than they would command if it did not exist. If that be true, ought not the country to be contented and satisfied with the system, unless the second proposition, which I mean presently also to consider, is unfounded? And that is, that the tendency of the system is to sustain, and that it has upheld the prices of all our agricultural and other produce, including cotton.

And is the fact not indisputable, that all essential objects of consumption effected by the tariff, are cheaper and better since the act of 1824, than they were for several years prior to that law? I appeal for its truth to common observation and to all practical

men. I appeal to the farmer of the country, whether he does not purchase on better terms his iron, salt, brown sugar, cotton goods, and woolens, for his laboring people? And I ask the cotton planter if he has not been better and more cheaply supplied with his cotton bagging? In regard to this latter article, the gentleman from South Carolina was mistaken in supposing that I complained that, under the existing duty the Kentucky manufacturer could not compete with the Scotch. The Kentuckian furnishes a more substantial and a cheaper article, and at a more uniform and regular price. But it was the frauds, the violations of law of which I did complain; not smuggling, in the common sense of that practice, which has something bold, daring, and enterprising in it, but mean, barefaced cheating, by fraudulent invoices and false denomination.

I plant myself upon this fact, of cheapness and superiority, as upon impregnable ground. Gentlemen may tax their ingenuity and produce a thousand speculative solutions of the fact, but the fact itself will remain undisturbed.

This brings me to consider what I apprehend to have been the most efficient of all the causes in the reduction of the prices of manufactured articles—and that is COMPETITION. By competition, the total amount of the supply is increased, and by increase of the supply, a competition in the sale ensues, and this enables the consumer to buy at lower rates. Of all human powers operating on the affairs of mankind, none is greater than that of competition. It is action and reaction. It operates between individuals in the same nation, and between different nations. It resembles the meeting of the mountain torrent, grooving by its precipitous motion, its own channel, and ocean's tide. Unopposed, it sweeps everything

before it; but, counterpoised, the waters become calm, safe and regular. It is like the segments of a circle or an arch; taken separately, each is nothing; but in their combination they produce efficiency, symmetry, and perfection. By the American System this vast power has been excited in America, and brought into being to act in co-operation or collision with European industry. Europe acts within itself, and with America; and America acts within itself, and with Europe. The consequence is, the reduction of prices in both hemispheres. Nor is it fair to argue from the reduction of prices in Europe, to her own presumed skill and labor, exclusively. We affect her prices, and she affects ours. This must always be the case, at least in reference to any articles as to which there is not a total non-intercourse; and if our industry, by diminishing the demand for her supplies, should produce a diminution in the price of those supplies, it would be very unfair to ascribe that reduction to her ingenuity instead of placing it to the credit of our own skill and *excited* industry.

The great law of *price* is determined by supply and demand. Whatever affects either, affects the price. If the supply is increased, the demand remaining the same, the price declines; if the demand is increased, the supply remaining the same, the price advances; if both supply and demand are undiminished, the price is stationary, and the price is influenced exactly in proportion to the degree of disturbance to the demand or supply. It is therefore a great error to suppose that an existing or new duty *necessarily* becomes a component element to its exact amount of price. If the proportion of demand and supply are varied by the duty, either in augmenting the supply, or diminishing the demand, or vice versa, price is affected to the extent of that variation. But the duty

never becomes an integral part of the price, except in the instances where the demand and the supply remain after the duty is imposed, precisely what they were before, or the demand is increased, and the supply remains stationary.

Competition, therefore, wherever existing, whether at home or abroad, is the parent cause of cheapness. If a high duty excites production at home, and the quantity of the domestic article exceeds the amount which had been previously imported the price will fall. This accounts for an extraordinary fact stated by a Senator from Missouri. Three cents were laid as a duty upon a pound of lead, by the act of 1828. The price at Galena, and the other lead mines, afterwards fell to one and a half cents per pound. Now it is obvious that the duty did not, in this case, enter into the price: for it was twice the amount of the price. What produced the fall? It was *stimulated* production at home, excited by the temptation of the exclusive possession of the home market. This state of things could not last. Men would not continue an unprofitable pursuit; some abandoned the business, or the total quantity produced was diminished, and living prices have been the consequence. But, break down the domestic supply, place us again in a state of dependence on the foreign source, and can it be doubted that we should ultimately have to supply ourselves at dearer rates? It is not fair to credit the foreign market with the depression of prices produced there by the influence of our competition. Let the competition be withdrawn, and their prices would instantly rise.

But, it is argued that if, by the skill, experience, and perfection which we have acquired in certain branches of manufacture, they can be made as cheap as similar articles abroad, and enter fairly into

competition with them, why not repeal the duties as to those articles? And why should we? Assuming the truth of the supposition the foreign article would not be introduced in the regular course of trade, but would remain excluded by the possession of the home market, which the domestic article had obtained. The repeal, therefore, would have no legitimate effect. But might not the foreign article be imported in vast quantities, to glut our markets, break down our establishments, and ultimately to enable the foreigner to monopolize the supply of our consumption? America is the greatest foreign market for European manufactures. It is that to which European attention is constantly directed. If a great house becomes bankrupt there, its storehouses are emptied, and the goods are shipped to America, where, in consequence of our auctions, and our custom-house credits, the greatest facilities are afforded in the sale of them. Combinations among manufacturers might take place, or even the operations of foreign governments might be directed to the destruction of our establishments. A repeal, therefore, of one protecting duty, from some one or all of these causes, would be followed by flooding the country with the foreign fabric, surcharging the market, reducing the price, and a complete prostration of our manufactories; after which the foreigner would leisurely look about to indemnify himself in the increased prices which he would be enabled to command by his monopoly of the supply of our consumption. What American citizen, after the government had displayed this vacillating policy, would be again tempted to place the smallest confidence in the public faith, and adventure once more in this branch of industry?

Gentlemen have allowed to the manufacturing

portions of the community no peace; they have been constantly threatened with the overthrow of the American System. From the year 1820, if not from 1816, down to this time, they have been held in a condition of constant alarm and insecurity. Nothing is more prejudicial to the great interests of a nation than unsettled and varying policy. Although every appeal to the national legislature has been responded to in conformity with the wishes and sentiments of the great majority of the people, measures of protection have only been carried by such small majorities as to excite hopes on the one hand, and fears on the other. Let the country breathe, let its vast resources be developed, let its energies be fully put forth, let it have tranquillity, and my word for it, the degree of perfection in the arts which it will exhibit, will be greater than that which has been presented, astonishing as our progress has been. Although some branches of our manufactures might, and in foreign markets now do, fearlessly contend with similar foreign fabrics, there are many others yet in their infancy, struggling with the difficulties which encompass them. We should look at the whole system, and recollect that time, when we contemplate the great movements of a nation, is very different from the short period which is allotted for the duration of individual life. The honorable gentleman from South Carolina well and eloquently said, in 1824, “No great interest of any country ever yet grew up in a day; no new branch of industry can become firmly and profitably established but in a long course of years; every thing, indeed, great or good, is matured by slow degrees: that which attains a speedy maturity is of small value, and is destined to a brief existence. It is the order of Providence, that powers gradually developed, shall alone attain

permanency and perfection. Thus must it be with our national institutions, and national character itself."

I feel most sensibly, Mr. President, how much I have trespassed upon the Senate. My apology is a deep and deliberate conviction, that the great cause under debate involves the prosperity and the destiny of the Union. But the best requital I can make, for the friendly indulgence which has been extended to me by the Senate, and for which I shall ever retain sentiments of lasting gratitude, is to proceed with as little delay as practicable, to the conclusion of a discourse which has not been more tedious to the Senate than exhausting to me. I have now to consider the remaining of the two propositions which I have already announced. That is:

Secondly. That under the operation of the American System, the products of our agriculture command a higher price than they would do without it, by the creation of a home market; and by the augmentation of wealth produced by manufacturing industry, which enlarges our powers of consumption both of domestic and foreign articles. The importance of the home market is among the established maxims which are universally recognized by all writers and all men. However some may differ as to the relative advantages of the foreign and the home market, none deny to the latter great value and high consideration. It is nearer to us; beyond the control of foreign legislation; and undisturbed by those vicissitudes to which all international intercourse is more or less exposed. The most stupid are sensible of the benefit of a residence in the vicinity of a large manufactory, or of a market town, of a good road, or of a navigable stream, which connects their farms with some great capital. If the pursuits of all men were perfectly the same, although

they would be in possession of the greatest abundance of the particular produce of their industry, they might, at the same time, be in extreme want of other necessary articles of human subsistence. The uniformity of the general occupation would preclude all exchanges, all commerce. It is only in the diversity of the vocations of the members of a community that the means can be found for those salutary exchanges which conduce to the general prosperity. And the greater that diversity, the more extensive and the more animating is the circle of exchange. Even if foreign markets were freely and widely open to the reception of our agricultural produce, from its bulky nature, and the distance of the interior, and the dangers of the ocean, large portions of it could never profitably reach the foreign market. But let us quit this field of theory, clear as it is, and look at the practical operation of the system of protection, beginning with the most valuable staple of our agriculture.

But if all this reasoning were totally fallacious—if the price of manufactured articles were really higher, under the American system, than without it, I should still argue that high or low prices were themselves relative—relative to the ability to pay them. It is in vain to tempt, to tantalize us with the lower prices of European fabrics than our own, if we have nothing wherewith to purchase them. If, by the home exchanges, we can be supplied with necessary, even if they are dearer and worse, articles of American production than the foreign, it is better than not to be supplied at all. And how would the large portion of our country which I have described be supplied, but for the home exchanges? A poor people, destitute of wealth or of exchangeable commodities, has nothing to purchase foreign fabrics. To them they are

equally beyond their reach, whether their cost be a dollar or a guinea. It is in this view of the matter that Great Britain, by her vast wealth—her *excited and protected* industry—is enabled to bear a burden of taxation which, when compared to that of other nations, appears enormous; but which, when her immense riches are compared to theirs, is light and trivial. The gentleman from South Carolina has drawn a lively and flattering picture of our coasts, bays, rivers, and harbors; and he argues that these proclaimed the design of Providence, that we should be a commercial people. I agree with him. We differ only as to the means. He would cherish the foreign, and neglect the internal trade. I would foster both. What is navigation without ships, or ships without cargoes? By penetrating the bosoms of our mountains, and extracting from them their precious treasures; by cultivating the earth, and *securing* a home market for its rich and abundant products; by employing the water power with which we are blessed; by stimulating and protecting our native industry, in all its forms; we shall but nourish and promote the prosperity of commerce, foreign and domestic.

I have hitherto considered the question in reference only to a state of peace; but a season of war ought not to be entirely overlooked. We have enjoyed near twenty years of peace; but who can tell when the storm of war shall again break forth? Have we forgotten so soon, the privations to which, not merely our brave soldiers and our gallant tars were subjected, but the whole community, during the last war, for the want of absolute necessaries? To what an enormous price they rose! And how inadequate the supply was, at any price! The statesman who justly elevates his views, will look behind, as well as

forward, and at the existing state of things; and he will graduate the policy which he recommends, to all the probable exigencies which may arise in the Republic. Taking this comprehensive range, it would be easy to show that the higher prices of peace, if prices were higher in peace, were more than compensated by the lower prices of war, during which supplies of all essential articles are indispensable to its vigorous, effectual and glorious prosecution. I conclude this part of the argument with the hope that my humble exertions have not been altogether unsuccessful in showing—

1. That the policy which we have been considering ought to continue to be regarded as the genuine American System.

2. That the Free Trade System, which is proposed as its substitute, ought really to be considered as the British Colonial System.

3. That the American System is beneficial to all parts of the Union, and absolutely necessary to much the larger portion.

4. That the price of the great staple of cotton, and of all our chief productions of agriculture, has been sustained and upheld, and a decline averted by the Protective System.

5. That if the foreign demand for cotton has been at all diminished by the operation of that system, the diminution has been more than compensated in the additional demand created at home.

6. That the constant tendency of the system, by creating competition among ourselves, and between American and European industry, reciprocally acting upon each other, is to reduce prices of manufactured objects.

7. That in point of fact, objects within the scope of

the policy of protection have greatly fallen in price.

8. That if, in a season of peace, these benefits are experienced, in a season of war, when the foreign supply might be cut off, they would be much more extensively felt.

9. And finally, that the substitution of the British Colonial System for the American System, without benefiting any section of the Union, by subjecting us to a foreign legislation, regulated by foreign interests, would lead to the prostration of our manufactures, general impoverishment, and ultimate ruin.

The danger to our Union does not lie on the side of persistence in the American System, but on that of its abandonment. If, as I have supposed and believe, the inhabitants of all north and east of James river, and all west of the mountains, including Louisiana, are deeply interested in the preservation of that system, would they be reconciled to its overthrow? Can it be expected that two-thirds, if not three-fourths, of the people of the United States, would consent to the destruction of a policy, believed to be indispensably necessary to their prosperity? When, too, the sacrifice is made at the instance of a single interest, which they verily believe will not be promoted by it? In estimating the degree of peril which may be incident to two opposite courses of human policy, the statesman would be shortsighted who should content himself with viewing only the evils, real or imaginary, which belong to that course which is in practical operation. He should lift himself up to the contemplation of those greater and more certain dangers which might inevitably attend the adoption of the alternative course. What would be the condition of this Union, if Pennsylvania and New York, those mammoth members of our confederacy,

were firmly persuaded that their industry was paralyzed, and their prosperity blighted, by the enforcement of the British colonial system, under the delusive name of free trade? They are now tranquil and happy, and contented, conscious of their welfare, and feeling a salutary and rapid circulation of the products of home manufactures and home industry throughout all their great arteries. But let that be checked, let them feel that a foreign system is to predominate, and the sources of their subsistence and comfort dried up; let New England and the west, and the middle States, all feel that they too are the victims of a mistaken policy, and let these vast portions of our country despair of any favorable change, and then indeed might we tremble for the continuance and safety of this Union!

And now, sir, I would address a few words to the friends of the American System in the Senate. The revenue must—ought to be reduced. The country will not, after, by the payment of the public debt, ten or twelve millions of dollars become unnecessary, bear such an annual surplus. Its distribution would form a subject of perpetual contention. Some of the opponents of the system understand the stratagem by which to attack it, and are shaping their course accordingly. It is to crush the system by the accumulation of revenue, and by the effort to persuade the people that they are unnecessarily taxed, while those would really tax them who would break up the native sources of supply, and render them dependent upon the foreign. But the revenue ought to be reduced, so as to accommodate it to the fact of the payment of the public debt. And the alternative is or may be, to preserve the protecting system, and repeal the duties on the unprotected articles, or to *preserve* the duties on *unprotected*

articles, and endanger if not destroy the system. Let us then adopt the measure before us, which will benefit all classes; the farmer, the professional man, the merchant, the manufacturer, the mechanic; and the cotton planter more than all. A few mouths ago there was no diversity of opinion as to the expediency of this measure. All, then, seemed to unite in the selection of these objects for a repeal of duties which were not produced within the country. Such a repeal did not touch our domestic industry, violated no principle, offended no prejudice.

Can we not all, whatever may be our favorite theories, cordially unite on this neutral ground? When that is occupied, let us look beyond it, and see if anything can be done in the field of protection, to modify, or improve it, or to satisfy those who are opposed to the system. Our southern brethren believe that it is injurious to them, and ask its repeal. We believe that its abandonment will be prejudicial to them, and ruinous to every other section of the Union. However strong their convictions may be, they are not stronger than ours. Between the points of the preservation of the system and its absolute repeal, there is no principle of union. If it can be shown to operate immoderately on any quarter—if the measure of protection to any article can be demonstrated to be undue and inordinate, it would be the duty of Congress to interpose and apply a remedy. And none will co-operate more heartily than I shall in the performance of that duty. It is quite probable that beneficial modifications of the system may be made without impairing its efficacy. But to make it fulfill the purposes of its institution, the measure of protection ought to be adequate. If it be not, all interests will be injuriously affected. The manufacturer, crippled in his exertions, will produce

less perfect and dearer fabrics, and the consumer will feel the consequence. This is the spirit, and these are the principles only, on which, it seems to me, that a settlement of the great question can be made, satisfactorily to all parts of our Union.

Mr. Buchanan's Speech on the Independent Treasury,

January 22, 1840, which gave rise to the "ten cent" charge.

"We are also charged by the Senator from Kentucky with a desire to reduce the wages of the poor man's labor. We have often been termed agrarians on our side of the House. It is something new under the sun, to hear the Senator and his friends attribute to us a desire to elevate the wealthy manufacturer, at the expense of the laboring man and the mechanic. From my soul, I respect the laboring man. Labor is the foundation of the wealth of every country; and the free laborers of the North deserve respect, both for their probity and their intelligence. Heaven forbid that I should do them wrong! Of all the countries on the earth, we ought to have the most consideration for the laboring man. From the very nature of our institutions, the wheel of fortune is constantly revolving, and producing such mutations in property, that the wealthy man of to-day may become the poor laborer of to-morrow. Truly, wealth often takes to itself wings and flies away. A large fortune rarely lasts beyond the third generation, even if it endure so long. We must all

know instances of individuals obliged to labor for their daily bread, whose grandfathers were men of fortune. The regular process of society would almost seem to consist of the efforts of one class to dissipate the fortunes which they have inherited, whilst another class, by their industry and economy, are regularly rising to wealth. We have all, therefore, a common interest, as it is our common duty, to protect the rights of the laboring man: and if I believed for a moment that this bill would prove injurious to him, it should meet my unqualified opposition.

"Although this bill will not have as great an influence as I could desire, yet, as far as it goes, it will benefit the laboring man as much, and probably more than any other class of society. What is it he ought most to desire? Constant employment, regular wages, and uniform reasonable prices for the necessaries and comforts of life which he requires. Now, sir, what has been his condition under our system of expansions and contractions? He has suffered more by them than any other class of society. The rate of his wages is fixed and known; and they are the last to rise with the increasing expansion and the first to fall when the corresponding revulsion occurs. He still continues to receive his dollar per day, whilst the price of every article which he consumes is rapidly rising. He is at length made to feel that, although he nominally earns as much, or even more than he did formerly, yet, from the increased price of all the necessaries of life, he cannot support his family. Hence the strikes for higher wages, and the uneasy and excited feelings which have at different periods, existed among the laboring classes. But the expansion at length reaches the exploding point, and what does the laboring man

now suffer? He is for a season thrown out of employment altogether. Our manufactures are suspended; our public works are stopped; our private enterprises of different kinds are abandoned; and, whilst others are able to weather the storm, he can scarcely procure the means of bare subsistence.

“Again, sir; who, do you suppose, held the greater part of the worthless paper of the one hundred and sixty-five broken banks to which I have referred? Certainly it was not the keen and wary speculator, who snuffs danger from afar. If you were to make the search, you would find more broken bank notes in the cottages of the laboring poor than anywhere else. And these miserable shinplasters, where are they? After the revulsion of 1837, laborers were glad to obtain employment on any terms; and they often received it upon the express condition that they should accept this worthless trash in payment. Sir, an entire suppression of all bank notes of a lower denomination than the value of one week’s wages of the laboring man is absolutely necessary for his protection. He ought always to receive his wages in gold and silver. Of all men on the earth, the laborer is most interested in having a sound and stable currency.

“All other circumstances being equal, I agree with the Senator from Kentucky that that country is most prosperous where labor commands the highest wages. I do not, however, mean by the terms ‘highest wages,’ the greatest nominal amount. During the revolutionary war, one day’s work commanded a hundred dollars of continental paper; but this would have scarcely purchased a breakfast. The more proper expression would be, to say that that country is most prosperous where labor commands the greatest reward; where one day’s labor will procure

not the greatest nominal amount of a depreciated currency, but most of the necessaries and comforts of life. If, therefore, you should, in some degree, reduce the nominal price paid for labor, by reducing the amount of your bank issues within reasonable and safe limits, and establishing a metallic basis for your paper circulation, would this injure the laborer? Certainly not; because the price of all the necessaries and comforts of life are reduced in the same proportion, and he will be able to purchase more of them for one dollar in a sound state of the currency, than he could have done, in the days of extravagant expansion, for a dollar and a quarter. So far from injuring, it will greatly benefit the laboring man. It will insure to him constant employment and regular prices, paid in a sound currency, which, of all things, he ought most to desire; and it will save him from being involved in ruin by a recurrence of those periodical expansions and contractions of the currency, which have hitherto convulsed the country.

"This sound state of the currency will have another most happy effect upon the laboring man. He will receive his wages in gold and silver; and this will induce him to lay up, for future use, such a portion of them as he can spare, after satisfying his immediate wants. This he will not do at present, because he knows not whether the trash which he is now compelled to receive as money, will continue to be of any value a week or a month hereafter. A knowledge of this fact tends to banish economy from his dwelling, and induces him to expend all his wages as rapidly as possible, lest they may become worthless on his hands.

"Sir, the laboring classes understand this subject perfectly. It is the hard-handed and firm-fisted men of the country on whom we must rely in the day of

danger, who are the most friendly to the passage of this bill. It is they who are the most ardently in favor of infusing into the currency of the country a very large amount of the precious metals."

Lewis Cass on the Missouri Compromise.

From a speech made on the 20th of February, 1854.

Mr. President: I have not withheld the expression of my regret elsewhere, nor shall I withhold it here, that this question of repeal of the Missouri compromise, which opens all the disputed points connected with the subject of Congressional action upon slavery in the territories of the United States, has been brought before us. I do not think the practical advantages to result from the measure will outweigh the injury which the ill-feeling, fated to accompany the discussion of this subject through the country, is sure to produce. And I was confirmed in this impression from what was said by the Senator from Tennessee, (Mr. Jones,) by the Senator from Kentucky, (Mr. Dixon,) and from North Carolina, (Mr. Badger,) and also by the remarks which fell from the Senator from Virginia, (Mr. Hunter,) and in which I fully concur, that the South will never receive any benefit from this measure, so far as respects the extension of slavery; for, legislate as we may, no human power can establish it in the regions defined by these bills. And such were the sentiments of two eminent patriots, to whose exertions we are greatly indebted for the satisfactory termination of the difficulties of 1850, and who since passed from

their labors, and, I trust, to their reward. Thus believing, I should have been better content had the whole subject been left as it was by the bill when first introduced by the Senator from Illinois, without any provision regarding the Missouri compromise. I am aware that it was reported that I intended to propose the repeal of that measure, but it was an error. My intentions were wholly misunderstood. I had no design whatever to take such a step, and thus resuscitate a deed of conciliation which had done its work, and done it well, and which was hallowed by patriotism, by success, and by its association with great names, now transferred to history. It belonged to a past generation; and in the midst of a political tempest which appalled the wisest and firmest in the land, it had said to the waves of agitation, *Peace, be still*, and they became still. It would have been better, in my opinion, not to disturb its slumber, as all useful and practical objects could have been attained without it. But the question is here without my agency.

Clement L. Vallandigham on Slavery.

October 29, 1855.

"Slavery, gentlemen, older in other countries also, than the records of human society, existed in America at the date of its discovery. The first slaves of the European, were natives of the soil: and a Puritan governor of Massachusetts, founder of the family of Winthrop, bequeathed his soul to God, and his Indian slaves to the lawful heirs of his body.

Negro slavery was introduced into Hispaniola in 1501: more than a century before the colonization of America by the English. Massachusetts, by express enactment in 1641 punishing 'manstealing' with death:—and it is so punished to this day under the laws of the United States—legalized yet the enslaving of captives taken in war, and of such 'strangers,' *foreigners*, as should be acquired by purchase: while confederate New England, two years later, providing for the equitable division of lands, goods and '*persons*,' as equally a part of the 'spoils' of war, enacted also the first fugitive slave law in America. White slaves—convicts and paupers some of them; others at a later day, prisoners taken at the battles of Dunbar and Worcester, and of Sedgemoor—were at the first, employed in Virginia and the British West Indies. Bought in England by English dealers, among whom was the queen of James II., with many of his nobles and courtiers, some of them perhaps of the house of Sutherland; they were imported and sold at auction to the highest bidder. In 1620, a Dutch man-of-war first landed a cargo of slaves upon the banks of James River. But the earliest slave ship belonging to English colonists, was fitted out in 1645, by a member of the Puritan church of Boston. Fostered still by English princes and nobles: confirmed and cherished by British legislation and judicial decisions, even against the wishes and in spite of the remonstrances of the Colonies, the traffic increased; slaves multiplied, and on the Fourth of July, 1776, every colony was now become a slave state; and the sun went down that day upon four hundred and fifty thousand of those who in the cant of eighty years later, are styled 'human chattels,' but who were not by the act of that day emancipated.

"Eleven years afterwards, delegates assembled at

Philadelphia, from every state except Rhode Island, ignoring the question of the sinfulness and immorality of slavery, as a subject with which they as the representatives of separate and independent states had no concern, founded a union and framed a constitution, which leaving with each state the exclusive control and regulation of its own domestic institutions, and providing for the taxation and representation of slaves, gave no right to Congress to debate or to legislate concerning slavery in the states or territories, except for the interdiction of the slave trade and the extradition of fugitive slaves. The Plan of Union proposed by Franklin in 1754, had contained no allusion even to slavery; and the articles of Confederation of 1778, but a simple recognition of its existence—so wholly was it regarded then, a domestic and local concern. In 1787 every state, except perhaps Massachusetts, tolerated slavery either absolutely or conditionally.—But the number of slaves north of Maryland, never great, was even yet comparatively small; not exceeding forty thousand in a total slave population of six hundred thousand. In the North, chief carrier of slaves to others even as late as 1807, slavery never took firm root. Nature warred against it in that latitude; otherwise every state in the Union would have been a slaveholding state to this day. It was not profitable there; and it died out—lingering indeed in New York till July, 1827. It died out: but not so much by the manumission of slaves, as by their transportation and sale in the South: and thus New England, sir, turned an honest penny with her left hand, and with her right, modestly wrote herself down in history, as both generous and just.

“In the South, gentlemen, all this was precisely reversed. The earliest and most resolute enemies to

slavery, were Southern men. But climate had fastened the institution upon them; and they found no way to strike it down. From the beginning indeed, the Southern colonies especially had resisted the introduction of African slaves; and at the very outset of the revolution, Virginia and North Carolina interdicted the slave trade. The Continental Congress soon after, on the sixth of April, 1776, three months earlier than the Declaration of Independence, resolved that no more slaves ought to be imported into the thirteen colonies. Jefferson, in his draught of the Declaration, had denounced the King of England alike for encouraging the slave trade, and for fomenting servile insurrection in the provinces. Ten years later, he boldly attacked slavery in his "Notes on Virginia;" and in the Congress of the Confederation, *prior to the adoption of the Constitution, with its solemn compacts and compromises upon the subject of slavery*, proposed to exclude it from the territory northwest the river Ohio. Colonel Mason of Virginia vehemently condemned it, in the convention of 1787. Nevertheless it had already become manifest that slavery must soon die away in the North, but in the South continue and harden into perhaps a permanent, ineradicable system. Hostile interests and jealousies sprang up, therefore, in bitterness even in the convention. But the blood of the patriot brothers of Carolina and Massachusetts smoked yet upon the battle fields of the revolution. The recollection of their kindred language, and common dangers and sufferings, burned still fresh in their hearts. Patriotism proved more powerful than jealousy, and good sense stronger than fanaticism. There were no Sewards, no Hales, no Sumners, no Greeleys, no Parkers, no Chase, in that convention. There was a *Wilson*; but he rejoiced not in the name

of *Henry*; and he was a Scotchman. There was a clergyman—no, not in the convention of ’87, but in the Congress of ’76; but it was the devout, the learned, the pious, the patriotic Witherspoon; of foreign birth also, a native of Scotland, too. The men of that day and generation, sir, were content to leave the question of slavery just where it belonged. It did not occur to them, that each one among them was accountable for ‘the sin of slaveholding’ in his fellow; and that to ease his tender conscience of the burden, all the fruits of revolutionary privation and blood and treasure; all the recollections of the past; all the hopes of the future: nay the Union, and with it, domestic tranquillity and national independence, ought to be offered up as a sacrifice. They were content to deal with political questions; and to leave cases of conscience to the church and the schools, or to the individual man. And accordingly to this Union and Constitution, based upon these compromises—execrated now as ‘covenants with death and leagues with hell’—every state acceded: and upon these foundations, thus broad and deep, and stable, a political superstructure has, as if by magic, arisen, which in symmetry and proportion—and, if we would but be true to our trust, in strength and durability—finds no parallel in the world’s history.

“Patriotic sentiments, sir, such as marked the era of ’89, continued to guide the statesmen and people of the country for more than thirty years, full of prosperity; till in a dead political calm, consequent upon temporary extinguishment of the ancient party lines and issues, the MISSOURI QUESTION resounded through the land with the hollow moan of the earthquake, shook the pillars of the republic even to their deep foundations.

“Within these thirty years, gentlemen, slavery as a

system, had been abolished by law or disuse, quietly and without agitation, in every state north of Mason and Dixon's line—in many of them, lingering, indeed, in individual cases, so late as the census of 1840. But except in half a score of instances, the question had not been obtruded upon Congress. The Fugitive Slave Act of 1793 had been passed without opposition and without a division, in the Senate; and by a vote of forty-eight to seven, in the House. The slave trade had been declared piracy punishable with death. Respectful petitions from the Quakers of Pennsylvania, and others, upon the slavery question, were referred to a committee, and a report made thereon, which laid the matter at rest. Other petitions afterwards were quietly rejected, and, in one instance, returned to the petitioner. Louisiana and Florida, both slaveholding countries, had without agitation been added to our territory. Kentucky, Tennessee, Louisiana, Mississippi, and Alabama, slave states each one of them, had been admitted into the Union without a murmur. No Missouri Restriction, no Wilmot Proviso had as yet reared its discordant front to terrify and confound. NON-INTERVENTION was then both the practice and the doctrine of the statesmen and people of that period: though, as yet, no hollow platform enunciated it as an article of faith, from which, nevertheless, obedience might be withheld, and the platform 'spit upon,' provided the tender conscience of the recusant did not forbid him to support the candidate and help to secure the 'spoils.'

"I know, sir, that it is easy, very easy, to denounce all this as a defence of slavery itself. Be it so: be it so. But I have not discussed the institution in any respect; moral, religious, or political. Hear me. I express no opinion in regard to it: and as a citizen of

the north, I have ever refused, and will steadily refuse, to discuss the system in any of these particulars. It is precisely this continued and persistent discussion and denunciation in the North, which has brought upon us this present most perilous crisis: since to teach men to hate, is to prepare them to destroy, at every hazard, the object of their hatred. Sir, I am resolved only to look upon slavery outside of Ohio, just as the founders of the constitution and Union regarded it. It is no concern of mine; none, none: nor of yours, Abolitionist. Neither of us will attain heaven, by denunciations of slavery: nor shall we, I trow, be cast into hell for the sin of others who may hold slaves. I have not so learned the moral government of the universe: nor do I presumptuously and impiously aspire to the attributes of Godhead; and seek to bear upon my poor body the iniquities of the world.

"I know well indeed, Mr. President, that in the evil day which has befallen us, all this and he who utters it, shall be denounced as 'pro-slavery;' and already from ribald throats, there comes up the slavering, drivelling, idiot epithet of 'dough-face.' Again, be it so. These, Abolitionist, are your only weapons of warfare: and I hurl them back defiantly into your teeth. I speak thus boldly, because I speak in and to and for the North. It is time that the truth should be known, and heard, in this the age of trimming and subterfuge. I speak this day not as a northern man, nor a southern man; but, God, be thanked, still as a United States man, with United States principles;—and though the worst happen which can happen—though all be lost, if that shall be our fate; and I walk through the valley of the shadow of political death, I will live by them and die by them. If to love my country; to cherish the Union; to revere the

Constitution: if to abhor the madness and hate the treason which would lift up a sacrilegious hand against either; if to read that in the past, to behold it in the present, to foresee it in the future of this land, which is of more value to us and the world for ages to come, than all the multiplied millions who have inhabited Africa from the creation to this day:—if this it is to be *pro-slavery*, then, in every nerve, fibre, vein, bone, tendon, joint and ligament, from the topmost hair of the head to the last extremity of the foot, I am all over and altogether a PRO-SLAVERY MAN."

Speech of Horace Greeley on the Grounds of Protection.[84]

MR. PRESIDENT AND RESPECTED AUDITORS:—It has devolved on me, as junior advocate for the cause of Protection, to open the discussion of this question. I do this with less diffidence than I should feel in meeting able opponents and practiced disputants on almost any other topic, because I am strongly confident that you, my hearers, will regard this as a subject demanding logic rather than rhetoric, the exhibition and proper treatment of homely truths, rather than the indulgence of flights of fancy. As sensible as you can be of my deficiencies as a debater, I have chosen to put my views on paper, in order that I may present them in as concise a manner as possible, and not consume my hour before commencing my argument. You have nothing of oratory to lose by this course; I will hope that something may be gained to my cause in clearness

and force. And here let me say that, while the hours I have been enabled to give to preparation for this debate have been few indeed, I feel the less regret in that my *life* has been in some measure a preparation. If there be any subject to which I have devoted time, and thought, and patient study, in a spirit of anxious desire to learn and follow the truth, it is this very question of Protection; if I have totally misapprehended its character and bearings, then am I ignorant, hopelessly ignorant indeed. And, while I may not hope to set before you, in the brief space allotted me, all that is essential to a full understanding of a question which spans the whole arch of Political Economy,—on which able men have written volumes without at all exhausting it—I *do* entertain a sanguine hope that I shall be able to set before you considerations conclusive to the candid and unbiased mind of the policy and necessity of Protection. Let us not waste our time on non-essentials. That unwise and unjust measures have been adopted under the *pretence* of Protection, I stand not here to deny; that laws *intended* to be Protective have sometimes been injurious in their tendency, I need not dispute. The logic which would thence infer the futility or the danger of Protective Legislation would just as easily prove *all* laws and all policy mischievous and destructive. Political Economy is one of the latest born of the Sciences; the very fact that we meet here this evening to discuss a question so fundamental as this proves it to be yet in its comparative infancy. The sole favor I shall ask of my opponents, therefore, is that they will not waste their efforts and your time in attacking positions that we do not maintain, and hewing down straw giants of their own manufacture, but meet directly the arguments which I shall advance, and which, for the

sake of simplicity and clearness, I will proceed to put before you in the form of Propositions and their Illustrations, as follows:—

PROPOSITION I. *A Nation which would be prosperous, must prosecute various branches of Industry, and supply its vital Wants mainly by the Labor of its own Hands.*

Cast your eyes where you will over the face of the earth, trace back the History of Man and of Nations to the earliest recorded periods, and I think you will find this rule uniformly prevailing, that the nation which is eminently Agricultural and Grain-exporting, —which depends mainly or principally on other nations for its regular supplies of Manufactured fabrics,—has been comparatively a *poor* nation, and ultimately a *dependent* nation. I do not say that this is the *instant* result of exchanging the rude staples of Agriculture for the more delicate fabrics of Art; but I maintain that it is the inevitable *tendency*. The Agricultural nation falls in debt, becomes impoverished, and ultimately subject. The palaces of "merchant princes" may emblazon its harbors and overshadow its navigable waters; there may be a mighty Alexandria, but a miserable Egypt behind it; a flourishing Odessa or Dantzic, but a rude, thinly peopled southern Russia or Poland; the exchangers may flourish and roll in luxury, but the producers famish and die. Indeed, few old and civilized countries become largely exporters of grain until they have lost, or by corruption are prepared to surrender, their independence; and these often present the spectacle of the laborer starving on the fields he has tilled, in the midst of their fertility and promise. These appearances rest upon and indicate a law, which I shall endeavor hereafter to explain. I pass now to my

PROPOSITION II. *There is a natural tendency in a comparatively new Country to become and continue an Exporter of Grain and other rude Staples and an Importer of Manufactures.*

I think I hardly need waste time in demonstrating this proposition, since it is illustrated and confirmed by universal experience, and rests on obvious laws. The new country has abundant and fertile soil, and produces Grain with remarkable facility; also, Meats, Timber, Ashes, and most rude and bulky articles. Labor is there in demand, being required to clear, to build, to open roads, &c., and the laborers are comparatively few; while, in older countries, Labor is abundant and cheap, as also are Capital, Machinery, and all the means of the cheap production of Manufactured fabrics. I surely need not waste words to show that, in the absence of any counteracting policy, the new country will import, and continue to import, largely of the fabrics of older countries, and to pay for them, so far as she may, with her Agricultural staples. I will endeavor to show hereafter that she will continue to do this long after she has attained a condition to manufacture them as cheaply for herself, even regarding the *money* cost alone. But that does not come under the present head. The whole history of our country, and especially from 1782 to '90, when we had no Tariff and scarcely any Paper Money,—proves that, whatever may be the Currency or the internal condition of the new country, it will continue to draw its chief supplies from the old,—large or small according to its measure of ability to pay or obtain credit for them; but still, putting Duties on Imports out of the question, it will continue to buy its Manufactures abroad, whether in prosperity or adversity, inflation or depression.

I now advance to my

PROPOSITION III. *It is injurious to the New Country thus to continue dependent for its supplies of Clothing and Manufactured Fabrics on the Old.*

As this is probably the point on which the doctrines of Protection first come directly in collision with those of Free Trade, I will treat it more deliberately, and endeavor to illustrate and demonstrate it.

I presume I need not waste time in showing that the ruling price of Grain (as any Manufacture) in a region whence it is considerably exported, will be *its price at the point to which it is exported, less the cost of such transportation*. For instance: the cost of transporting Wheat hither from large grain-growing sections of Illinois was last fall sixty cents; and, New York being their most available market, and the price here ninety cents, the market there at once settled at thirty cents. As this adjustment of prices rests on a law obvious, immutable as gravitation, I presume I need not waste words in establishing it.

I proceed, then, to my next point. The average price of Wheat throughout the world is something less than one dollar per bushel; higher where the consumption largely exceeds the adjacent production, lower where the production largely exceeds the immediate consumption (I put out of view in this statement the inequalities created by Tariffs, as I choose at this point to argue the question on the basis of universal Free Trade, which is of course the basis most favorable to my opponents). I say, then, if all Tariffs were abolished to-morrow, the price of Wheat in England—that being the most considerable ultimate market of surpluses, and the chief supplier of our manufactures—would govern

the price in this country, while it would be itself governed by the price at which that staple could be procured in sufficiency from other grain-growing regions. Now, Southern Russia and Central Poland produce Wheat for exportation at thirty to fifty cents per bushel; but the price is so increased by the cost of transportation that at Dantzic it averages some ninety and at Odessa some eighty cents per bushel. The cost of importation to England from these ports being ten and fifteen cents respectively, the actual cost of the article in England, all charges paid, and allowing for a small increase of price consequent on the increased demand, would not in the absence of all Tariffs whatever, exceed one dollar and ten cents per bushel; and this would be the average price at which we must sell it in England in order to buy thence the great bulk of our Manufactures. I think no man will dispute or seriously vary this calculation. Neither can any reflecting man seriously contend that we could purchase forty or fifty millions' worth or more of Foreign Manufactures per annum, and pay for them in additional products of our Slave Labor—in Cotton and Tobacco. The consumption of these articles is now pressed to its utmost limit,—that of Cotton especially is borne down by the immense weight of the crops annually thrown upon it, and almost constantly on the verge of a glut. If we are to buy our Manufactures principally from Europe, we must pay for the additional amount mainly in the products of Northern Agricultural industry,—that is universally agreed on. The point to be determined is, whether we could obtain them abroad cheaper—*really* and positively cheaper, all Tariffs being abrogated—than under an efficient system of Protection.

Let us closely scan this question. Illinois and

Indiana, natural grain-growing States, need cloths; and, in the absence of all tariffs, these can be transported to them from England for two to three per cent. of their value. It follows, then, that, in order to undersell any American competition, the British manufacturer need only put his cloths at his factory *five* per cent. below the wholesale price of such cloths in Illinois, in order to command the American market. That is, allowing a fair broadcloth to be manufactured in or near Illinois for three dollars and a quarter per yard, cash price, in the face of British rivalry, and paying American prices for materials and labor, the British manufacturer has only to make that same cloth at three dollars per yard in Leeds or Huddersfield, and he can decidedly undersell his American rival, and drive him out of the market. Mind, I do not say that he *would* supply the Illinois market at that price *after* the American rivalry had been crushed; I know he *would not*; but, so long as any serious effort to build up or sustain manufactures in this country existed, the large and strong European establishments would struggle for the additional market which our growing and plenteous country so invitingly proffers. It is well known that in 1815–16, after the close of the last war, British manufactures were offered for sale in our chief markets at the rate of "*pound for pound*,"—that is, fabrics of which the first cost to the manufacturer was $4.44 were offered in Boston market at $3.33, duty paid. This was not sacrifice—it was dictated by a profound forecast. Well did the foreign fabricants know that their self-interest dictated the utter overthrow, at whatever cost, of the young rivals which the war had built up in this country, and which our government and a majority of the people had blindly or indolently abandoned to

their fate. William Cobbett, the celebrated radical, but with a sturdy English heart, boasted upon his first return to England that he had been actively engaged here in promoting the interests of his country by compassing the destruction of American manufactories in various ways which he specified —"*sometimes* (says he) *by Fire*." We all know that great sacrifices are often submitted to by a rich and long established stage owner, steamboat proprietor, or whatever, to break down a young and comparatively penniless rival. So in a thousand instances, especially in a rivalry for so large a prize as the supplying with manufactures of a great and growing nation. But I here put aside all calculations of a temporary sacrifice; I suppose merely that the foreign manufacturers will supply our grain-growing states with cloths at a trifling profit so long as they encounter American rivalry; and I say it is perfectly obvious that, if it cost three dollars and a quarter a yard to make a fair broadcloth in or near Illinois in the infancy of our arts and a like article could be made in Europe for three dollars, then the utter destruction of the American manufacture is inevitable. The foreign drives it out of the market and its maker into bankruptcy; and now our farmers, in purchasing their cloths, "buy where they can buy cheapest," which is the first commandment of free trade, and get their cloth of England at three dollars a yard. I maintain that this would not last a year after the American factories had been silenced—that then the British operator would begin to think of *profits* as well as bare cost for his cloth, and to adjust his prices so as to recover what it had cost him to put down the dangerous competition. But let this pass for the present, and say the foreign cloth is sold to Illinois for three dollars per yard. We have yet to

ascertain how much she has gained or lost by the operation.

This, says Free Trade, is very plain and easy. The four simple rules of arithmetic suffice to measure it. She has bought, say a million yards of foreign cloth for three dollars, where she formerly paid three and a quarter for American; making a clear saving of a quarter of a million dollars.

But not so fast—we have omitted one important element of the calculation. We have yet to see what effect the purchase of her cloth in Europe, as contrasted with its manufacture at home, will have on the price of her Agricultural staples. We have seen already that, in case she is forced to sell a portion of her surplus product in Europe, the price of that surplus must be the price which can be procured for it in England, *less* the cost of carrying it there. In other words: the average price in England being one dollar and ten cents, and the average cost of bringing it to New York being at least fifty cents and then of transporting it to England at least twenty-five more, the net proceeds to Illinois cannot exceed thirty-five cents per bushel. I need not more than state so obvious a truth as that the price at which the surplus can be sold governs the price of the whole crop; nor, indeed, if it were possible to deny this, would it at all affect the argument. The real question to be determined is, not whether the American or the British manufacturers will furnish the most cloth for the least *cash*, but which will supply the requisite quantity of Cloth for the least *Grain in Illinois*. Now we have seen already that the price of Grain at any point where it is readily and largely produced is governed by its nearness to or remoteness from the market to which its surplus tends, and the least favorable market in which any portion of it must be

sold. For instance: If Illinois produces a surplus of five million bushels of Grain, and can sell one million of bushels in New York, and two millions in New England, and another million in the West Indies, and for the fifth million is compelled to seek a market in England, and that, being the remotest point at which she sells, and the point most exposed to disadvantageous competition, is naturally the poorest market, that farthest and lowest market to which she sends her surplus will govern, to a great extent if not absolutely, the price she receives for the whole surplus. But, on the other hand, let her Cloths, her wares, be manufactured in her midst, or on the junctions and waterfalls in her vicinity, thus affording an immediate market for her Grain, and now the average price of it rises, by an irresistible law, nearly or quite to the average of the world. Assuming that average to be one dollar, the price in Illinois, making allowance for the fertility and cheapness of her soil, could not fall below an average of seventy-five cents. Indeed, the experience of the periods when her consumption of Grain has been equal to her production, as well as that of other sections where the same has been the case, proves conclusively that the average price of her Wheat would exceed that sum.

We are now ready to calculate the profit and loss. Illinois, under Free Trade, with her “workshops in Europe,” will buy her cloth twenty-five cents per yard cheaper, and thus make a nominal saving of two hundred and fifty thousand dollars in her year’s supply; but, she thereby compels herself to pay for it in Wheat at thirty-five instead of seventy-five cents per bushel, or to give over *nine* and one third bushels of Wheat for every yard under Free Trade, instead of *four* and a third under a system of Home Production.

In other words, while she is making a quarter of a million dollars by buying her Cloth “where she can buy cheapest,” she is losing nearly Two Millions of Dollars on the net product of her Grain. The striking of a balance between her profit and her loss is certainly not a difficult, but rather an unpromising, operation.

Or, let us state the result in another form: She can buy her cloth a little cheaper in England,—Labor being there lower, Machinery more perfect, and Capital more abundant; but, in order to pay for it, she must not merely sell her own products at a correspondingly low price, but enough lower to overcome the cost of transporting them from Illinois to England. She will give the cloth-maker in England less Grain for her Cloth than she would give to the man who made it on her own soil; but for every bushel she sends him in payment for his fabric, she must give two to the wagoner, boatman, shipper, and factor who transport it thither. On the whole product of her industry, two-thirds is tolled out by carriers and bored out by Inspectors, until but a beggarly remnant is left to satisfy the fabricator of her goods.

And here I trust I have made obvious to you the law which dooms an Agricultural Country to inevitable and ruinous disadvantage in exchanging its staples for Manufactures, and involves it in perpetual and increasing debt and dependence. The *fact*, I early alluded to; is not the *reason* now apparent? It is not that Agricultural communities are more extravagant or less industrious than those in which Manufactures or Commerce preponderate,—it is because there is an inevitable disadvantage to Agriculture in the very nature of all distant exchanges. Its products are far more perishable than any other; they cannot so well await a future

demand; but in their excessive bulk and density is the great evil. We have seen that, while the English Manufacturer can send his fabrics to Illinois for less than five per cent. on their first cost, the Illinois farmer must pay two hundred per cent. on his Grain for its transportation to English consumers. In other words: the English manufacturer need only produce his goods five per cent. below the American to drive the latter out of the Illinois market, the Illinoisan must produce wheat for *one-third* of its English price in order to compete with the English and Polish grain-grower in Birmingham and Sheffield.

And here is the answer to that scintillation of Free Trade wisdom which flashes out in wonder that *Manufactures* are eternally and especially in want of Protection, while Agriculture and Commerce need none. The assumption is false in any sense,—our Commerce and Navigation cannot live without Protection,—never did live so,—but let that pass. It is the interest of the whole country which demands that that portion of its Industry which is *most exposed* to ruinous foreign rivalry should be cherished and sustained. The wheat-grower, the grazier, is protected by ocean and land; by the fact that no foreign article can be introduced to rival his except at a cost for transportation of some thirty to one hundred per cent. on its value; while our Manufactures can be inundated by foreign competition at a cost of some two to ten per cent. It is the grain-grower, the cattle-raiser, who is protected by a duty on Foreign Manufactures, quite as much as the spinner or shoemaker. He who talks of Manufactures being protected and nothing else, might just as sensibly complain that we fortify Boston and New York and not Pittsburg and Cincinnati.

Again: You see here our answer to those philosophers who modestly tell us that their views are liberal and enlightened, while ours are benighted, selfish, and un-Christian. They tell us that the foreign factory-laborer is anxious to exchange with us the fruits of his labor,—that he asks us to give him of our surplus of grain for the cloth that he is ready to make cheaper than we can now get it, while we have a superabundance of bread. Now, putting for the present out of the question the fact that, though *our* Tariff were abolished, *his* could remain,—that neither England, nor France, nor any great manufacturing country, would receive our Grain untaxed though we offered so to take their goods,—especially the fact that they never *did* so take of us while we were freely taking of them,—we say to them, "Sirs, we are willing to take Cloth of you for Grain; but why prefer to trade at a ruinous disadvantage to both? Why should there be half the diameter of the earth between him who makes coats and him who makes bread, the one for the other? We are willing to give you bread for clothes; but we are not willing to pay two-thirds of our bread as the cost of transporting the other third to you, because we sincerely believe it needless and greatly to our disadvantage. We are willing to work for and buy of you, but not to support the useless and crippling activity of a falsely directed Commerce; not to contribute by our sweat to the luxury of your nobles, the power of your kings. But come to us, you who are honest, peaceable, and industrious; bring hither your machinery, or, if that is not yours, bring out your sinews; and we will aid you to reproduce the implements of your skill. We will give you more bread for your cloth here than you can possibly earn for it where you are, if you will but come among us

and aid us to sustain the policy that secures steady employment and a fair reward to Home Industry. We will no longer aid to prolong your existence in a state of semi-starvation where you are; but we are ready to share with you our Plenty and our Freedom here." Such is the answer which the friends of Protection make to the demand and the imputation; judge ye whether our policy be indeed selfish, un-Christian, and insane.

I proceed now to set forth my

PROPOSITION IV. *That Equilibrium between Agriculture, Manufactures and Commerce, which we need, can only be maintained by means of Protective Duties.*

You will have seen that the object we seek is not to make our country a Manufacturer for other nations, but for herself,—not to make her the baker and brewer and tailor of other people, but of her own household. If I understand at all the first rudiments of National Economy, it is best for each and all nations that each should mainly fabricate for itself, freely purchasing of others all such staples as its own soil or climate proves ungenial to. We appreciate quite as well as our opponents the impolicy of attempting to grow coffee in Greenland or glaciers in Malabar,—to extract blood from a turnip or sunbeams from cucumbers. A vast deal of wit has been expended on our stupidity by our acuter adversaries, but it has been quite thrown away, except as it has excited the hollow laughter of the ignorant as well as thoughtless. All this, however sharply pushed, falls wide of our true position. To all the fine words we hear about "the impossibility of counteracting the laws of Nature," "Trade Regulating itself," &c., &c., we bow with due deference, and wait for the sage to resume his argument. What we

do affirm is this, *that it is best for every nation to make at home all those articles of its own consumption that can just as well—that is, with nearly or quite as little labor—be made there as anywhere else.* We say it is not wise, it is not well, to send to France for boots, to Germany for hose, to England for knives and forks, and so on; because the real cost of them would be less,—even though the nominal price should be slightly more,—if we made them in our own country; while the facility of paying for them would be much greater. We do not object to the occasional importation of choice articles to operate as specimens and incentives to our own artisans to improve the quality and finish of their workmanship, —where the home competition does not avail to bring the process to its perfection, as it often will. In such cases, the rich and luxurious will usually be the buyers of these choice articles, and can afford to pay a good duty. There are gentlemen of extra polish in our cities and villages who think no coat good enough for them which is not woven in an English loom,—no boot adequately transparent which has not been fashioned by a Parisian master. I quarrel not with their taste: I only say that, since the Government *must* have Revenue and the American artisan *should* have Protection, I am glad it is so fixed that these gentlemen shall contribute handsomely to the former, and gratify their aspirations with the least possible detriment to the latter. It does not invalidate the fact nor the efficiency of Protection that foreign competition with American workmanship is not entirely shut out. It is the *general* result which is important, and not the exception. Now, he who can seriously contend, as some have seemed to do, that Protective Duties do not aid and extend the domestic production of the articles so

protected might as well undertake to argue the sun out of the heavens at mid-day. All experience, all common sense, condemn him. Do we not know that our Manufactures first shot up under the stringent Protection of the Embargo and War? that they withered and crumbled under the comparative Free Trade of the few succeeding years? that they were revived and extended by the Tariffs of 1824 and '28? Do we not know that Germany, crippled by British policy, which inundated her with goods yet excluded her grain and timber, was driven, years since, to the establishment of her "Zoll-Verein" or Tariff Union,—a measure of careful and stringent Protection, under which Manufactures have grown up and flourished through all her many States? She has adhered steadily, firmly, to her Protective Policy, while we have faltered and oscillated; and what is the result? She has created and established her Manufactures; and in doing so has vastly increased her wealth and augmented the reward of her industry. Her public sentiment, as expressed through its thousand channels, is almost unanimous in favor of the Protective Policy; and now, when England, finding at length that her cupidity has overreached itself,—that she cannot supply the Germans with clothes refuse to buy their bread,—talks of relaxing her Corn-Laws in order to coax back her ancient and profitable customer, the answer is, "No; it is now too late. We have built up Home Manufactures in repelling your rapacity,—we cannot destroy them at your caprice. What guarantee have we that, should we accede to your terms, you would not return again to your policy of taking all and giving none so soon as our factories had crumbled into ruin? Besides, we have found that we can make cheaper—really cheaper—than we were able to buy,—can pay better wages to

our laborers, and secure a better and steadier market for our products. We are content to abide in the position to which you have driven us. Pass on!"

But this is not the sentiment of Germany alone. All Europe acts on the principle of self-protection; because all Europe sees its benefits. The British journals complain that, though they have made a show of relaxation in their own Tariff, and their Premier has made a Free Trade speech in Parliament, the chaff has caught no birds; *but six hostile Tariffs*—all Protective in their character, and all aimed at the supremacy of British Manufactures—were enacted within the year 1842. And thus, while schoolmen plausibly talk of the adoption and spread of Free Trade principles, and their rapid advances to speedy ascendency, the practical man knows that the truth is otherwise, and that many years must elapse before the great Colossus of Manufacturing monopoly will find another Portugal to drain of her life-blood under the delusive pretence of a commercial reciprocity. And, while Britain continues to pour forth her specious treatises on Political Economy, proving Protection a mistake and an impossibility through her Parliamentary Reports and Speeches in Praise of Free Trade, the shrewd statesmen of other nations humor the joke with all possible gravity, and pass it on to the next neighbor; yet all the time take care of their own interests, just as though Adam Smith had never speculated nor Peel soberly expatiated on the blessings of Free Trade, looking round occasionally with a curious interest to see whether anybody was really taken in by it.

I have partly anticipated, yet I will state distinctly, my

PROPOSITION V. *Protection is necessary and proper to sustain as well as to create a beneficent adjustment of*

our National Industry.

"Why can't our Manufacturers go alone?" petulantly asks a Free-Trader; "they have had Protection long enough. They ought not to need it any more." To this I answer that, if Manufactures were protected as a matter of special bounty or favor to the Manufacturers, a single day were too long. I would not consent that they should be sustained one day longer than the interests of the *whole* Country required. I think you have already seen that, not for the sake of Manufacturers, but for the sake of all Productive Labor, should Protection be afforded. If I have been intelligible, you will have seen that the purpose and essence of Protection is LABOR-SAVING, —the making two blades of grass grow instead of one. This it does by "planting the Manufacturer as nearly as may be by the side of the Farmer," as Mr. Jefferson expressed it, and thereby securing to the latter a market for which he had looked to Europe in vain. Now, the market of the latter is certain as the recurrence of appetite; but that is not all. The Farmer and the Manufacturer, being virtually neighbors, will interchange their productions directly, or with but one intermediate, instead of sending them reciprocally across half a continent and a broad ocean, through the hands of many holders, until the toll taken out by one after another has exceeded what remains of the grist. "Dear-bought and far-fetched" is an old maxim, containing more *essential* truth than many a chapter by a modern Professor of Political Economy. Under the Protective policy, instead of having one thousand men making Cloth in one hemisphere, and an equal number raising Grain in the other, with three thousand factitiously employed in transporting and interchanging these products, we have over two thousand producers of

Grain, and as many of Cloth, leaving far too little employment for one thousand in making the exchanges between them. This consequence is inevitable; although the production on either side is not confined to the very choicest locations, the total product of their labor is twice as much as formerly. In other words, there is a double quantity of food, clothing, and all the necessaries and comforts of life, to be shared among the producers of wealth, simply from the diminution of the number of non-producers. If all the men now enrolled in Armies and Navies were advantageously employed in Productive Labor, there would doubtless be a larger dividend of comforts and necessaries of life for all, because more to be divided than now and no greater number to receive it; just so in the case before us. Every thousand persons employed in needless Transportation and in factitious Commerce are so many subtracted from the great body of Producers, from the proceeds of whose labor all must be subsisted. The dividend for each must, of course, be governed by the magnitude of the quotient.

But, if this be so advantageous, it is queried, why is any legislation necessary? Why would not all voluntarily see and embrace it? I answer, because the apparent individual advantage is often to be pursued by a course directly adverse to the general welfare. We know that Free Trade asserts the contrary of this; maintaining that, if every man pursues that course most conducive to his individual interest, the general good will thereby be most certainly and signally promoted. But, to say nothing of the glaring exceptions to this law which crowd our statute books with injunctions and penalties, we are everywhere met with pointed contradictions of its assumption, which hallows and blesses the pursuits of the

gambler, the distiller, and the libertine, making the usurer a saint and the swindler a hero. Adam Smith himself admits that there are avocations which enrich the individual but impoverish the community. So in the case before us. A B is a farmer in Illinois, and has much grain to sell or exchange for goods. But, while it is demonstrable that, if *all* the manufactures consumed in Illinois were produced there, the price of grain must rise nearly to the average of the world, it is equally certain that A B's *single act*, in buying and consuming American cloth, will not raise the price of grain generally, nor of *his* grain. It will not perceptibly affect the price of grain at all. A solemn compact of the whole community to use only American fabrics would have some effect; but this could never be established, or never enforced. A few Free-Traders standing out, selling their grain at any advance which might accrue, and buying "where they could buy cheapest," would induce one after another to look out for No. 1, and let the public interests take care of themselves: so the whole compact would fall to pieces like a rope of sand. Many a one would say, "Why should I aid to keep up the price of Produce? I am only a *consumer* of it,"—not realizing or caring for the interest of the community, even though it less palpably involved his own; and that would be an end. Granted that it is desirable to encourage and prefer Home Production and Manufacture, a Tariff is the obvious way, and the only way, in which it can be effectively and certainly accomplished.

But why is a Tariff necessary after Manufactures are once established? "You say," says a Free-Trader, "that you can Manufacture cheaper if Protected than we can buy abroad: then why not do it *without* Protection, and save all trouble?" Let me answer this

cavil:—

I will suppose that the Manufactures of this Country amount in value to One Hundred Millions of Dollars per annum, and those of Great Britain to Three Hundred Millions. Let us suppose also that, under an efficient Protective Tariff, ours are produced five per cent. cheaper than those of England, and that our own markets are supplied entirely from the Home Product. But at the end of this year, 1843, we,—concluding that our Manufactures have been protected long enough and ought now to go alone,—repeal absolutely our Tariff, and commit our great interests thoroughly to the guidance of "Free Trade." Well: at this very time the British Manufacturers, on making up the account and review of their year's business, find that they have manufactured goods costing them Three Hundred Millions, as aforesaid, and have sold to just about that amount, leaving a residue or surplus on hand of Fifteen or Twenty Millions' worth. These are to be sold; and their net proceeds will constitute the interest on their capital and the profit on their year's business. But *where* shall they be sold? If crowded on the Home or their established Foreign Markets, they will glut and depress those markets, causing a general decline of prices and a heavy loss, not merely on this quantity of goods, but on the whole of their next year's business. They know better than to do any such thing. Instead of it, they say, "Here is the American Market just thrown open to us by a repeal of their Tariff: let us send thither our surplus, and sell it for what it will fetch." They ship it over accordingly, and in two or three weeks it is rattling off through our auction stores, at prices first five, then ten, fifteen, twenty, and down to thirty per cent. below our previous rates. Every jobber and dealer is

tickled with the idea of buying goods of novel patterns so wonderfully cheap; and the sale proceeds briskly, though, at constantly declining prices, till the whole stock is disposed of and our market is gorged to repletion.

Now, the British manufacturers may not have received for the whole Twenty Millions' worth of Goods over Fourteen or Fifteen Millions; but what of it? Whatever it may be is clear profit on their year's business in cash or its full equivalent. All their established markets are kept clear and eager; and they can now go on vigorously and profitably with the business of the new year. But more: they have crippled an active and growing rival; they have opened a new market, which shall erelong be theirs also.

Let us now look at our side of the question:—

The American Manufacturers have also a stock of goods on hand, and they come into our market to dispose of them. But they suddenly find that market forestalled and depressed by rival fabrics of attractive novelty, and selling in profusion at prices which rapidly run down to twenty-five per cent. below cost. What are they to do? They cannot force sales at any price not utterly ruinous; there is no demand at any rate. They cannot retaliate upon England the mischief they must suffer,—her Tariff forbids; and the other markets of the world are fully supplied, and will bear but a limited pressure. The foreign influx has created a scarcity of money as well as a plethora of goods. Specie has largely been exported in payment, which has compelled the Banks to contract and deny loans. Still, their obligations must be met; if *they* cannot make sales, *the Sheriff* will, and must. It is not merely their surplus, but their whole product, which has been depreciated and

made unavailable at a blow. The end is easily foreseen: our Manufacturers become bankrupt and are broken up; their works are brought to a dead stand; the Laborers therein, after spending months in constrained idleness, are driven by famine into the Western wilderness, or into less productive and less congenial vocations; their acquired skill and dexterity, as well as a portion of their time, are a dead loss to themselves and the community; and we commence the slow and toilsome process of rebuilding and rearranging our industry on the one-sided or Agricultural basis. Such is the process which we have undergone twice already. How many repetitions shall satisfy us?

Now, will any man gravely argue that we have *made* Five or Six Millions by this cheap purchase of British goods,—by "buying where we could buy cheapest?" Will he not see that, though the *price* was low, the *cost* is very great? But the apparent saving is doubly deceptive; for the British manufacturers, having utterly crushed their American rivals by one or two operations of this kind, soon find here a market, not for a beggarly surplus of Fifteen or Twenty Millions, but they have now a demand for the amount of our whole consumption, which, making allowance for our diminished ability to pay, would probably still reach Fifty Millions per annum. This increased demand would soon produce activity and buoyancy in the general market; and now the foreign Manufacturers would say in their consultations, "We have sold some millions' worth of goods to America for less than cost, in order to obtain control of that market; now we have it, and must retrieve our losses,"—and they *would* retrieve them, with interest. They would have a perfect right to do so. I hope no man has understood me as

implying any infringement of the dictates of honesty on their part, still less of the laws of trade. They have a perfect right to sell goods in our markets on such terms as we prescribe and they can afford; it is *we*, who set up our own vital interests to be bowled down by their rivalry, who are alone to be blamed.

Who does not see that this sending out our great Industrial Interests unarmed and unshielded to battle against the mailclad legions opposed to them in the arena of Trade is to insure their destruction? It were just as wise to say that, because our people are brave, therefore they shall repel any invader without fire-arms, as to say that the restrictions of other nations ought not to be opposed by us because our artisans are skilful and our manufactures have made great advances. The very fact that our manufactures are greatly extended and improved is the strong reason why they should not be exposed to destruction. If they were of no amount or value, their loss would be less disastrous; but now the Five or Six Millions we should make on the cheaper importation of goods would cost us One Hundred Millions in the destruction of Manufacturing Property alone.

Yet this is but an item of our damage. The manufacturing classes feel the first effect of the blow, but it would paralyze every muscle of society. One hundred thousand artisans and laborers, discharged from our ruined factories, after being some time out of employment, at a waste of millions of the National wealth, are at last driven by famine to engage in other avocations,—of course with inferior skill and at an inferior price. The farmer, gardener, grocer, lose them as customers to meet them as rivals. They crowd the labor-markets of those branches of industry which we are still permitted to pursue, just at the time when the demand for their products has

fallen off, and the price is rapidly declining. The result is just what we have seen in a former instance: all that any man may make by buying Foreign goods cheap, he loses ten times over by the decline of his own property, product, or labor; while to nine-tenths of the whole people the result is unmixed calamity. The disastrous consequences to a nation of the mere derangement and paralysis of its Industry which must follow the breaking down of any of its great Producing Interests have never yet been sufficiently estimated. Free Trade, indeed, assures us that every person thrown out of employment in one place or capacity has only to choose another; but almost every workingman knows from experience that such is not the fact,—that the loss of situation through the failure of his business is oftener a sore calamity. I know a worthy citizen who spent six years in learning the trade of a hatter, which he had just perfected in 1798, when an immense importation of foreign hats utterly paralyzed the manufacture in this country. He traveled and sought for months, but could find no employment at any price, and at last gave up the pursuit, found work in some other capacity, and has never made a hat since. He lives yet, and now comfortably, for he is industrious and frugal; but the six years he gave to learn his trade were utterly lost to him,—lost for the want of adequate and steady Protection to Home Industry. I insist that the Government has failed of discharging its proper and rightful duty to that citizen and to thousands, and tens of thousands who have suffered from like causes. I insist that, if the Government had permitted without complaint a foreign force to land on our shores and plunder that man's house of the savings of six years of faithful industry, the neglect of duty would not have been more flagrant. And I

firmly believe that the people of this country are One Thousand Millions of Dollars poorer at this moment than they would have been had their entire Productive Industry been constantly protected, on the principles I have laid down, from the formation of the Government till now. The steadiness of employment and of recompense thus secured, the comparative absence of constrained idleness, and the more efficient application of the labor actually performed, would have vastly increased the product, —would have improved and beautified the whole face of the country; and the Moral and Intellectual advantages thence accruing would alone have been inestimable. A season of suspension of labor in a community is usually one of aggravated dissipation, drunkenness, and crime.

But let me more clearly illustrate the effect of foreign competition in raising prices to the consumer. To do this, I will take my own calling for an example, because I understand that best; though any of you can apply the principle to that with which he may be better acquainted. I am a publisher of newspapers, and suppose I afford them at a cheap rate. But the ability to maintain that cheapness is based on the fact that I can certainly sell a large edition daily, so that no part of that edition shall remain a dead loss on my hands. Now, if there were an active and formidable Foreign competition in newspapers,—if the edition which I printed during the night were frequently rendered unsalable by the arrival of a foreign ship freighted with newspapers early in the morning,—the present rates could not be continued: the price must be increased or the quality would decline. I presume this holds equally good of the production of calicoes, glass, and penknives as of newspapers, though it may be somewhat modified by

the nature of the article to which it is applied. That it does hold true of sheetings, nails, and thousands of articles, is abundantly notorious.

I have not burdened you with statistics,—you know they are the reliance, the stronghold, of the cause of Protection, and that we can produce them by acres. My aim has been to exhibit not mere collections of facts, however pertinent and forcible, but the *laws* on which those facts are based,—not the immediate manifestation, but the ever-living necessity from which it springs. The contemplation of these laws assures me that those articles which are supplied to us by Home Production alone are relatively cheaper than those which are rivalled and competed with from abroad. And I am equally confident that the shutting out of Foreign competition from our markets for other articles of general necessity and liberal consumption which can be made here with as little labor as anywhere would be followed by a corresponding result,—a reduction of the price to the consumer at the same time with increased employment and reward to our Producing Classes.

But, Mr. President, were this only on one side true, —were it certain that the price of the Home product would be permanently higher than that of the Foreign, I should still insist on efficient Protection, and for reasons I have sufficiently shown. Grant that a British cloth costs but $3 per yard, and a corresponding American fabric $4, I still hold that the latter would be decidedly the cheaper for us. The Fuel, Timber, Fruits, Vegetables, &c., which make up so large a share of the cost of the Home product, would be rendered comparatively valueless by having our workshops in Europe. I look not so much to the nominal price as to the comparative facility of

payment. And, where cheapness is only to be attained by a depression of the wages of Labor to the neighborhood of the European standard, I prefer that it should be dispensed with. One thing must answer to another; and I hold that the farmers of this country can better afford, as a matter of pecuniary advantage, to pay a good price for manufactured articles than to obtain them lower through the depression and inadequacy of the wages of the artisan and laborer.

You will understand me, then, to be utterly hostile to that idol of Free Trade worship, known as Free or unlimited Competition. The sands of my hour are running low, and I cannot ask time to examine this topic more closely; yet I am confident I could show that this Free Competition is a most delusive and dangerous element of Political Economy. Bear with a brief illustration: At this moment, common shirts are made in London at the incredibly low price of *three cents per pair*. Should we admit these articles free of duty and buy them because they are so cheap? Free trade says Yes; but I say No! Sound Policy as well as Humanity forbids it. By admitting them, we simply reduce a large and worthy and suffering class of our population from the ability they now possess of procuring a bare subsistence by their labor to unavoidable destitution and pauperism. They must now subsist upon the charity of relatives or of the community,—unless we are ready to adopt the demoniac doctrine of the Free Trade philosopher Malthus, that the dependent Poor ought to be rigorously starved to death. Then what have we gained by getting these articles so exorbitantly cheap? or, rather, what have we not lost? The labor which formerly produced them is mainly struck out of existence; the poor widows and seamstresses

among us must still have a subsistence; and the imported garments must be paid for: where are the profits of our speculation?

But even this is not the worst feature of the case. The labor which we have here thrown out of employment by the cheap importation of this article is now ready to be employed again at any price,—if not one that will afford bread and straw, then it must accept one that will produce potatoes and rubbish; and with the product some Free-Trader proceeds to break down the price and destroy the reward of similar labor in some other portion of the earth. And thus each depression of wages produces another, and that a third, and so on, making the circuit of the globe,—the aggravated necessities of the Poor acting and reacting upon each other, increasing the omnipotence of Capital and deepening the dependence of Labor, swelling and pampering a bloated and factitious Commerce, grinding down and grinding down the destitute, until Malthus's remedy for Poverty shall become a grateful specific, and, amid the splendors and luxuries of an all-devouring Commercial Feudalism, the squalid and famished Millions, its dependants and victims, shall welcome death as a deliverer from their sufferings and despair.

I wish time permitted me to give a hasty glance over the doctrines and teachings of the Free Trade sophists, who esteem themselves *the* Political Economists, christen their own views liberal and enlightened, and complacently put ours aside as benighted and barbarous. I should delight to show you how they mingle subtle fallacy with obvious truth, how they reason acutely from assumed premises, which, being mistaken or incomplete, lead to false and often absurd conclusions,—how they

contradict and confound each other, and often, from Adam Smith, their patriarch, down to McCulloch and Ricardo, either make admissions which undermine their whole fabric, or confess themselves ignorant or in the dark on points the most vital to a correct understanding of the great subject they profess to have reduced to a Science. Yet even Adam Smith himself expressly approves and justifies the British Navigation Act, the most aggressively Protective measure ever enacted,—a measure which, not being understood and seasonably counteracted by other nations, changed for centuries the destinies of the World,—which silently sapped and overthrew the Commercial and Political greatness of Holland,—which silenced the thunder of Van Tromp, and swept the broom from his mast-head. But I must not detain you longer. I do not ask you to judge of this matter by authority, but from facts which come home to your reason and your daily experience. There is not an observing and strong-minded mechanic in our city who could not set any one of these Doctors of the Law right on essential points. I beg you to consider how few great practical Statesmen they have ever been able to win to their standard,—I might almost say none; for Huskisson was but a nominal disciple, and expressly contravened their whole system upon an attempt to apply it to the Corn Laws; and Calhoun is but a Free-Trader by location, and has never yet answered his own powerful arguments in behalf of Protection. On the other hand, we point you to the long array of mighty names which have illustrated the annals of Statesmanship of modern times,—to Chatham, William Pitt, and the Great Frederick of Prussia; to the whole array of memorable French Statesmen, including Napoleon the first of them all; to our own WASHINGTON, HAMILTON, JEFFERSON,

and MADISON; to our two CLINTONS, TOMPKINS, to say nothing of the eagle-eyed and genial-hearted LIVING master-spirit [Henry Clay] of our time. The opinions and the arguments of all these are on record; it is by hearkening to and heeding their counsels that we shall be prepared to walk in the light of experience and look forward to a glorious National destiny. My friends! I dare not detain you longer. I commit to you the cause of the Nation's Independence, of her Stability and her Prosperity. Guard it wisely and shield it well; for it involves your own happiness and the enduring welfare of your countrymen!

Henry A. Wise

Against Know-Nothingism, Sept. 18, 1852.

The laws of the United States—federal and state laws—declare and defend the liberties of our people. They are free in every sense—free in the sense of Magna Charta and beyond Magna Charta; free by the surpassing franchise of *American* charters, which makes them sovereign and their wills the sources of constitutions and laws.

In this country, at this time, does any man think anything? Would he think aloud? Would he speak anything? Would he write anything? His mind is free; his person is safe; his property is secure; his house is his castle; the spirit of the laws is his body-guard and his house-guard; the fate of one is the fate of all measured by the same common rule of right; his voice is heard and felt in the general suffrage of freemen; his trial is in open court, confronted by witnesses and accusers; his prison house has no secrets, and he has the judgment of his peers; and there is nought to make him afraid, so long as he respects the rights of his equals in the eye of the law. Would he propagate truth? Truth is free to combat error. Would he propagate error? Error itself may stalk abroad and do her mischief, and make night itself grow darker, provided truth is left free to follow, however slowly, with her torches to light up the wreck! Why, then, should any portion of the people desire to retire in secret, and by secret means to propagate a political thought, or word, or deed, by stealth? Why band together, exclusive of others, to do something which all may not know of, towards some political end? If it be good, why not make the good known? Why not think it, speak it, write it, act it out openly and aloud? Or, is it evil, which loveth

darkness rather than light? When there is no necessity to justify a secret association for political ends, what else can justify it? A caucus may sit in secret to consult on the general policy of a great public party. That may be necessary or convenient; but that even is reprehensible, if carried too far. But here is proposed a great primary, national organization, in its inception—What? Nobody knows. To do what? Nobody knows. How organized? Nobody knows. Governed by whom? Nobody knows. How bound? By what rites? By what test oaths? With what limitations and restraints? Nobody, nobody knows! All we know is that persons of foreign birth and of Catholic faith are proscribed; and so are all others who don't proscribe them at the polls. This is certainly against the spirit of Magna Charta.

A Prussian born subject came to this country. He complied with our naturalization laws in all respects of notice of intention, residence, oath of allegiance, and proof of good moral character. He remained continuously in the United States the full period of five years. When he had fully filled the measure of his probation and was consummately a naturalized citizen of the United States, he then, and not until then, returned to Prussia to visit an aged father. He was immediately, on his return, seized and forced into the Landwehr, or militia system of Prussia, under the maxim: "Once a citizen, always a citizen!" There he is forced to do service to the king of Prussia at this very hour. He applies for protection to the United States. Would the Know-Nothings interpose in his behalf or not? Look at the principles involved. We, by our laws, encouraged him to come to our country, and here he was allowed to become naturalized, and to that end required to renounce

and abjure all allegiance and fidelity to the king of Prussia, and to swear allegiance and fidelity to the United States. The king of Prussia now claims no legal forfeiture from him—he punishes him for no crime—he claims of him no legal debt—he claims alone that very allegiance and fidelity which we required the man to abjure and renounce. Not only so, but he hinders the man from returning to the United States, and from discharging the allegiance and fidelity we required him to swear to the United States. The king of Prussia says he should do him service for seven years, for this was what he was born to perform; his obligations were due to him first, and his laws were first binding him. The United States say—true, he was born under your laws, but he had a right to expatriate himself; he owed allegiance first to you, but he had a right to forswear it and to swear allegiance to us; your laws first applied, but this is a case of political obligation, not of legal obligation; it is not for any crime or debt you claim to bind him, but it is for allegiance; and the claim you set up to his services on the ground of his political obligation, his allegiance to you, which we allow him to abjure and renounce, is inconsistent with his political obligation, his allegiance, which we required him to swear to the United States; he has sworn fidelity to us, and we have, by our laws, pledged protection to him.

Such is the issue. Now, with which will the Know-Nothings take sides? With the king of Prussia against our naturalized citizen and against America, or with America and our naturalized citizen? Mark, now, Know-Nothingism is opposed to all foreign influence —against American institutions. The king of Prussia is a pretty potent foreign influence—he was one of the holy alliance of crowned heads. Will they take

part with him, and not protect the citizen? Then they will aid a foreign influence against our laws! Will they take sides with our naturalized citizen? If so, then upon what grounds? Now, they must have a good cause of interposition to justify us against all the received dogmas of European despotism.

Don't they see, can't they perceive, that they have no other grounds than those I have urged? He is our citizen, nationalized, owing us allegiance and we owing him protection. And if we owe him protection abroad, because of his sworn allegiance to us as a naturalized citizen, what then can deprive him of his privileges at home among us when he returns? If he be a citizen at all, he must be allowed the privileges of citizenship, or he will not be the equal of his fellow-citizens. And must not Know-Nothingism strike at the very equality of citizenship, or allow him to enjoy all its lawful privileges? If Catholics and naturalized citizens are to be citizens and yet to be proscribed from office, they must be rated as an inferior class—an excluded class of citizens. Will it be said that the law will not make this distinction? Then are we to understand that Know-Nothings would not make them equal by law? If not by law, how can they pretend to make them unequal, by their secret order, without law and against law? For them, by secret combination, to make them unequal, to impose a burthen or restriction upon their privileges which the law does not, is to set themselves up above the law, and to supersede by private and secret authority, intangible and irresponsible, the rule of public, political right. Indeed, is this not the very essence of the "Higher Law" doctrine? It cannot be said to be legitimate public sentiment and the action of its authority. Public sentiment, proper, is a concurrence of the

common mind in some conclusion, conviction, opinion, taste, or action in respect to persons or things subject to its public notice. It will, and it must control the minds and actions of men, by public and conventional opinion. Count Molé said that in France it was stronger than statutes. It is so here. That it is which should decide at the polls of a republic. But, here is a secret sentiment, which may be so organized as to contradict the public sentiment. Candidate A. may be a native and a Protestant, and may concur with the community, if it be a Know-Nothing community, on every other subject except that of proscribing Catholics and naturalized citizens: and candidate B. may concur with the community on the subject of this proscription alone, and upon no other subject; and yet the Know-Nothings might elect B. by their secret sentiment against the public sentiment. Thus it attacks not only American doctrines of expatriation, allegiance, and protection, but the equality of citizenship, and the authority of public sentiment. In the affair of Koszta, how did our blood rush to his rescue? Did the Know-Nothing side with him and Mr. Marcy, or with Hulseman and Austria? If with Koszta, why? Let them ask themselves for the rationale, and see if it can in reason abide with their orders. There is no middle ground in respect to naturalization. We must either have naturalization laws and let foreigners become citizens, on equal terms of capacities and privileges, or we must exclude them altogether. If we abolish naturalization laws, we return to the European dogma: “Once a citizen, always a citizen.” If we let foreigners be naturalized and don’t extend to them equality of privileges, we set up classes and distinctions of persons wholly opposed to republicanism. We will, as Rome did, have citizens

who may be scourged. The three alternatives are presented—Our present policy, liberal, and just, and tolerant, and equal: or the European policy of holding the noses of native born slaves to the grind-stone of tyranny all their lives; or, odious distinctions of citizenship tending to social and political aristocracy. I am for the present laws of naturalization.

As to religion, the Constitution of the United States, art. 6, sec. 3, especially provides that no religious test shall ever be required as a qualification to any office or public trust under the United States. The state of Virginia has, from her earliest history, passed the most liberal laws, not only towards naturalization, but towards foreigners. But I have said enough to show the spirit of American laws and the true sense of American maxims.

3d. Know-Nothingism is against the spirit of Reformation and of Protestantism.

What was there to reform?

Let the most bigoted Protestant enumerate what he defines to have been the abominations of the church of Rome. What would he say were the worst? The secrets of Jesuitism, of the Auto da fe, of the Monasteries and of the Nunneries. The private penalties of the Inquisition's Scavenger's Daughter. Proscription, persecution, bigotry, intolerance, shutting up of the book of the word. And do Protestants now mean to out-Jesuit the Jesuits? Do they mean to strike and not be seen? To be felt and not to be heard? To put a shudder upon humanity by the masks of mutes? Will they wear the monkish cowls? Will they inflict penalties at the polls without reasoning together with their fellows at the hustings? Will they proscribe? Persecute? Will they bloat up

themselves into that bigotry which would burn nonconformists? Will they not tolerate freedom of conscience, but doom dissenters, in secret conclave, to a forfeiture of civil privileges for a religious difference? Will they not translate the scripture of their faith? Will they visit us with dark lanterns and execute us by signs, and test oaths, and in secrecy? Protestantism! forbid it!

If anything was ever open, fair, and free—if anything was ever blatant even—it was the Reformation. To quote from a mighty British pen: “It gave a mighty impulse and increased activity to thought and inquiry, agitated the inert mass of accumulated prejudices throughout Europe. The effect of the concussion was general, but the shock was greatest in this country” (England). It toppled down the full grown intolerable abuses of centuries at a blow; heaved the ground from under the feet of bigoted faith and slavish obedience; and the roar and dashing of opinions, loosened from their accustomed hold, might be heard like the noise of an angry sea, and has never yet subsided. Germany first broke the spell of misbegotten fear, and gave the watchword; but England joined the shout, and echoed it back, with her island voice, from her thousand cliffs and craggy shores, in a longer and louder strain. With that cry the genius of Great Britain rose, and threw down the gauntlet to the nations. There was a mighty fermentation: the waters were out; public opinion was in a state of projection; liberty was held out to all to think and speak the truth; men’s brains were busy; their spirits stirring; their hearts full; and their hands not idle. Their eyes were opened to expect the greatest things, and their ears burned with curiosity and zeal to know the truth, that the truth might make them free. The death-blow which had

been struck at scarlet vice and bloated hypocrisy, loosened tongues, and made the talismans and love tokens of popish superstitions with which she had beguiled her followers and committed abominations with the people, fall harmless from their necks.

The translation of the Bible was the chief engine in the great work. It threw open, by a secret spring, the rich treasures of religion and morality, which had then been locked up as in a shrine. It revealed the visions of the Prophets, and conveyed the lessons of inspired teachers to the meanest of the people. It gave them a common interest in a common cause. Their hearts burnt within them as they read. It gave a mind to the people, by giving them common subjects of thought and feeling. It cemented their Union of character and sentiment; it created endless diversity and collision of opinion. They found objects to employ their faculties, and a motive in the magnitude of the consequences attached to them, to exert the utmost eagerness in the pursuit of truth, and the most daring intrepidity in maintaining it. Religious controversy sharpens the understanding by the subtlety and remoteness of the topics it discusses, and braces the will by their infinite importance. We perceive in the history of this period a nervous, masculine intellect. No levity, no feebleness, no indifference; or, if there were, it is a relaxation from the intense activity which gives a tone to its general character. But there is a gravity approaching to piety, a seriousness of impression, a conscientious severity of argument, an habitual fervor of enthusiasm in their method of handling almost every subject. The debates of the schoolmen were sharp and subtle enough: but they wanted interest and grandeur, and were besides confined to a few. They did not affect the general mass of the community.

But the Bible was thrown open to all ranks and conditions "to own and read," with its wonderful table of contents, from Genesis to the Revelation. Every village in England would present the scene so well described in Burns's "Cotter's Saturday Night." How unlike this agitation, this shock, this angry sea, this fermentation, this shout and its echoes, this impulse and activity, this concussion, this general effect, this blow, this earthquake, this roar and dashing, this longer and louder strain, this public opinion, this liberty to all to think and speak the truth, this stirring of spirits, this opening of eyes, this zeal to know—not nothing—but the truth, that the truth might make them free. How unlike to this is Know-Nothingism, sitting and brooding in secret to proscribe Catholics and naturalized citizens! Protestantism protested against secrecy, it protested against shutting out the light of truth, it protested against proscription, bigotry, and intolerance. It loosened all tongues, and fought the owls and bats of night with the light of meridian day. The argument of Know-Nothings is the argument of silence. The order ignores all knowledge. And its proscription can't arrest itself within the limit of excluding Catholics and naturalized citizens. It must proscribe natives and Protestants both, who will not consent to unite in proscribing Catholics and naturalized citizens. Nor is that all; it must not only apply to birth and religion, it must necessarily extend itself to the business of life as well as to political preferments.

Kenneth Raynor, of North Carolina, on Fusion of Fremont and Fillmore Forces.

Extracts from his Speech at Philadelphia, November 1, 1856.

My brother Americans, do you intend to let these mischief-makers put you and me together by the ears? [Many voices; "no, no."] Then let us beat James Buchanan for the Presidency. ["We will—we will," and great applause.] He is the representative of slavery agitation; he is the representative of discord between sections; he is the man whom Northern and Southern agitators have agreed to present as their candidate. If he be elected now, and the difficulties in Kansas be healed, at the end of four years they will spring upon you another question of slavery agitation. It will be the taking of Cuba from Spain, or cutting off another slice from Mexico for the purpose of embroiling the North against the South; and then, if I shall resist that agitation, I shall be called an Abolitionist, again.

My countrymen, God forbid that I should attempt to dictate to you or even advise you. I am not competent to do so. I know that divisions exist among you, while I feel also confident that the same purpose animates all your hearts. Do not suppose for one moment that I am the representative of any clique or faction.

Unfortunately, I find that our friends here are in the same condition in which the Jews were, when besieged by the Roman general, Titus. Whilst the battering-rams of the Romans were beating down their walls, and the firebrand of the heathen was consuming their temple, the historian tells us that that great people were engaged in intestine commotions, some advocating the claims of one, and some of another, to the high priesthood of that

nation; and instead of the Romans devouring them, they devoured each other. God forbid that my brother Americans should devour each other, at a time when every heart and every hand should be enlisted in the same cause, of overthrowing the common enemy of us all.

Who is that common enemy? [Voices, "The Democratic party."] Yes, that party have reviled us, abused us, persecuted us, and all only because we are determined to adhere to the Constitution of our country. Give Buchanan a lease of power for four years, and we must toil through persecution, submit to degradation, or cause the streets of our cities to run blood. But we will submit to degradation provided we can see the end of our troubles. We are willing to go through a pilgrimage, not only of four years, but of ten, or twenty, or forty years, provided we can have an assurance that at last we shall reach the top of Pisgah, and see the promised land which our children are to inherit. God has not given to us poor frail mortals the power, at all times, of controlling events. When we cannot control events, should we not, where no sacrifice of honor is involved, pursue the policy of Lysander, and where the lion's skin is too short, eke it out with the fox's [applause]—not where principle is involved—not where a surrender of our devotion to our country is at stake. No; never, never!

I know nothing of your straight-out ticket; I know nothing of your Union ticket; I know nothing of Fremont. I do know something of Fillmore; but I would not give my Americanism, and the hopes which I cherish of seeing Americanism installed as the policy of this nation, for all the Fillmores, or Fremonts, or Buchanans, that ever lived on the face of the earth.

St. Paul says, “if it offends my brother, I will eat no meat;” and if it offends my brother here, I will not open my mouth. Nobody can suspect me. [Voices: “certainly not.”] Then I say, can’t you combine the vote of this state, and beat Buchanan? [This question was responded to in the affirmative, with the greatest enthusiasm.] Repeated cheers were proposed for the straight ticket, but the responding voices were by no means numerous, and were mingled with hisses. Such was the universal excitement, that for some minutes the speaker was obliged to pause. He finally raised his voice above the subsiding storm, and said:—

Come, my friends, we are all brothers; we are all seeking the same end. Our object is the same. We are all struggling to reach the same haven of safety. The only difference of opinion is as to the proper means by which to accomplish our common end. Will not Americans learn prudence from the past? Misfortune should have taught us charity for each other. We have passed through the ordeal of persecution together; we have been subjected to the same difficulties, and the same oppression; we have been baptized (I may say) in the same stream of calumny. Then, in the name of God—in the name of our common country—in the name of Americanism—in the name of American nationality—in the name of religious freedom—in the name of the Union, I beseech you to learn charity for the difference of opinion which prevails among you. Let brethren forbear with brethren. Let us recollect that it is not by vituperation, by the censure of our brethren, that we can ever accomplish this great end of conquering a common enemy. My friends, how long are we to suffer? How long will it be before we shall learn that it is only by a union of counsels, a concentration of

energy, a combination of purpose, that we can destroy the common enemy of every conservative man. [Great applause.]

I shall not attempt to advise you, for I am not competent to do it. You have information which I do not possess. You know all the undercurrents of opinion which prevail here in your community, with which I am unacquainted; but will you allow an humble man to express his opinion to brethren whom he loves? May I do it? I am a Fillmore man—nothing but a Fillmore man, and if I resided here, I would vote no ticket which had not the name of Millard Fillmore at its head, and I would advise no Fillmore man to vote a ticket with Fremont's name on it; but I would vote for that ticket which would make my voice tell at the polls.

Now let us look at this thing practically. In reading history I have always admired the character of Oliver Cromwell. What was the great motive by which he was actuated in overthrowing the house of Stuart? It was unfailing devotion to principle. His motto was, "Put your trust in God, and keep your powder dry." I admire the devotion to principle in every man who says that he does not intend to vote any but the straight ticket, for it shows that Americanism has such a lodgment in his heart, that he cannot bear even seemingly to compromise it. That is "putting your trust in God;" but, my friends, is it "keeping your powder dry?" The enemy may steal into the camp while you are asleep, and may pour water upon your cartridges, so that when the day of battle shall come, you may shoot, but you will kill nobody. I want the vote of every American, on Tuesday next, to tell. Would to God that you could give the twenty-seven electoral votes of Pennsylvania to Fillmore. Then vote the straight ticket, if that will give him the

twenty-seven votes. But suppose it will not (and I am afraid it will not), then the question is, had you better give Buchanan the twenty-seven votes, or give Fillmore eight, ten, twelve, or twenty, as the case may be. I go for beating Buchanan.

Gentlemen, you do not know what we Americans suffer at the South. I am abused and reviled for standing up in defence of you. When I hear the whole North denounced as a set of Abolitionists, whose purpose it is to interfere with the peculiar institutions of the South, I brand such charges as slanders on the Northern people. I tell them that the great mass of the Northern people are sound on this question; that they are opposed to slavery, as I should be if I were a Northern man; but that I do not believe that the great mass of the Northern people have any idea of interfering with the constitutional rights of the people of the South. I know that such men as Garrison and Forney have. I know that Garrison believes the Constitution to be a "league with hell," and would therefore destroy it if he could; and I know that Forney loves office so well, that even at the risk of snapping the Union, he will keep alive slavery agitation. But Garrison does not represent New England, and Forney does not represent you.

As much as I have been reviled for standing by you, I am so anxious to have Buchanan beaten, that were I residing here, if I could not give Fillmore the whole twenty-seven votes, I would give him all I could, by giving him the number to which he might be entitled by the numerical proportion of the votes at the ballot-box. Yet, if there is a brother American here who feels in his "heart of hearts," that by voting that Union ticket, he would compromise his Americanism, I say to such an one, "do not vote that

ticket." At the same time, candor compels me to say, that I differ in opinion with him. If I believed that that ticket was a fusion, or that it called upon any Fillmore man to vote for Fremont, I would advise no one to vote it. I would not vote a ticket that had on it the name of Fremont; but I would vote a ticket with Fillmore's name upon it, and which would give him (if not the twenty-seven electoral votes) seven, or ten, or twenty, just as the numerical proportion of the votes might decide.

I appeal to every conservative, Union-loving man in this nation, who is disposed to give to the South all the constitutional privileges to which she is entitled, and who wishes to rebuke the Democratic party for the repeal of the Missouri compromise, and for keeping up the eternal agitation of slavery. I appeal to you as a southern man—as a slaveholder. I do not ask you to be pro-slavery men, to be the advocates of slavery, when I say to you that we, your brethren of the South, expect you to preserve our constitutional rights—and, God knows, we ask nothing more—against fanatics, either north or south. Will you do it?

My friends, the election is fast approaching. There is but little time for deliberation left. Is there no way by which the votes of the anti-Buchanan party can be concentrated on the same ticket? I would shed tears of blood—God knows I would—if I could be instrumental in prevailing on all true Americans to combine. I cannot tell you how to combine; but is it yet too late? If it is too late to do it throughout the state, cannot you in Philadelphia do it? The Presidential election may depend upon the state of Pennsylvania, and the state of Pennsylvania may depend upon the city of Philadelphia. On the vote of the city of Philadelphia may depend not only our

own rights, but the rights of our children and our children's children. I appeal to my brother Americans, for I have no right to appeal to anybody else; I cannot address the Fremont party, for I have no affiliation with them; I cannot address the Buchanan party, for my object is to destroy them if possible. To my American brethren, then, I appeal, for God's sake, do not let the sun rise upon that wrath, which I see divides you. Your object is the same—to rescue your common country.

Let me advise you who know nothing of your divisions—who belong neither to one clique or the other. I say with the deepest sincerity that I think all parties ought to have concentrated upon the Fillmore ticket. Mr. Fillmore is a northern man. Your southern brethren were willing to support him. He had guided the ship of state safely through the storm, and it was but reasonable to suppose that in time of difficulty he would again be found the same good pilot. But if we cannot get all others to unite on Mr. Fillmore, each of us must inquire, "What is my duty? If the mountain will not come to Mahomet, shall not Mahomet go to the mountain; and if he will not go to the mountain, in heaven's name, shall he not go half way?"

I am fighting for the victory which we may obtain in this contest. And what an issue is now pending! We read in the Iliad how, for ten long years, a great people of antiquity were engaged in the siege of Troy. What was the stake for which they contended? It was nothing more than a beautiful woman, who had been ravished by a sprig of the royal line of Troy. What is the stake for which we contend? It is constitutional liberty—the right of the American people to govern their own country—the right of every citizen to worship God according to the

dictates of his conscience. The great issue is, whether the American flag shall still wave in glory when we shall have gone to our graves, or whether it shall be trailed in dishonor—whether the "blackness of darkness" which would follow the dissolution of this Union, shall cover the land.

I do not tell you how to combine: but I urge you to resort to that mode (if there is such a mode possible), by which you can get together—by which your votes can be made effectual at the polls—by which Millard Fillmore can go before the House of Representatives with the strong moral power which a large electoral vote will give him.

That is the way in which we must view the question as practical men. Yet so different are the conditions of our nature, so different the sentiments which actuate us, that I will not be guilty of such presumption, as to tell any man what particular course he should take. You know my opinions; if they are worth anything, receive them into your hearts, simply as the sentiments of a brother American; if they are worth nothing, let them pass as the idle wind.

In conclusion I will only say that whether we be defeated or whether we be victorious, the only reward I ask for in the labor in which I am engaged is, that you may recollect me as one who had at heart only the welfare of his country, and who endeavored to promote it by appealing to the associations of the past, and all the hopes of the future.

Religious Test.

Debate in the Convention on that article in the Constitution in regard to it.

MR. PINKNEY moved that no religious test shall ever be required as a qualification to any office or public trust under the United States.

MR. SHERMAN thought it unnecessary, the prevailing liberality being a sufficient security against all such tests.

REV. MR. BACKUS of Mass. I beg leave to offer a few thoughts upon the Constitution proposed to us; and I shall begin with the exclusion of any religious test. Many appear to be much concerned about it; but nothing is more evident, both in reason and the Holy Scriptures, than that religion is ever a matter between God and individuals; and that, therefore, no man or set of men can impose any religious test without invading the essential prerogatives of our Lord Jesus Christ. Ministers first assumed this power under the Christian name, and then Constantine approved of the practice when he adopted the profession of Christianity as an engine of state policy. And let the history of all nations be searched, from that day to this, and it will appear that the imposing of religious tests hath been the greatest engine of tyranny in the world.

OLIVER WOLCOTT of Conn. For myself I should be content either with or without that clause in the Constitution which excludes test laws. Knowledge and liberty are so prevalent in this country, that I do not believe that the United States would ever be disposed to establish one religious sect and lay all others under legal disabilities. But as we know not

what may take place hereafter, and any such test would be destructive of the rights of free citizens, I cannot think it superfluous to have added a clause which secures us from the possibility of such oppression.

MR. MADISON of Va. I confess to you, sir, that were uniformity of religion to be introduced by this system, it would, in my opinion, be ineligible; but I have no reason to conclude that uniformity of government will produce that of religion. This subject is, for the honor of America, left perfectly free and unshackled. The government has no jurisdiction over it—the least reflection will convince us there is no danger on this ground. Happily for the states, they enjoy the utmost freedom of religion. This freedom arises from that multiplicity of sects which pervades America, and which is the best and only security for religious liberty in any society. For, where there is such a variety of sects, there cannot be a majority of any one sect to oppress and persecute the rest.

MR. IREDELL of N. C. used this language: "Every person in the least conversant with the history of mankind, knows what dreadful mischiefs have been committed by religious persecution. Under the color of religious tests, the utmost cruelties have been exercised. Those in power have generally considered all wisdom centred in themselves, that they alone had the right to dictate to the rest of mankind, and that all opposition to their tenets was profane and impious. The consequence of this intolerant spirit has been that each church has in turn set itself up against every other, and persecutions and wars of the most implacable and bloody nature have taken place in every part of the world. America has set an example to mankind to think more rationally—that a man

may be of religious sentiments differing from our own, without being a bad member of society. The principles of toleration, to the honor of this age, are doing away those errors and prejudices which have so long prevailed even in the most intolerant countries. In Roman Catholic lands, principles of moderation are adopted, which would have been spurned a century or two ago. It will be fatal, indeed, to find, at the time when examples of toleration are set even by arbitrary governments, that this country, so impressed with the highest sense of liberty, should adopt principles on this subject that were narrow, despotic, and illiberal."

Speech of Henry W. Davis, of Maryland,

On the Mission of the American Party.

EXTRACT from Mr. Davis's speech in the House of Representatives, on the 6th of Jan., 1857, on the results of the recent Presidential election:—

"The great lesson is taught by this election that both the parties which rested their hopes on sectional hostility, stand at this day condemned by the great majority of the country, as common disturbers of the public peace of the country.

"The Republican party was a hasty levy, en masse, of the Northern people to repel or revenge an intrusion by Northern votes alone. With its occasion it must pass away. The gentlemen of the Republican side of the House can now do nothing. They can pass no law excluding slavery from Kansas in the next

Congress—for they are in a minority. Within two years Kansas must be a state of the Union. She will be admitted with or without slavery, as her people prefer. Beyond Kansas there is no question that is practically open. I speak to practical men. Slavery does not exist in any other territory,—it is excluded by law from several, and not likely to exist anywhere; and the Republican party has nothing to do and can do nothing. It has no future. Why cumbers it the ground?

"Between these two stand the firm ranks of the American party, thinned by desertions, but still unshaken. To them the eye of the country turns in hope. The gentleman from Georgia saluted the Northern Democrats with the title of heroes—who swam vigorously down the current. The men of the American party faced, in each section, the sectional madness. They would cry neither free nor slave Kansas; but proposed a safe administration of the laws, before which every right would find protection. Their voice was drowned amid the din of factions. The men of the North would have no moderation, and they have paid the penalty. The American party elected a majority of this House: had they of the North held fast to the great American principle of silence on the negro question, and, firmly refusing to join either agitation, stood by the American candidate, they would not now be writhing, crushed beneath an utter overthrow. If they would now destroy the Democrats, they can do it only by returning to the American party. By it alone can a party be created strong at the South as well as at the North. To it alone belongs a principle accepted wherever the American name is heard—the same at the North as at the South, on the Atlantic or the Pacific shore. It alone is free from sectional

affiliations at either end of the Union which would cripple it at the other. Its principle is silence, peace, and compromise. It abides by the existing law. It allows no agitation. It maintains the present condition of affairs. It asks no change in any territory, and it will countenance no agitation for the aggrandizement of either section. Though thousands fell off in the day of trial—allured by ambition, or terrified by fear—at the North and at the South, carried away by the torrent of fanaticism in one part of the Union, or driven by the fierce onset of the Democrats in another, who shook Southern institutions by the violence of their attack, and half waked the sleeping negro by painting the Republican as his liberator, still a million of men, on the great day, in the face of both factions, heroically refused to bow the knee to either Baal. They knew the necessities of the times, and they set the example of sacrifice, that others might profit by it. They now stand the hope of the nation, around whose firm ranks the shattered elements of the great majority may rally and vindicate the right of the majority to rule, and of the native of the land to make the law of the land.

The recent election has developed, in an aggravated form, every evil against which the American party protested. Again in the war of domestic parties, Republican and Democrat have rivalled each other in bidding for the foreign vote to turn the balance of a domestic election. Foreign allies have decided the government of the country—men naturalized in thousands on the eve of the election—eagerly struggled for by competing parties, mad with sectional fury, and grasping any instrument which would prostrate their opponents. Again, in the fierce struggle for supremacy, men have forgotten the ban

which the Republic puts on the intrusion of religious influence on the political arena. These influences have brought vast multitudes of foreign born citizens to the polls, ignorant of American interests, without American feelings, influenced by foreign sympathies, to vote on American affairs; and those votes have, in point of fact, accomplished the present result.

The high mission of the American is to restore the influence of the interests of the people in the conduct of affairs; to exclude appeals to foreign birth or religious feeling as elements of power in politics; to silence the voice of sectional strife—not by joining either section, but by recalling the people from a profitless and maddening controversy which aids no interest, and shakes the foundation not only of the common industry of the people, but of the Republic itself; to lay a storm amid whose fury no voice can be heard in behalf of the industrial interests of the country, no eye can watch and guard the foreign policy of the government, till our ears may be opened by the crash of foreign war waged for purposes of political and party ambition, in the name, but not by the authority nor for the interests, of the American people.

Return, then, Americans of the North, from the paths of error to which in an evil hour fierce passions and indignation have seduced you, to the sound position of the American party—silence on the slavery agitation. Leave the territories as they are—to the operation of natural causes. Prevent aggression by excluding from power the aggressors, and there will be no more wrong to redress. Awake the national spirit to the danger and degradation of having the balance of power held by foreigners. Recall the warnings of Washington against foreign influence—here in our midst—wielding part of our

sovereignty; and with these sound words of wisdom let us recall the people from paths of strife and error to guard their peace and power; and when once the mind of the people is turned from the slavery agitation, that party which waked the agitation will cease to have power to disturb the peace of the land.

This is the great mission of the American party. The first condition of success is to prevent the administration from having a majority in the next Congress; for, with that, the agitation will be resumed for very different objects. The Ostend manifesto is full of warning; and they who struggle over Kansas may awake and find themselves in the midst of an agitation compared to which that of Kansas was a summer's sea; whose instruments will be, not words, but the sword.

Joshua R. Giddings Against the Fugitive Slave Law.

In the House of Representatives, April 25, 1848.

"Why, sir, I never saw a panting fugitive speeding his way to a land of freedom, that an involuntary invocation did not burst from my lips, that God would aid him in his flight! Such are the feelings of every man in our free states, whose heart has not become hardened in iniquity. I do not confine this virtue to Republicans, nor to Anti-Slavery men; I speak of all men, of all parties, in all Christian communities. Northern Democrats feel it; they ordinarily bow to this higher law of their natures, and they only prove recreant to the law of the 'Most

High,' when they regard the interests of the Democratic party as superior to God's law and the rights of mankind.

"Gentlemen will bear with me when I assure them and the President that I have seen as many as nine fugitives dining at one time in my own house—fathers, mothers, husbands, wives, parents, and children. When they came to my door, hungry and faint, cold and but partially clad, I did not turn round to consult the Fugitive Law, nor to ask the President what I should do. I knew the constitution of my country, and would not violate it. I obeyed the divine mandate, to feed the hungry and clothe the naked. I fed them. I clothed them, gave them money for their journey, and sent them on their way rejoicing. I obeyed God rather than the President. I obeyed my conscience, the dictates of my heart, the law of my moral being, the commands of Heaven, and, I will add, the constitution of my country; for no man of intelligence ever believed that the framers of that instrument intended to involve their descendants of the free states in any act that should violate the teachings of the Most High, by seizing a fellow-being, and returning him to the hell of slavery. If that be treason, make the most of it.

"MR. BENNETT, of Mississippi. I want to know if the gentleman would not have gone one step farther?

"MR. GIDDINGS. Yes, sir; I would have gone one step farther. I would have driven the slave-catcher who dared pursue them from my premises. I would have kicked him from my door-yard, if he had made his appearance there; or, had he attempted to enter my dwelling, I would have stricken him down upon the threshold of my door.

Robert Toombs on Slavery,

At Tremont Temple, Boston, January 24th, 1856.

In 1790 there were less than seven hundred thousand slaves in the United States; in 1850 the number exceeded three and one quarter millions. The same authority shows their increase, for the ten years preceding the last census, to have been above twenty-eight per cent., or nearly three per cent. per annum, an increase equal, allowing for the element of foreign immigration, to the white race, and nearly three times that of the free blacks of the North. But these legal rights of the slave embrace but a small portion of the privileges actually enjoyed by him. He has, by universal custom, the control of much of his own time, which is applied, at his own choice and convenience, to the mechanic arts, to agriculture, or to some other profitable pursuit, which not only gives him the power of purchase over many additional necessaries of life, but over many of its luxuries, and in numerous cases, enables him to purchase his freedom when he desires it. Besides, the nature of the relation of master and slave begets kindnesses, imposes duties (and secures their performance), which exist in no other relation of capital and labor. Interest and humanity co-operate in harmony for the well-being of slave labor. Thus the monster objection to our institution of slavery, that it deprives labor of its wages, cannot stand the test of a truthful investigation. A slight examination of the true theory of wages, will further expose its fallacy. Under a system of free labor, wages are usually paid in money, the representative of products —under ours, in products themselves. One of your most distinguished statesmen and patriots, President

John Adams, said that the difference to the state was "imaginary." "What matters it (said he) whether a landlord, employing ten laborers on his farm, gives them annually as much money as will buy them the necessaries of life, or gives them those necessaries at short hand?" All experience has shown that if that be the measure of the wages of labor, it is safer for the laborer to take his wages in products than in their fluctuating pecuniary value. Therefore, if we pay in the necessaries and comforts of life more than any given amount of pecuniary wages will buy, then our laborer is paid higher than the laborer who receives that amount of wages. The most authentic agricultural statistics of England show that the wages of agricultural and unskilled labor in that kingdom, not only fail to furnish the laborer with the comforts of our slave, but even with the necessaries of life; and no slaveholder could escape a conviction for cruelty to his slaves who gave his slave no more of the necessaries of life for his labor than the wages paid to their agricultural laborers by the noblemen and gentlemen of England would buy. Under their system man has become less valuable and less cared for than domestic animals; and noble dukes will depopulate whole districts of men to supply their places with sheep, and then with intrepid audacity lecture and denounce American slaveholders.

The great conflict between labor and capital, under free competition, has ever been how the earnings of labor shall be divided between them. In new and sparsely settled countries, where land is cheap, and food is easily produced, and education and intelligence approximate equality, labor can successfully struggle in this warfare with capital. But this is an exceptional and temporary condition of society. In the Old World this state of things has long

since passed away, and the conflict with the lower grades of labor has long since ceased. There the compensation of unskilled labor, which first succumbs to capital, is reduced to a point scarcely adequate to the continuance of the race. The rate of increase is scarcely one per cent. per annum, and even at that rate, population, until recently, was considered a curse; in short, capital has become the master of labor, with all the benefits, without the natural burdens of the relation.

In this division of the earnings of labor between it and capital, the southern slave has a marked advantage over the English laborer, and is often equal to the free laborer of the North. Here again we are furnished with authentic data from which to reason. The census of 1850 shows that, on the cotton estates of the South, which is the chief branch of our agricultural industry, one-half of the arable lands are annually put under food crops. This half is usually wholly consumed on the farm by the laborers and necessary animals; out of the other half must be paid all the necessary expenses of production, often including additional supplies of food beyond the produce of the land, which usually equals one-third of the residue, leaving but one-third for net rent. The average rent of land in the older non-slaveholding states is equal to one-third of the gross product, and it not unfrequently amounts to one-half of it (in England it is sometimes even greater), the tenant, from his portion, paying all expenses of production and the expenses of himself and family. From this statement it is apparent that the farm laborers of the South receive always as much, and frequently a greater portion of the produce of the land, than the laborer in the New or Old England. Besides, here the portion due the slave is a charge upon the whole

product of capital and the capital itself; it is neither dependent upon seasons nor subject to accidents, and survives his own capacity for labor, and even the ruin of his master.

But it is objected that religious instruction is denied the slave—while it is true that religious instruction and privileges are not enjoined by law in all of the states, the number of slaves who are in connection with the different churches abundantly proves the universality of their enjoyment of those privileges. And a much larger number of the race in slavery enjoy the consolations of religion than the efforts of the combined Christian world have been able to convert to Christianity out of all the millions of their countrymen who remained in their native land.

The immoralities of the slaves, and of those connected with slavery, are constant themes of abolition denunciation. They are lamentably great; but it remains to be shown that they are greater than with the laboring poor of England, or any other country. And it is shown that our slaves are without the additional stimulant of want to drive them to crime—we have at least removed from them the temptation and excuse of hunger. Poor human nature is here at least spared the wretched fate of the utter prostration of its moral nature at the feet of its physical wants. Lord Ashley's report to the British Parliament shows that in the capital of that empire, perhaps within the hearing of Stafford House and Exeter Hall, hunger alone daily drives its thousands of men and women into the abyss of crime.

It is also objected that our slaves are debarred the benefits of education. This objection is also well taken, and is not without force. And for this evil the slaves are greatly indebted to the abolitionists.

Formerly in none of the slaveholding states was it forbidden to teach slaves to read and write; but the character of the literature sought to be furnished them by the abolitionists caused these states to take counsel rather of their passions than their reason, and to lay the axe at the root of the evil; better counsels will in time prevail, and this will be remedied. It is true that the slave, from his protected position, has less need of education than the free laborer, who has to struggle for himself in the warfare of society; yet it is both useful to him, his master, and society.

The want of legal protection to the marriage relation is also a fruitful source of agitation among the opponents of slavery. The complaint is not without foundation. This is an evil not yet removed by law; but marriage is not inconsistent with the institution of slavery as it exists among us, and the objection, therefore, lies rather to an incident than to the essence of the system. But in the truth and fact marriage does exist to a very great extent among slaves, and is encouraged and protected by their owners; and it will be found, upon careful investigation, that fewer children are born out of wedlock among slaves than in the capitals of two of the most civilized countries of Europe—Austria and France; in the former, one-half of the children are thus born; in the latter, more than one-fourth. But even in this we have deprived the slave of no pre-existing right. We found the race without any knowledge of or regard for the institution of marriage, and we are reproached with not having as yet secured to it that, with all other blessings of civilization. To protect that and other domestic ties by laws forbidding, under proper regulations, the separation of families, would be wise, proper, and

humane; and some of the slaveholding states have already adopted partial legislation for the removal of these evils. But the objection is far more formidable in theory than in practice. The accidents and necessities of life, the desire to better one's condition, produce infinitely a greater amount of separation in families of the white than ever happens to the colored race. This is true even in the United States, where the general condition of the people is prosperous. But it is still more marked in Europe. The injustice and despotism of England towards Ireland has produced more separation of Irish families, and sundered more domestic ties within the last ten years, than African slavery has effected since its introduction into the United States. The twenty millions of freemen in the United States are witnesses of the dispersive injustice of the Old World. The general happiness, cheerfulness, and contentment of slaves attest both the mildness and humanity of the system and their natural adaptation to their condition. They require no standing armies to enforce their obedience; while the evidence of discontent, and the appliances of force to repress it, are everywhere visible among the toiling millions of the earth; even in the northern states of this Union, strikes and mobs, unions and combinations against employers, attest at once the misery and discontent of labor among them. England keeps one hundred thousand soldiers in time of peace, a large navy, and an innumerable police, to secure obedience to her social institutions; and physical force is the sole guarantee of her social order, the only cement of her gigantic empire.

I have briefly traced the condition of the African race through all ages and all countries, and described it fairly and truly under American slavery, and I

submit that the proposition is fully proven, that his position in slavery among us is superior to any which he has ever attained in any age or country. The picture is not without shade as well as light; evils and imperfections cling to man and all of his works, and this is not exempt from them.

Judah P. Benjamin, of Louisiana,

On Slave Property, in U. S. Senate, March 11, 1858.

Examine your Constitution; are slaves the only species of property there recognized as requiring peculiar protection? Sir, the inventive genius of our brethren of the north is a source of vast wealth to them and vast benefit to the nation. I saw a short time ago in one of the New York journals, that the estimated value of a few of the patents now before us in this Capitol for renewal was $40,000,000. I cannot believe that the entire capital invested in inventions of this character in the United States can fall short of one hundred and fifty or two hundred million dollars. On what protection does this vast property rest? Just upon that same constitutional protection which gives a remedy to the slave owner when his property is also found outside of the limits of the state in which he lives.

Without this protection what would be the condition of the northern inventor? Why, sir, the Vermont inventor protected by his own law would come to Massachusetts, and there say to the pirate who had stolen his property, “render me up my property, or pay me value for its use.” The Senator

from Vermont would receive for answer, if he were the counsel of this Vermont inventor, “Sir, if you want protection for your property go to your own state; property is governed by the laws of the state within whose jurisdiction it is found; you have no property in your invention outside of the limits of your state; you cannot go an inch beyond it.” Would not this be so? Does not every man see at once that the right of the inventor to his discovery, that the right of the poet to his inspiration, depends upon those principles of eternal justice which God has implanted in the heart of man, and that wherever he cannot exercise them, it is because man, faithless to the trust that he has received from God, denies them the protection to which they are entitled?

Sir, follow out the illustration which the Senator from Vermont himself has given; take his very case of the Delaware owner of a horse riding him across the line into Pennsylvania. The Senator says: “Now, you see that slaves are not property like other property; if slaves were property like other property, why have you this special clause in your constitution to protect a slave? You have no clause to protect the horse, because horses are recognized as property everywhere.” Mr. President, the same fallacy lurks at the bottom of this argument, as of all the rest. Let Pennsylvania exercise her undoubted jurisdiction over persons and things within her own boundary; let her do as she has a perfect right to do—declare that hereafter, within the state of Pennsylvania, there shall be no property in horses, and that no man shall maintain a suit in her courts for the recovery of property in a horse; and where will your horse owner be then? Just where the English poet is now; just where the slaveholder and the inventor would be if the Constitution, foreseeing a difference of opinion in

relation to rights in these subject-matters, had not provided the remedy in relation to such property as might easily be plundered. Slaves, if you please, are not property like other property in this: that you can easily rob us of them; but as to the *right* in them, that man has to overthrow the whole history of the world, he has to overthrow every treatise on jurisprudence, he has to ignore the common sentiment of mankind, he has to repudiate the authority of all that is considered sacred with man, ere he can reach the conclusion that the person who owns a slave, in a country where slavery has been established for ages, has no other property in that slave than the mere title which is given by the statute law of the land where it is found.

William Lloyd Garrison Upon the Slavery Question.

"Tyrants! confident of its overthrow, proclaim not to your vassals, that the American Union is an experiment of freedom, which, if it fails, will forever demonstrate the necessity of whips for the backs, and chains for limbs of people. Know that its subversion is essential to the triumph of justice, the deliverance of the oppressed, the vindication of the brotherhood of the race. It was conceived in sin, and brought forth in iniquity; and its career has been marked by unparalleled hypocrisy, by high-handed tyranny, by a bold defiance of the omniscience and omnipotence of God. Freedom indignantly disowns it, and calls for its extinction; for within its borders are three

millions of slaves, whose blood constitutes its cement, whose flesh forms a large and flourishing branch of its commerce, and who are ranked with four-footed beasts and creeping things. To secure the adoption of the constitution of the United States, first, that the African slave trade—till that time a feeble, isolated, colonial traffic—should, for at least twenty years, be prosecuted as a national interest, under the American flag, and protected by the national arm; secondly, that slavery holding oligarchy, created by allowing three-fifths of the slaveholding population to be represented by their taskmasters, should be allowed a permanent seat in congress; thirdly, that the slave system should be secured against internal revolt and external invasion, by the united physical force of the country; fourthly, that not a foot of national territory should be granted, on which the panting fugitive from slavery might stand, and be safe from his pursuers, thus making every citizen a slave-hunter and slave catcher. To say that this 'covenant with death' shall not be annulled—that this 'agreement with hell' shall continue to stand—that this refuge of lies shall not be swept away—is to hurl defiance at the eternal throne, and to give the lie to Him that sits thereon. It is an attempt, alike monstrous and impracticable, to blend the light of heaven with the darkness of the bottomless pit, to unite the living with the dead, to associate the Son of God with the Prince of Evil. Accursed be the American Union, as a stupendous, republican imposture!"

"I am accused of using hard language. I admit the charge. I have been unable to find a soft word to describe villainy, or to identify the perpetrator of it. The man who makes a chattel of his brother—what is

he? The man who keeps back the hire of his laborers by fraud—what is he? They who prohibit the circulation of the Bible—what are they? They who compel three millions of men and women to herd together like brute beasts—what are they? They who sell mothers by the pound, and children in lots to suit purchasers—what are they? I care not what terms are applied to them, provided they do apply. If they are not thieves, if they are not tyrants, if they are not men stealers, I should like to know what is their true character, and by what names they may be called. It is as mild an epithet to say that a thief is a thief, as to say that a spade is a spade. Words are but the signs of ideas. 'A rose by any other name would smell as sweet.' Language may be misapplied, and so be absurd or unjust; as for example, to say that an abolitionist is a fanatic, or that a slaveholder is an honest man. But to call things by their right names is to use neither hard nor improper language. Epithets may be rightly applied, it is true, and yet be uttered in a hard spirit, or with a malicious design. What then? Shall we discard all terms which are descriptive of crime, because they are not always used with fairness and propriety? He who, when he sees oppression, cries out against it—who, when he beholds his equal brother trodden under foot by the iron hoof of despotism, rushes to his rescue—who, when he sees the weak overborne by the strong, takes his side with the former, at the imminent peril of his own safety—such a man needs no certificate to the excellence of his temper, or the sincerity of his heart, or the disinterestedness of his conduct. Or is the apologist of slavery, he who can see the victim of thieves lying bleeding and helpless on the cold earth, and yet turn aside, like the callous-hearted priest or Levite, who needs absolution. Let us call tyrants,

tyrants; not to do so is to misuse language, to deal treacherously with freedom, to consent to the enslavement of mankind. It is neither amiable nor virtuous, but a foolish and pernicious thing, not to call things by their right names. 'Woe unto them,' says one of the world's great prophets, 'that call evil good, and good evil;' that put darkness for light, and light for darkness; that put bitter for sweet, and sweet for bitter."

Theodore Parker Against the Fugitive Slave Law.

His Protest Against the Return of Simms by the U. S. Commissioner at Boston.

"Come with me, my friends, a moment more, pass over this golgotha of human history, treading reverent as you go, for our feet are on our mother's graves, and our shoes defile our father's hallowed bones. Let us not talk of them; go farther on, look and pass by. Come with me into the inferno of the nations, with such poor guidance as my lamp can lend. Let us disquiet and bring up the awful shadows of empires buried long ago, and learn a lesson from the tomb." "Come, old Assyria, with the Ninevitish dove upon thy emerald crown! what laid thee low? 'I fell by my own injustice. Thereby Nineveh and Babylon came with me also to the ground.'" "Oh, queenly Persia, flame of the nations, wherefore art thou so fallen, who troddest the people under thee, bridgest the Hellespont with ships, and pouredst thy temple-wasting millions on the world? Because I trod

the people under me, and bridged the Hellespont with ships, and poured my temple-wasting millions on the western world, I fell by my own misdeeds." "Thou muse-like Grecian queen, fairest of all thy classic sisterhood of states, enchanting yet the world with thy sweet witchery, speaking in art and most seductive song, why liest thou there, with beauteous yet dishonored brow, reposing on thy broken harp? 'I scorned the law of God; banished and poisoned wisest, justest men; I loved the loveliness of thought, and treasured that in more than Parian speech. But the beauty of justice, the loveliness of love, I trod them down to earth! Lo, therefore have I become as those barbarian states—as one of them!'" "Oh, manly and majestic Rome, thy seven-fold mural crown all broken at thy feet, why art thou here? It was not injustice brought thee low; for thy great book of law is prefaced with these words—justice is the unchanged, everlasting will to give each man his right! 'It was not the saint's ideal; it was the hypocrite's pretense.' I made iniquity my law. I trod the nations under me. Their wealth gilded my palaces—where thou mayest see the fox and hear the owl—it fed my courtiers and my courtesans. Wicked men were my cabinet counselors, the flatterer breathed his poison in my ear. Millions of bondsmen wet the soil with tears and blood. Do you not hear it crying yet to God? Lo, here have I my recompense, tormented with such downfall as you see! Go back and tell the new-born child who sitteth on the Alleghanies, laying his either hand upon a tributary sea, a crown of thirty stars upon his youthful brow—tell him that there are rights which states must keep, or they shall suffer wrongs! Tell him there is a God who keeps the black man and the white, and hurls to earth the loftiest realm that breaks his just, eternal

law! Warn the young empire, that he come not down dim and dishonored to my shameful tomb! Tell him that justice is the unchanging, everlasting will to give each man his right. I knew it, broke it, and am lost. Bid him know it, keep it, and be safe."

The same speaker protests against the return of Simms.

"Where shall I find a parallel with men who will do such a deed—do it in Boston? I will open the tombs and bring up most hideous tyrants from the dead. Come, brood of monsters, let me bring up from the deep damnation of the graves wherein your hated memories continue for all time their never-ending rot. Come, birds of evil omen! come, ravens, vultures, carrion crows, and see the spectacle! come, see the meeting of congenial souls! I will disturb, disquiet, and bring up the greatest monsters of the human race! Tremble not, women! They cannot harm you now! Fear the living, not the dead!"

Come hither, Herod, the wicked. Thou that didst seek after that young child's life, and destroyed the innocents! Let me look on thy face! No, go! Thou wert a heathen! Go, lie with the innocents thou hast massacred. Thou art too good for this company! "Come, Nero; thou awful Roman emperor, come up! No, thou wast drunk with power! schooled in Roman depravity. Thou hadst, besides, the example of thy fancied gods. Go, wait another day. I will seek a worse man.

"Come hither, St. Dominic! come, Torquemada; fathers of the Inquisition! merciless monsters, seek your equal here. No; pass by. You are no companion for such men as these. You were the servants of the atheistic popes, of cruel kings. Go to, and get you gone. Another time I may have work for you—now,

lie there, and persevere to rot. You are not yet quite wicked and corrupt enough for this comparison. Go, get you gone, lest the sun goes back at sight of ye!

"Come up, thou heap of wickedness, George Jeffries! thy hands deep purple with the blood of thy fellow-men. Ah! I know thee, awful and accursed shade! Two hundred years after thy death men hate thee still, not without cause. Look me upon thee! I know thy history. Pause, and be still, while I tell to these men. * * * Come, shade of judicial butcher. Two hundred years, thy name has been pillowed in face of the world, and thy memory gibbeted before mankind. Let us see how thou wilt compare with those who kidnap men in Boston. Go, seek companionship with them. Go, claim thy kindred if such they be. Go, tell them that the memory of the wicked shall rot; that there is a God; an eternity; ay, and a judgment, too, where the slave may appeal against him that made him a slave, to Him that made him a man.

"What! Dost thou shudder? Thou turn back! These not thy kindred! Why dost thou turn pale, as when the crowd clutched at thy life in London street? Forgive me, that I should send thee on such an errand, or bid thee seek companionship with such—with Boston hunters of the slave! Thou wert not base enough! It was a great bribe that tempted thee! Again, I say, pardon me for sending thee to keep company with such men! Thou only struckest at men accused of crime; not at men accused only of their birth! Thou wouldst not send a man into bondage for two pounds! I will not rank thee with men who, in Boston, for ten dollars, would enslave a negro now! Rest still, Herod! Be quiet, Nero! Sleep, St. Dominic, and sleep, O Torquemada, in your fiery jail! Sleep, Jeffries, underneath 'the altar of the church' which

seeks, with Christian charity to hide your hated bones!"

William H. Seward's Speech on the Higher Law.

In the U. S. Senate, March 11, 1850.

"But it is insisted that the admission of California shall be attended by a COMPROMISE of questions which have arisen out of SLAVERY! I AM OPPOSED TO ANY SUCH COMPROMISE IN ANY AND ALL THE FORMS IN WHICH IT HAS BEEN PROPOSED. Because, while admitting the purity and the patriotism of all from whom it is my misfortune to differ, I think all legislative compromises radically wrong, and essentially vicious. They involve the surrender of the exercise of judgment and the conscience on distinct and separate questions, at distinct and separate times, with the indispensable advantages it affords for ascertaining the truth. They involve a relinquishment of the right to reconsider in future the decision of the present, on questions prematurely anticipated. And they are a usurpation as to future questions of the providence of future legislators.

"Sir, it seems to me as if slavery had laid its paralyzing hand upon myself, and the blood were coursing less freely than its wont through my veins, when I endeavor to suppose that such a compromise has been effected, and my utterance forever is arrested upon all the great questions, social, moral, and political, arising out of a subject so important, and yet so incomprehensible. What am I to receive in

this compromise? Freedom in California. It is well; it is a noble acquisition; it is worth a sacrifice. But what am I to give as an equivalent? A recognition of a claim to perpetuate slavery in the District of Columbia; forbearance towards more stringent laws concerning the arrest of persons suspected of being slaves found in the free States; forbearance from the PROVISO of freedom in the charter of new territories. None of the plans of compromise offered demand less than two, and most of them insist on all these conditions. The equivalent then is, some portion of liberty, some portion of human rights in one region for liberty in another."

"It is true indeed that the national domain is ours. It is true it was acquired by the valor and the wealth of the whole nation. But we hold, *nevertheless*, no arbitrary power over it. We hold no arbitrary power over anything, whether acquired by law or seized by usurpation. The constitution regulates our stewardship; the constitution devotes the domain to union, to justice, to welfare and to liberty. *But there is a higher law than the constitution, which regulates our authority over the domain, and devotes it to the same noble purpose.* The territory is a part, no inconsiderable part of the common heritage of mankind, bestowed upon them by the Creator of the universe. We are his stewards, and must so discharge our trust, as to secure in the highest attainable degree their happiness. This is a State, and we are deliberating for it, just as our fathers deliberated in establishing the institutions we enjoy. Whatever superiority there is in our condition and hopes over those of any other 'kingdom' or 'estate,' is due to the fortunate circumstance that our ancestors did not leave things to 'take their chances' but that they 'added amplitude and greatness' to our

commonwealth ‘by introducing such ordinances, constitutions, and customs as were wise.’ We in our turn have succeeded to the same responsibilities, and we cannot approach the duty before us wisely or justly, except we raise ourselves to the great consideration of how we can most certainly ‘sow greatness to our posterity and successors.’

“And now the simple, bold, and awful question which presents itself to us is this: shall we, who are founding institutions, social and political, for countless millions; shall we, who know by experience the wise and just, and are free to choose them, and to reject the erroneous and unjust; shall we establish human bondage, or permit it by our sufferance to be established? Sir, our forefathers would not have hesitated an hour. They found slavery existing here, and they left it only because they could not remove it. There is not only no free State which would now establish it, but there is no slave State which, if it had had the free alternative, as we now have, would have founded slavery. Indeed, our revolutionary predecessors had precisely the same question before them in establishing an organic law, under which the States of Ohio, Michigan, Illinois, Wisconsin, and Iowa have since come into the Union, and they solemnly repudiated and excluded slavery from those States forever.”

Charles Sumner on the Fallibility of Judicial Tribunals.

Let me here say that I hold judges, and especially

the Supreme Court of the country, in much respect; but I am too familiar with the history of Judicial proceedings to regard them with any superstitious reverence. Judges are but men and in all ages have shown a full share of frailty. Alas! alas! the worst crimes of history have been perpetrated under their sanction. The blood of martyrs and of patriots, crying from the ground, summons them to judgment.

It was a judicial tribunal which condemned Socrates to drink the fatal hemlock, and which pushed the Saviour barefoot over the pavements of Jerusalem, bending beneath his cross. It was a judicial tribunal which, against the testimony and entreaties of her father, surrendered the fair Virginia as a slave; which arrested the teachings of the great apostle to the Gentiles, and sent him in bonds from Judea to Rome; which, in the name of the *old* religion, adjured the saints and fathers of the Christian Church to death, in all its most dreadful forms; and which afterwards in the name of the *new* religion, enforced the tortures of the Inquisition, amidst the shrieks and agonies of its victims, while it compelled Galileo to declare, in solemn denial of the great truth he had disclosed, that the earth did not move round the sun.

It was a judicial tribunal which, in France, during the long reign of her monarchs, lent itself to be the instrument of every tyranny, as during the brief reign of terror it did not hesitate to stand forth the unpitying accessory of the unpitying guillotine. Ay, sir, it was a judicial tribunal in England, surrounded by all the forms of law, which sanctioned every despotic caprice of Henry the eighth, from the unjust divorce of his queen to the beheading of Sir Thomas Moore; which lighted the fires of persecution, that glowed at Oxford and Smithfield, over the cinders of

Latimer, Ridley, and John Rodgers; which, after elaborate argument, upheld the fatal tyranny of ship money against the patriotic resistance of Hampden; which, in defiance of justice and humanity, sent Sydney and Russell to the block; which persistently enforced the laws of conformity that our Puritan Fathers persistently refused to obey; and which afterwards, with Jeffries on the bench, crimsoned the pages of English history with massacre and murder, even with the blood of innocent women. Ay, sir, and it was a judicial tribunal in *our* country, surrounded by all the forms of law, which hung witches at Salem, which affirmed the constitutionality of the Stamp Act, while it admonished "jurors and the people" to obey; and which now, in our day, has lent its sanction to the unutterable atrocity of the Fugitive Slave Law.

Galusha A. Grow's Speech on the Homestead Bill.

In the House of Representatives, March 30, 1852.
"Man's Right to the Soil."

But even if the Government could derive any revenue from the actual sale of public lands, it is neither just nor sound policy to hold them for that purpose. Aware, however, that it is a poor place, under a one hour rule, to attempt to discuss any of the natural rights of men, for, surrounded by the authority of ages, it becomes necessary, without the time to do it, first to brush away the dust that has

gathered upon their errors. Yet it is well sometimes to go back of the authority of books and treatises, composed by authors reared and educated under monarchical institutions, and whose opinions and habits of thought consequently were more or less shaped and moulded by such influences, and examine, by the light of reason and nature, the true foundation of government and the inherent rights of men.

The fundamental rights of man may be summed up in two words—Life and Happiness. The first is the gift of the Creator, and may be bestowed at his pleasure; but it is not consistent with his character for benevolence, that it should be bestowed for any other purpose than to be enjoyed, and that we call happiness. Therefore, whatever nature has provided for preserving the one, or promoting the other, belongs alike to the whole race. And as the means for sustaining life are derived almost entirely from the soil, every person has a right to so much of the earth's surface as is necessary for his support. To whatever unoccupied portion of it, therefore, he shall apply his labor for that purpose, from that time forth it becomes appropriated to his own exclusive use; and whatever improvements he may make by his industry become his property, and subject to his disposal.

The only true foundation of any right to property is man's labor. That is property, and that alone which the labor of man has made such. What right, then, can the Government have in the soil of a wild and uncultivated wilderness as a source of revenue, to which not a day nor hour's labor has been applied, to make it more productive, and answer the end for which it was created, the support and happiness of the race?

It is said by the great expounder of the common law in his commentaries, that "there is no foundation in nature or natural law, why a set of words upon parchment should convey the dominion of land." The use and occupancy alone gives to man, in the language of the commentaries, "an exclusive right to retain, in a permanent manner, that specific land which before belonged generally to everybody, but particularly to nobody." * * *

It may be said, true, such would be man's right to the soil in a state of nature; but when he entered into society, he gave up part of his natural rights, in order to enjoy the advantages of an organized community. This is a doctrine, I am aware, of the books and treatises on society and government; but it is a doctrine of despotism, and belongs not to enlightened statesmen in a liberal age. It is the excuse of the despot in encroaching upon the rights of the subject. He admits the encroachment, but claims that the citizen gave up part of his natural rights when he entered into society; and who is to judge what ones he relinquished but the ruling power? It was not necessary that any of man's natural rights should be yielded to the state in the formation of society. He yielded no right, but the right to do wrong, and that he never had by nature. All that he yielded in entering into organized society, was a portion of his unrestrained liberty, which was, that he would submit his conduct, that before was subject to the control of no living being, to the tribunals to be established by the state, and with a tacit consent that society, or the Government, might regulate the mode and manner of the exercise of his rights. Why should he consent to be deprived of them? It is upon this ground that we justify resistance to tyrants. Whenever the ruling power so

far encroaches upon the natural rights of men that an appeal to arms becomes preferable to submission, they appeal from human to divine laws, and plead the natural rights of man in their justification. That government, and that alone, is just, which enforces and defends all of man's natural rights, and protects him against the wrongs of his fellow-men. But it may be said, although such might be the natural rights of men, yet the Government has a right to these lands, and may use them as a source of revenue, under the doctrine of eminent domain. * * *

What is there in the constitution of things giving to one individual the sole and exclusive right to any of the bounties provided by nature for the benefit and support of the whole race, because, perchance, he was the first to look upon a mere fragment of creation? By the same process of reasoning, he who should first discover the source or mouth of a river, would be entitled to a monopoly of the waters that flow in the channel, or he who should first look upon one of the rills or fountains of the earth might prevent fainting man from quenching there his thirst, unless his right was first secured by parchment.

Why has the claim to monopolize any of the gifts of God to man been confined, by legal codes, to the soil alone? Is there any other reason than that it is a right which, having its origin in feudal times—under a system that regarded man but as an appendage of the soil that he tilled, and whose life, liberty and happiness, were but means of increasing the pleasures, pampering the passions and appetites of his liege lord—and, having once found a place in the books, it has been retained by the reverence which man is wont to pay to the past, and to time-honored precedents? The human mind is so constituted that it is prone to regard as right what has come down to us

approved by long usage, and hallowed by gray age. It is a claim that had its origin with the kindred idea that royal blood flows only in the veins of an exclusive few, whose souls are more ethereal, because born amid the glitter of courts, and cradled amid the pomp of lords and courtiers, and, therefore, they are to be installed as rulers and law-givers of the race. Most of the evils that afflict society have had their origin in violence and wrong enacted into law by the experience of the past, and retained by the prejudices of the present.

Is it not time to sweep from the statute book its still lingering relics of feudalism; and to blot out the principles engrafted upon it by the narrow-minded policy of other times, and adapt the legislation of the country to the spirit of the age, and to the true ideas of man's rights and relations to his Government? If a man has a right on earth, he has a right to land enough to rear a habitation on. If he has a right to live, he has a right to the free use of whatever nature has provided for his sustenance—air to breathe, water to drink, and land enough to cultivate for his subsistence; for these are the necessary and indispensable means for the enjoyment of his inalienable rights of "life, liberty and the pursuit of happiness." And is it for a Government that claims to dispense equal and exact justice to all classes of men, and that has laid down correct principles in its great chart of human rights, to violate those principles and its solemn declarations in its legislative enactments?

The struggle between capital and labor is an unequal one at best. It is a struggle between the bones and sinews of men, and dollars and cents. And in that struggle, is it for the government to stretch forth its arm to aid the strong against the weak? Shall it continue, by its legislation, to elevate and

enrich idleness on the wail and woe of industry?

If the rule be correct as applied to governments as well as individuals, that whatever a person permits another to do, having the right and means to prevent it, he does himself, then indeed is the government responsible for all the evils that may result from speculation and land monopoly in the public domain. For it is not denied that Congress has the power to make any regulations for the disposal of these lands, not injurious to the general welfare. Now, when a new tract is surveyed, and you open the land office and expose it to sale, the man with the most money is the largest purchaser. The most desirable and available locations are seized upon by the capitalists of the country, who seek that kind of investment. The settler who chances not to have a pre-emption right, or to be there at the time of sale, when he comes to seek a home for himself and his family, must pay the speculator three or four hundred per cent. on his investment, or encounter the trials and hardships of a still more remote border life. And thus, under the operation of laws that are called equal and just, you take from the settler three or four dollars per acre, and put it in the pocket of the speculator—thus, by the operation of law, abstracting so much of his hard earnings for the benefit of capital; for not an hour's labor has been applied to the land since it was sold by the government, nor is it more valuable to the settler. Has not the laborer a right to complain of legislation that compels him to endure greater toils and hardships, or contribute a portion of his earnings for the benefit of the capitalist? But not upon the capitalist or the speculator is it proper that the blame should fall. Man must seek a livelihood and do business under the laws of the country; and whatever

rights he may acquire under the laws, though they may be wrong, yet the well-being of society requires that they be respected and faithfully observed. If a person engage in a business legalized and regulated by the law, and uses no fraud or deception in its pursuit, and evils result to the community, let them apply the remedy to the proper source—that is to the law-making power. The laws and the law-makers are responsible for whatever evils necessarily grow out of their enactments.

While the public lands are exposed to indiscriminate sale, as they have been since the organization of the government, it opens the door to the wildest system of *land monopoly*. It requires no lengthy dissertation to portray its evils. In the Old World its history is written in sighs and tears. Under its influence, you behold in England, the proudest and most splendid aristocracy, side by side with the most abject and destitute people; vast manors hemmed in by hedges as a sporting-ground for her nobility, while men are dying beside the enclosure for the want of land to till. Thirty thousand proprietors hold the title deeds to the soil of Great Britain, while in Ireland alone there are two and a half millions of tenants who own no part of the land they cultivate, nor can they ever acquire a title to a foot of it, yet they pay annually from their hard earnings twenty millions of dollars to absentee landlords for the privilege of dying on their soil. Under its blighting influence you behold industry in rags and patience in despair. Such are some of the fruits of land monopoly in the Old World; and, shall we plant its seeds in the virgin soil of the New? * * *

If you would raise fallen man from his degradation, elevate the servile from their grovelling pursuits to the rights and dignity of men, you must

first place within their reach the means for satisfying their pressing physical wants, so that religion can exert its influence on the soul, and soothe the weary pilgrim in his pathway to the tomb. It is in vain you talk of the goodness and benevolence of an *Omniscient Ruler* to him, whose life from the cradle to the grave is one continued scene of pain, misery and want. Talk not of free agency to him whose only freedom is to choose his own method to die. In such cases, there might, perhaps, be some feeble conceptions of religion and its duties—of the infinite, everlasting, and pure; but unless there be a more than common intellect, they would be like the dim shadows that float in the twilight. * * *

Riches, it is true, are not necessary to man's real enjoyment; but the means to prevent starvation are. Nor is a splendid palace necessary to his real happiness; but a shelter against the storm and winter's blast is.

If you would lead the erring back from the paths of vice and crime to virtue and honor, give him a home —give him a hearth-stone, and he will surround it with household gods. If you would make men wiser and better, relieve the almshouse, close the doors of the penitentiary, and break in pieces the gallows, purify the influences of the domestic fireside. For that is the school in which human character is formed, and there its destiny is shaped. There the soul receives its first impress, and man his first lesson, and they go with him for weal or woe through life. For purifying the sentiments, elevating the thoughts, and developing the noblest impulses of man's nature, the influences of a moral fireside and agricultural life are the noblest and the best. * * *

It was said by Lord Chatham, in his appeal to the House of Commons, in 1775, to withdraw the British

troops from Boston, that “trade, indeed, increases the glory and wealth of a country; but its true strength and stamina are to be looked for in the cultivators of the land. In the simplicity of their lives is found the simpleness of virtue, the integrity and courage of freedom. These true, genuine sons of the soil are invincible.”

The history of American prowess has recorded these words as prophetic: man, in defence of his hearth-stone and fireside, is invincible against a world of mercenaries. In battling for his home and all that is dear to him on earth, he is never conquered save with his life. In such a struggle every pass becomes a Thermopylæ, every plain a Marathon. With an independent yeomanry scattered over our vast domain, the “young eagle” may bid defiance to the world in arms. Even though a foe should devastate our seaboard, lay in ashes its cities, they have made not one single advance towards conquering the country; for from the interior comes its hardy yeomanry, with their hearts of oak and nerves of steel, to expel the invader. Their hearts are the citadel of a nation’s power—their arms the bulwarks of liberty.

Every consideration of policy, then, both as to revenue for the general government, and increased taxation for the new States, as well as a means for removing the causes of pauperism and crime in the old, demands that the public lands be granted in limited quantities to the actual settler. Every consideration of justice and humanity calls upon us to restore man to his natural rights in the soil. * * *

In a new country the first and most important labor, as it is the most difficult to be performed, is to

subdue the forest, and to convert the lair of the wild beast into a home for civilized man. This is the labor of the pioneer settler. His achievements, if not equally brilliant with those of the plumed warrior, are equally, if not more, lasting; his life, if not at times exposed to so great a hazard, is still one of equal danger and death. It is a life of toil and adventure, spent upon one continued battle-field, unlike that, however, on which martial hosts contend, for there the struggle is short and expected, and the victim strikes not alone, while the highest meed of ambition crowns the victor. Not so with the hardy pioneer. He is oft called upon to meet death in a struggle with fearful odds, while no herald will tell to the world of the unequal combat. Startled at the midnight hour by the war-whoop, he wakes from his dreams to behold his cottage in flames; the sharer of his joys and sorrows, with perhaps a tender infant, hurled, with rude hands, to the distant council-fire. Still he presses on into the wilderness, snatching new areas from the wild beast, and bequeathing them a legacy to civilized man. And all he asks of his country and his Government is, to protect him against the cupidity of soulless capital and the iron grasp of the speculator. Upon his wild battle-field these are the only foes that his own stern heart and right arm cannot vanquish.

Lincoln and Douglas.

The Last Joint Debate, at Alton, October 15, 1858.[85]

SENATOR DOUGLAS'S SPEECH.

LADIES AND GENTLEMEN: It is now nearly four months since the canvass between Mr. Lincoln and myself commenced. On the 16th of June the Republican Convention assembled at Springfield and nominated Mr. Lincoln as their candidate for the United States Senate, and he, on that occasion, delivered a speech in which he laid down what he understood to be the Republican creed and the platform on which he proposed to stand during the contest. The principal points in that speech of Mr. Lincoln's were: First, that this Government could not endure permanently divided into free and slave States, as our fathers made it; that they must all become free or all become slave; all become one thing or all become the other, otherwise this Union could not continue to exist. I give you his opinions almost in the identical language he used. His second proposition was a crusade against the Supreme Court of the United States because of the Dred Scot decision; urging as an especial reason for his opposition to that decision that it deprived the negroes of the rights and benefits of that clause in the Constitution of the United States which guaranties to the citizens of each State all the rights, privileges, and immunities of the citizens of the several States. On the 10th of July I returned home, and delivered a speech to the people of Chicago, in which I announced it to be my purpose to appeal to the people of Illinois to sustain the course I had pursued in Congress. In that speech I joined issue with Mr. Lincoln on the points which he had presented. Thus there was an issue clear and distinct made up between us on these two propositions laid down in the speech of Mr. Lincoln at Springfield, and

controverted by me in my reply to him at Chicago. On the next day, the 11th of July, Mr. Lincoln replied to me at Chicago, explaining at some length, and reaffirming the positions which he had taken in his Springfield speech. In that Chicago speech he even went further than he had before, and uttered sentiments in regard to the negro being on an equality with the white man. He adopted in support of this position the argument which Lovejoy and Codding, and other Abolition lecturers had made familiar in the northern and central portions of the State, to wit: that the Declaration of Independence having declared all men free and equal, by Divine law, also that negro equality was an inalienable right, of which they could not be deprived. He insisted, in that speech, that the Declaration of Independence included the negro in the clause, asserting that all men were created equal, and went so far as to say that if one man was allowed to take the position, that it did not include the negro, others might take the position that it did not include other men. He said that all these distinctions between this man and that man, this race and the other race, must be discarded, and we must all stand by the Declaration of Independence, declaring that all men were created equal.

The issue thus being made up between Mr. Lincoln and myself on three points, we went before the people of the State. During the following seven weeks, between the Chicago speeches and our first meeting at Ottawa, he and I addressed large assemblages of the people in many of the central counties. In my speeches I confined myself closely to those three positions which he had taken, controverting his proposition that this Union could not exist as our fathers made it, divided into free and

Slave States, controverting his proposition of a crusade against the Supreme Court because of the Dred Scott decision, and controverting his proposition that the Declaration of Independence included and meant the negroes as well as the white men when it declared all men to be created equal. I supposed at that time that these propositions constituted a distinct issue between us, and that the opposite positions we had taken upon them we would be willing to be held to in every part of the State. I never intended to waver one hair's breadth from that issue either in the north or the south, or wherever I should address the people of Illinois. I hold that when the time arrives that I cannot proclaim my political creed in the same terms not only in the northern but the southern part of Illinois, not only in the Northern but the Southern States, and wherever the American flag waves over American soil, that then there must be something wrong in that creed. So long as we live under a common Constitution, so long as we live in a confederacy of sovereign and equal States, joined together as one for certain purposes, that any political creed is radically wrong which cannot be proclaimed in every State, and every section of that Union, alike. I took up Mr. Lincoln's three propositions in my several speeches, analyzed them, and pointed out what I believed to be the radical errors contained in them. First, in regard to his doctrine that this Government was in violation of the law of God, which says that a house divided against itself cannot stand, I repudiated it as a slander upon the immortal framers of our Constitution. I then said, I have often repeated, and now again assert, that in my opinion our Government can endure forever, divided into free and slave States as our fathers made it,—each State

having the right to prohibit, abolish or sustain slavery, just as it pleases. This Government was made upon the great basis of the sovereignty of the States, the right of each State to regulate its own domestic institutions to suit itself, and that right was conferred with the understanding and expectation that inasmuch as each locality had separate interests, each locality must have different and distinct local and domestic institutions, corresponding to its wants and interests. Our fathers knew when they made the Government, that the laws and institutions which were well adapted to the green mountains of Vermont, were unsuited to the rice plantations of South Carolina. They knew then, as well as we know now, that the laws and institutions which would be well adapted to the beautiful prairies of Illinois would not be suited to the mining regions of California. They knew that in a Republic as broad as this, having such a variety of soil, climate and interest, there must necessarily be a corresponding variety of local laws—the policy and institutions of each State adapted to its condition and wants. For this reason this Union was established on the right of each State to do as it pleased on the question of slavery, and every other question; and the various States were not allowed to complain of, much less interfere with the policy, of their neighbors.

Suppose the doctrine advocated by Mr. Lincoln and the Abolitionists of this day had prevailed when the Constitution was made, what would have been the result? Imagine for a moment that Mr. Lincoln had been a member of the Convention that framed the Constitution of the United States, and that when its members were about to sign that wonderful document, he had arisen in that Convention as he did at Springfield this summer, and addressing

himself to the President, had said, “A house divided against itself cannot stand; this Government, divided into free and slave States, cannot endure, they must all be free or all be slave, they must all be one thing or all be the other, otherwise, it is a violation of the law of God, and cannot continue to exist;”—suppose Mr. Lincoln had convinced that body of sages that that doctrine was sound, what would have been the result? Remember that the Union was then composed of thirteen States, twelve of which were slaveholding and one free. Do you think that the one free State would have outvoted the twelve slaveholding States, and thus have secured the abolition of slavery? On the other hand, would not the twelve slaveholding States have outvoted the one free State, and thus have fastened slavery, by a Constitutional provision, on every foot of the American Republic forever? You see that if this Abolition doctrine of Mr. Lincoln had prevailed when the Government was made, it would have established slavery as a permanent institution, in all the States, whether they wanted it or not, and the question for us to determine in Illinois now as one of the free States is, whether or not we are willing, having become the majority section, to enforce a doctrine on the minority, which we would have resisted with our hearts’ blood had it been attempted on us when we were in a minority. How has the South lost her power as the majority section in this Union, and how have the free States gained it, except under the operation of that principle which declares the right of the people of each State and each Territory to form and regulate their domestic institutions in their own way. It was under that principle that slavery was abolished in New Hampshire, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania; it was under that

principle that one-half of the slaveholding States became free; it was under that principle that the number of free States increased until from being one out of twelve States, we have grown to be the majority of States of the whole Union, with the power to control the House of Representatives and Senate, and the power, consequently, to elect a President by Northern votes without the aid of a Southern State. Having obtained this power under the operation of that great principle, are you now prepared to abandon the principle and declare that merely because we have the power you will wage a war against the Southern States and their institutions until you force them to abolish slavery everywhere.

After having pressed these arguments home on Mr. Lincoln for seven weeks, publishing a number of my speeches, we met at Ottawa in joint discussion, and he then began to crawfish a little, and let himself down. I there propounded certain questions to him. Amongst others, I asked him whether he would vote for the admission of any more slave States in the event the people wanted them. He would not answer. I then told him that if he did not answer the question there I would renew it at Freeport, and would then trot him down into Egypt and again put it to him. Well, at Freeport, knowing that the next joint discussion took place in Egypt, and being in dread of it, he did answer my question in regard to no more slave States in a mode which he hoped would be satisfactory to me, and accomplish the object he had in view. I will show you what his answer was. After saying that he was not pledged to the Republican doctrine of “no more slave States,” he declared:

“I state to you freely, frankly, that I should be exceedingly sorry to ever be put in the position of having to pass upon that question. I should be exceedingly glad to

know that there never would be another slave State admitted into this Union."

Here permit me to remark, that I do not think the people will ever force him into a position against his will. He went on to say:

"But I must add in regard to this, that if slavery shall be kept out of the Territory during the territorial existence of any one given Territory, and then the people should, having a fair chance and a clear field when they come to adopt a Constitution, if they should do the extraordinary thing of adopting a slave Constitution, uninfluenced by the actual presence of the institution among them, I see no alternative, if we own the country, but we must admit it into the Union."

That answer Mr. Lincoln supposed would satisfy the old line Whigs, composed of Kentuckians and Virginians down in the southern part of the State. Now what does it amount to? I desired to know whether he would vote to allow Kansas to come into the Union with slavery or not, as her people desired. He would not answer; but in a roundabout way said that if slavery should be kept out of a Territory during the whole of its territorial existence, and then the people, when they adopted a State Constitution, asked admission as a slave State, he supposed he would have to let the State come in. The case I put to him was an entirely different one. I desired to know whether he would vote to admit a State if Congress had not prohibited slavery in it during its territorial existence, as Congress never pretended to do under Clay's Compromise measures of 1850. He would not answer, and I have not yet been able to get an answer from him. I have asked him whether he would vote to admit Nebraska if her people asked to come in as a State with a Constitution recognizing slavery, and he refused to answer. I have put the question to him with reference to New Mexico, and

he has not uttered a word in answer. I have enumerated the Territories, one after another, putting the same question to him with reference to each, and he has not said, and will not say, whether, if elected to Congress, he will vote to admit any Territory now in existence with such a Constitution as her people may adopt. He invents a case which does not exist, and cannot exist under this Government, and answers it; but he will not answer the question I put to him in connection with any of the Territories now in existence. The contract we entered into with Texas when she entered the Union obliges us to allow four States to be formed out of the old State, and admitted with or without slavery as the respective inhabitants of each may determine. I have asked Mr. Lincoln three times in our joint discussions whether he would vote to redeem that pledge, and he has never yet answered. He is as silent as the grave on the subject. He would rather answer as to a state of the case which will never arise than commit himself by telling what he would do in a case which would come up for his action soon after his election to Congress. Why can he not say whether he is willing to allow the people of each State to have slavery or not as they please, and to come into the Union when they have the requisite population as a slave or a free State as they decide? I have no trouble in answering the questions. I have said every where, and now repeat it to you, that if the people of Kansas want a slave State they have a right, under the Constitution of the United States, to form such a State, and I will let them come into the Union with slavery or without, as they determine. If the people of any other Territory desire slavery, let them have it. If they do not want it, let them prohibit it. It is their business, not mine. It is none of our

business in Illinois whether Kansas is a free State or a slave State. It is none of your business in Missouri whether Kansas shall adopt slavery or reject it. It is the business of her people and none of yours. The people of Kansas have as much right to decide that question for themselves as you have in Missouri to decide it for yourselves, or we in Illinois to decide it for ourselves.

And here I may repeat what I have said in every speech I have made in Illinois, that I fought the Lecompton Constitution to its death, not because of the slavery clause in it, but because it was not the act and deed of the people of Kansas. I said then in Congress, and I say now, that if the people of Kansas want a slave State, they have a right to have it. If they wanted the Lecompton Constitution, they had a right to have it. I was opposed to that Constitution because I did not believe that it was the act and deed of the people, but on the contrary, the act of a small, pitiful minority acting in the name of the majority. When at last it was determined to send that Constitution back to the people, and accordingly, in August last, the question of admission under it was submitted to a popular vote, the citizens rejected it by nearly ten to one, thus showing conclusively, that I was right when I said that the Lecompton Constitution was not the act and the deed of the people of Kansas, and did not embody their will.

I hold that there is no power on earth, under our system of Government, which has the right to force a Constitution upon an unwilling people. Suppose that there had been a majority of ten to one in favor of slavery in Kansas, and suppose there had been an Abolition President, and an Abolition Administration, and by some means the Abolitionists succeeded in forcing an Abolition Constitution on those

slaveholding people, would the people of the South have submitted to that act for one instant? Well, if you of the South would not have submitted to it a day, how can you, as fair, honorable and honest men, insist on putting a slave Constitution on a people who desire a free State? Your safety and ours depend upon both of us acting in good faith, and living up to that great principle which asserts the right of every people to form and regulate their domestic institutions to suit themselves, subject only to the Constitution of the United States.

Most of the men who denounced my course on the Lecompton question, objected to it not because I was not right, but because they thought it expedient at that time, for the sake of keeping the party together, to do wrong. I never knew the Democratic party to violate any one of its principles out of policy or expediency, that it did not pay the debt with sorrow. There is no safety or success for our party unless we always do right, and trust the consequences to God and the people. I chose not to depart from principle for the sake of expediency in the Lecompton question, and I never intend to do it on that or any other question.

But I am told that I would have been all right if I had only voted for the English bill after Lecompton was killed. You know a general pardon was granted to all political offenders on the Lecompton question, provided they would only vote for the English bill. I did not accept the benefits of that pardon, for the reason that I had been right in the course I had pursued, and hence did not require any forgiveness. Let us see how the result has been worked out. English brought in his bill referring the Lecompton Constitution back to the people, with the provision that if it was rejected Kansas should be kept out of

the Union until she had the full ratio of population required for a member of Congress, thus in effect declaring that if the people of Kansas would only consent to come into the Union under the Lecompton Constitution, and have a slave State when they did not want it, they should be admitted with a population of 35,000, but that if they were so obstinate as to insist upon having just such a Constitution as they thought best, and to desire admission as a free State, then they should be kept out until they had 93,420 inhabitants. I then said, and I now repeat to you, that whenever Kansas has people enough for a slave State she has people enough for a free State. I was and am willing to adopt the rule that no State shall ever come into the Union until she has the full ratio of population for a member of Congress, provided that rule is made uniform. I made that proposition in the Senate last winter, but a majority of the Senators would not agree to it; and I then said to them if you will not adopt the general rule I will not consent to make an exception of Kansas.

I hold that it is a violation of the fundamental principles of this Government to throw the weight of federal power into the scale, either in favor of the free or the slave States. Equality among all the States of this Union is a fundamental principle in our political system. We have no more right to throw the weight of the Federal Government into the scale in favor of the slaveholding than the free States, and last of all should our friends in the South consent for a moment that Congress should withhold its powers either way when they know that there is a majority against them in both Houses of Congress.

Fellow-citizens, how have the supporters of the English bill stood up to their pledges not to admit

Kansas until she obtained a population of 93,420 in the event she rejected the Lecompton Constitution? How? The newspapers inform us that English himself, whilst conducting his canvass for re-election, and in order to secure it, pledged himself to his constituents that if returned he would disregard his own bill and vote to admit Kansas into the Union with such population as she might have when she made application. We are informed that every Democratic candidate for Congress in all the States where elections have recently been held, was pledged against the English bill, with perhaps one or two exceptions. Now, if I had only done as these anti-Lecompton men who voted for the English bill in Congress, pledging themselves to refuse to admit Kansas if she refused to become a slave State until she had a population of 93,420, and then return to their people, forfeited their pledge, and made a new pledge to admit Kansas at any time she applied, without regard to population, I would have had no trouble. You saw the whole power and patronage of the Federal Government wielded in Indiana, Ohio and Pennsylvania to re-elect anti-Lecompton men to Congress who voted against Lecompton, then voted for the English bill, and then denounced the English bill, and pledged themselves to their people to disregard it. My sin consists in not having given a pledge, and then in not having afterward forfeited it. For that reason, in this State, every postmaster, every route agent, every collector of the ports, and every federal office-holder, forfeits his head the moment he expresses a preference for the Democratic candidates against Lincoln and his Abolition associates. A Democratic Administration which we helped to bring into power, deems it consistent with its fidelity to principle and its regard to duty, to wield its power in

this State in behalf of the Republican Abolition candidates in every county and every Congressional District against the Democratic party. All I have to say in reference to the matter is, that if that Administration have not regard enough for principle, if they are not sufficiently attached to the creed of the Democratic party to bury forever their personal hostilities in order to succeed in carrying out our glorious principles, I have. I have no personal difficulty with Mr. Buchanan or his cabinet. He chose to make certain recommendations to Congress, as he had a right to do, on the Lecompton question. I could not vote in favor of them. I had as much right to judge for myself how I should vote as he had how he should recommend. He undertook to say to me, if you do not vote as I tell you, I will take off the heads of your friends. I replied to him, You did not elect me, I represent Illinois and I am accountable to Illinois, as my constituency, and to God, but not to the President or to any other power on earth.

And now this warfare is made on me because I would not surrender my convictions of duty, because I would not abandon my constituency, and receive the orders of the executive authorities how I should vote in the Senate of the United States. I hold that an attempt to control the Senate on the part of the Executive is subversive of the principles of our Constitution. The Executive department is independent of the Senate, and the Senate is independent of the President. In matters of legislation the President has a veto on the action of the Senate, and in appointments and treaties the Senate has a veto on the President. He has no more right to tell me how I shall vote on his appointments than I have to tell him whether he shall veto or approve a bill that the Senate has passed. Whenever

you recognize the right of the Executive to say to a Senator, “Do this, or I will take off the heads of your friends,” you convert this Government from a republic into a despotism. Whenever you recognize the right of a President to say to a member of Congress, “Vote as I tell you, or I will bring a power to bear against you at home which will crush you,” you destroy the independence of the representative, and convert him into a tool of Executive power. I resisted this invasion of the constitutional rights of a Senator, and I intend to resist it as long as I have a voice to speak, or a vote to give. Yet, Mr. Buchanan cannot provoke me to abandon one iota of Democratic principles out of revenge or hostility to his course. I stand by the platform of the Democratic party, and by its organization, and support its nominees. If there are any who choose to bolt, the fact only shows that they are not as good Democrats as I am.

My friends, there never was a time when it was as important for the Democratic party, for all national men, to rally and stand together as it is to-day. We find all sectional men giving up past differences and continuing the one question of slavery, and when we find sectional men thus uniting, we should unite to resist them and their treasonable designs. Such was the case in 1850, when Clay left the quiet and peace of his home, and again entered upon public life to quell agitation and restore peace to a distracted Union. Then we Democrats, with Cass at our head, welcomed Henry Clay, whom the whole nation regarded as having been preserved by God for the times. He became our leader in that great fight, and we rallied around him the same as the Whigs rallied around old Hickory in 1832, to put down nullification. Thus you see that whilst Whigs and

Democrats fought fearlessly in old times about banks, the tariff, distribution, the specie circular, and the sub-treasury, all united as a band of brothers when the peace, harmony, or integrity of the Union was imperilled. It was so in 1850, when Abolitionism had even so far divided this country, North and South, as to endanger the peace of the Union; Whigs and Democrats united in establishing the Compromise measures of that year, and restoring tranquillity and good feeling. These measures passed on the joint action of the two parties. They rested on the great principle that the people of each State and each Territory should be left perfectly free to form and regulate their domestic institutions to suit themselves. You Whigs, and we Democrats justified them in that principle. In 1854, when it became necessary to organize the Territories of Kansas and Nebraska, I brought forward the bill on the same principle. In the Kansas-Nebraska bill you find it declared to be the true intent and meaning of the act not to legislate slavery into any State or Territory, nor to exclude it therefrom, but to leave the people thereof perfectly free to form and regulate their domestic institutions in their own way. I stand on that same platform in 1858 that I did in 1850, 1854, and 1856. The Washington *Union*, pretending to be the organ of the Administration, in the number of the 5th of this month, devotes three columns and a half to establish these propositions: First, that Douglas, in his Freeport speech, held the same doctrine that he did in his Nebraska bill in 1854; second, that in 1854 Douglas justified the Nebraska bill upon the ground that it was based upon the same principle as Clay's Compromise measures of 1850. The *Union* thus proved that Douglas was the same in 1858 that he was in 1856, 1854, and 1850, and consequently

argued that he was never a Democrat. Is it not funny that I was never a Democrat? There is no pretense that I have changed a hair's breadth. The *Union* proves by my speeches that I explained the Compromise measures of 1850 just as I do now, and that I explained the Kansas and Nebraska bill in 1854 just as I did in my Freeport speech, and yet says that I am not a Democrat, and cannot be trusted, because I have not changed during the whole of that time. It has occurred to me that in 1854 the author of the Kansas and Nebraska bill was considered a pretty good Democrat. It has occurred to me that in 1856, when I was exerting every nerve and every energy for James Buchanan, standing on the same platform then that I do now, that I was a pretty good Democrat. They now tell me that I am not a Democrat, because I assert that the people of a Territory, as well as those of a State, have the right to decide for themselves whether slavery can or cannot exist in such Territory. Let me read what James Buchanan said on that point when he accepted the Democratic nomination for the Presidency in 1856. In his letter of acceptance, he used the following language:

"The recent legislation of Congress respecting domestic slavery, derived as it has been from the original and pure fountain of legitimate political power, the will of the majority, promises ere long to allay the dangerous excitement. This legislation is founded upon principles as ancient as free government itself, and in accordance with them has simply declared that the people of a Territory, like those of a State, shall decide for themselves whether slavery shall or shall not exist within their limits."

Dr. Hope will there find my answer to the question he propounded to me before I commenced speaking. Of course no man will consider it an answer, who is outside of the Democratic organization, bolts

Democratic nominations, and indirectly aids to put Abolitionists into power over Democrats. But whether Dr. Hope considers it an answer or not, every fair-minded man will see that James Buchanan has answered the question, and has asserted that the people of a Territory like those of a State, shall decide for themselves whether slavery shall or shall not exist within their limits. I answer specifically if you want a further answer, and say that while under the decision of the Supreme Court, as recorded in the opinion of Chief Justice Taney, slaves are property like all other property, and can be carried into any Territory of the United States the same as any other description of property, yet when you get them there they are subject to the local law of the Territory just like all other property. You will find in a recent speech delivered by that able and eloquent statesman, Hon. Jefferson Davis, at Bangor, Maine, that he took the same view of this subject that I did in my Freeport speech. He there said:

"If the inhabitants of any Territory should refuse to enact such laws and police regulations as would give security to their property or to his, it would be rendered more or less valueless in proportion to the difficulties of holding it without such protection. In the case of property in the labor of man, or what is usually called slave property, the insecurity would be so great that the owner could not ordinarily retain it. Therefore, though the right would remain, the remedy being withheld, it would follow that the owner would be practically debarred, by the circumstances of the case, from taking slave property into a Territory where the sense of the inhabitants was opposed to its introduction. So much for the oft repeated arm in arm fallacy of forcing slavery upon any community."

You will also find that the distinguished Speaker of the present House of Representatives, Hon. Jas. L. Orr, construed the Kansas and Nebraska bill in this

same way in 1856, and also that great intellect of the South, Alex. H. Stephens, put the same construction upon it in Congress that I did in my Freeport speech. The whole South are rallying to the support of the doctrine that if the people of a Territory want slavery they have a right to have it, and if they do not want it that no power on earth can force it upon them. I hold that there is no principle on earth more sacred to all the friends of freedom than that which says that no institution, no law, no constitution, should be forced on an unwilling people contrary to their wishes; and I assert that the Kansas and Nebraska bill contains that principle. It is the great principle contained in that bill. It is the principle on which James Buchanan was made President. Without that principle he never would have been made President of the United States. I will never violate or abandon that doctrine if I have to stand alone. I have resisted the blandishments and threats of power on the one side, and seduction on the other, and have stood immovably for that principle, fighting for it when assailed by Northern mobs, or threatened by Southern hostility. I have defended it against the North and South, and I will defend it against whoever assails it, and I will follow it wherever its logical conclusions lead me. I say to you that there is but one hope, one safety for this country, and that is to stand immovably by that principle which declares the right of each State and each Territory to decide these questions for themselves. This Government was founded on that principle, and must be administered in the same sense in which it was founded.

But the Abolition party really think that under the Declaration of Independence the negro is equal to the white man, and that negro equality is an inalienable right conferred by the Almighty, and

hence that all human laws in violation of it are null and void. With such men it is no use for me to argue. I hold that the signers of the Declaration of Independence had no reference to negroes at all when they declared all men to be created equal. They did not mean negroes, nor savage Indians, nor the Fejee Islanders, nor any other barbarous race. They were speaking of white men. They alluded to men of European birth and European descent—to white men, and to none others, when they declared that doctrine. I hold that this Government was established on the white basis. It was established by white men for the benefit of white men and their posterity forever, and should be administered by white men, and none others. But it does not follow, by any means, that merely because the negro is not a citizen, and merely because he is not our equal, that, therefore, he should be a slave. On the contrary, it does follow that we ought to extend to the negro race, and to all other dependent races all the rights, all the privileges, and all the immunities which they can exercise consistently with the safety of society. Humanity requires that we should give them all these privileges; Christianity commands that we should extend those privileges to them. The question then arises what are these privileges, and what is the nature and extent of them. My answer is that that is a question which each State must answer for itself. We in Illinois have decided it for ourselves. We tried slavery, kept it up for twelve years, and finding that it was not profitable, we abolished it for that reason, and became a free State. We adopted in its stead the policy that a negro in this State shall not be a slave and shall not be a citizen. We have a right to adopt that policy. For my part I think it is a wise and sound policy for us. You in Missouri must judge for

yourselves whether it is a wise policy for you. If you choose to follow our example, very good; if you reject it, still well, it is your business, not ours. So with Kentucky. Let Kentucky adopt a policy to suit herself. If we do not like it we will keep away from it, and if she does not like ours let her stay at home, mind her own business and let us alone. If the people of all the States will act on that great principle, and each State mind its own business, attend to its own affairs, take care of its own negroes and not meddle with its neighbors, then there will be peace between the North and the South, the East and the West, throughout the whole Union. Why can we not thus have peace? Why should we thus allow a sectional party to agitate this country, to array the North against the South, and convert us into enemies instead of friends, merely that a few ambitious men may ride into power on a sectional hobby? How long is it since these ambitious Northern men wished for a sectional organization? Did any one of them dream of a sectional party as long as the North was the weaker section and the South the stronger? Then all were opposed to sectional parties; but the moment the North obtained the majority in the House and Senate by the admission of California, and could elect a President without the aid of Southern votes, that moment ambitious Northern men formed a scheme to excite the North against the South, and make the people be governed in their votes by geographical lines, thinking that the North, being the stronger section, would out-vote the South, and consequently they, the leaders, would ride into office on a sectional hobby. I am told that my hour is out. It was very short.

Mr. Lincoln's Reply.

LADIES AND GENTLEMEN:—I have been somewhat, in my own mind, complimented by a large portion of Judge Douglas's speech—I mean that portion which he devotes to the controversy between himself and the present Administration. This is the seventh time Judge Douglas and myself have met in these joint discussions, and he has been gradually improving in regard to his war with the administration. At Quincy, day before yesterday, he was a little more severe upon the Administration than I had heard him upon any occasion, and I took pains to compliment him for it. I then told him to "Give it to them with all the power he had;" and as some of them were present, I told them I would be very much obliged if they would *give it to him* in about the same way. I take it he has now vastly improved upon the attack he made then upon the Administration. I flatter myself he has really taken my advice on this subject. All I can say now is to recommend to him and to them what I then commended—to prosecute the war against one another in the most vigorous manner. I say to them again—"Go it, husband!—Go it, bear!"

There is one other thing I will mention before I leave this branch of the discussion—although I do not consider it much of my business, any way. I refer to that part of the Judge's remarks where he undertakes to involve Mr. Buchanan in an inconsistency. He reads something from Mr. Buchanan, from which he undertakes to involve him in an inconsistency; and he gets something of a cheer for having done so. I would only remind the Judge that while he is very valiantly fighting for the Nebraska bill and the repeal of the Missouri

Compromise, it has been but a little while since he was the *valiant advocate of* the Missouri Compromise. I want to know if Buchanan has not as much right to be inconsistent as Douglas has? Has Douglas the *exclusive right*, in this country, of being *on all sides of all questions*? Is nobody allowed that high privilege but himself? Is he to have an entire *monopoly* on that subject?

So far as Judge Douglas addressed his speech to me, or so far as it was about me, it is my business to pay some attention to it. I have heard the Judge state two or three times what he has stated to-day—that in a speech which I made at Springfield, Illinois, I had in a very especial manner complained that the Supreme Court in the Dred Scott case had decided that a negro could never be a citizen of the United States. I have omitted by some accident heretofore to analyze this statement, and it is required of me to notice it now. In point of fact it is *untrue*. I never have complained *especially* of the Dred Scott decision because it held that a negro could not be a citizen, and the Judge is always wrong when he says I ever did so complain of it. I have the speech here, and I will thank him or any of his friends to show where I said that a negro should be a citizen, and complained especially of the Dred Scott decision because it declared he could not be one. I have done no such thing, and Judge Douglas so persistently insisting that I have done so, has strongly impressed me with the belief of a predetermination on his part to misrepresent me. He could not get his foundation for insisting that I was in favor of this negro equality any where else as well as he could by assuming that untrue proposition. Let me tell this audience what is true in regard to that matter; and the means by which they may correct me if I do not tell them truly

is by a recurrence to the speech itself. I spoke of the Dred Scott decision in my Springfield speech, and I was then endeavoring to prove that the Dred Scott decision was a portion of a system or scheme to make slavery national in this country. I pointed out what things had been decided by the court. I mentioned as a fact that they had decided that a negro could not be a citizen—that they had done so, as I supposed, to deprive the negro, under all circumstances, of the remotest possibility of ever becoming a citizen and claiming the rights of a citizen of the United States under a certain clause of the Constitution. I stated that, without making any complaint of it at all. I then went on and stated the other points decided in the case, viz: that the bringing of a negro into the State of Illinois and holding him in slavery for two years here was a matter in regard to which they would not decide whether it would make him free or not; that they decided the further point that taking him into a United States Territory where slavery was prohibited by act of Congress, did not make him free, because that act of Congress, as they held, was unconstitutional. I mentioned these three things as making up the points decided in that case. I mentioned them in a lump taken in connection with the introduction of the Nebraska bill, and the amendment of Chase, offered at the time, declaratory of the right of the people of the Territories to *exclude slavery*, which was voted down by the friends of the bill. I mentioned all these things together, as evidence tending to prove a combination and conspiracy to make the institution of slavery national. In that connection and in that way I mentioned the decision on the point that a negro could not be a citizen, and in no other connection.

Out of this, Judge Douglas builds up his beautiful fabrication—of my purpose to introduce a perfect, social, and political equality between the white and black races. His assertion that I made an "especial objection" (that is his exact language) to the decision on this account, is untrue in point of fact.

Now, while I am upon this subject, and as Henry Clay has been alluded to, I desire to place myself, in connection with Mr. Clay, as nearly right before this people as may be. I am quite aware what the Judge's object is here by all these allusions. He knows that we are before an audience, having strong sympathies southward by relationship, place of birth, and so on. He desires to place me in an extremely Abolition attitude. He read upon a former occasion, and alludes without reading to-day, to a portion of a speech which I delivered in Chicago. In his quotations from that speech, as he has made them upon former occasions, the extracts were taken in such a way as, I suppose, brings them within the definition of what is called *garbling*—taking portions of a speech which, when taken by themselves, do not present the entire sense of the speaker as expressed at the time. I propose, therefore, out of that same speech, to show how one portion of it which he skipped over (taking an extract before and an extract after) will give a different idea, and the true idea I intended to convey. It will take me some little time to read it, but I believe I will occupy the time that way.

You have heard him frequently allude to my controversy with him in regard to the Declaration of Independence. I confess that I have had a struggle with Judge Douglas on that matter, and I will try briefly to place myself right in regard to it on this occasion. I said—and it is between the extracts Judge

Douglas has taken from this speech and put in his published speeches:

"It may be argued that there are certain conditions that make necessities and impose them upon us, and to the extent that a necessity is imposed upon a man he must submit to it. I think that was the condition in which we found ourselves when we established this Government. We had slaves among us, we could not get our Constitution unless we permitted them to remain in slavery, we could not secure the good we did secure if we grasped for more; and having by necessity submitted to that much, it does not destroy the principle that is the charter of our liberties. Let the charter remain as our standard."

Now I have upon all occasions declared as strongly as Judge Douglas against the disposition to interfere with the existing institution of slavery. You hear me read it from the same speech from which he takes garbled extracts for the purpose of proving upon me a disposition to interfere with the institution of slavery, and establish a perfect social and political equality between negroes and white people.

Allow me while upon this subject briefly to present one other extract from a speech of mine, more than a year ago, at Springfield, in discussing this very same question, soon after Judge Douglas took his ground that negroes were not included in the Declaration of Independence:

"I think the authors of that notable instrument intended to include *all* men, but they did not mean to declare all men equal *in all respects*. They did not mean to say all men were equal in color, size, intellect, moral development or social capacity. They defined with tolerable distinctness in what they did consider all men created equal—equal in certain

inalienable rights, among which are life, liberty, and the pursuit of happiness. This they said, and this they meant. They did not mean to assert the obvious untruth, that all were then actually enjoying that equality, or yet, that they were about to confer it immediately upon them. In fact they had no power to confer such a boon. They meant simply to declare the *right*, so that the *enforcement* of it might follow as fast as circumstances should permit.

"They meant to set up a standard maxim for free society which should be familiar to all: constantly looked to, constantly labored for, and even, though never perfectly attained, constantly approximated, and thereby constantly spreading and deepening its influence and augmenting the happiness and value of life to all people, of all colors, every where."

There again are the sentiments I have expressed in regard to the Declaration of Independence upon a former occasion—sentiments which have been put in print and read wherever any body cared to know what so humble an individual as myself chose to say in regard to it.

At Galesburg the other day, I said in answer to Judge Douglas, that three years ago there never had been a man, so far as I knew or believed, in the whole world, who had said that the Declaration of Independence did not include negroes in the term "all men." I reassert it to-day. I assert that Judge Douglas and all his friends may search the whole records of the country, and it will be a matter of great astonishment to me if they shall be able to find that one human being three years ago had ever uttered the astounding sentiment that the term "all men" in the Declaration did not include the negro. Do not let me be misunderstood. I know that more than three years ago there were men who, finding

this assertion constantly in the way of their schemes to bring about the ascendancy and perpetuation of slavery, *denied the truth of it*. I know that Mr. Calhoun and all the politicians of his school denied the truth of the Declaration. I know that it ran along in the mouth of some Southern men for a period of years, ending at last in that shameful though rather forcible declaration of Pettit of Indiana, upon the floor of the United States Senate, that the Declaration of Independence was in that respect "a self-evident lie," rather than a self-evident truth. But I say, with a perfect knowledge of all this hawking at the Declaration without directly attacking it, that three years ago there never had lived a man who had ventured to assail it in the sneaking way of pretending to believe it and then asserting it did not include the negro. I believe the first man who ever said it was Chief Justice Taney in the Dred Scott case, and the next to him was our friend, Stephen A. Douglas. And now it has become the catch-word of the entire party. I would like to call upon his friends every where to consider how they have come in so short a time to view this matter in a way so entirely different from their former belief? to ask whether they are not being borne along by an irresistible current—whither they know not?

In answer to my proposition at Galesburg last week, I see that some man in Chicago has got up a letter addressed to the Chicago *Times*, to show, as he professes, that somebody *had* said so before; and he signs himself "An Old Line Whig," if I remember correctly. In the first place I would say he *was not* an old line Whig. I am somewhat acquainted with old line Whigs. I was with the old line Whigs from the origin to the end of that party; I became pretty well acquainted with them, and I know they always had

some sense, whatever else you could ascribe to them, I know there never was one who had not more sense than to try to show by the evidence he produces that some man had, prior to the time I named, said that negroes were not included in the term "all men" in the Declaration of Independence. What is the evidence he produces? I will bring forward *his* evidence and let you see what *he* offers by way of showing that somebody more than three years ago had said negroes were not included in the Declaration. He brings forward part of a speech from Henry Clay—*the* part of *the* speech of Henry Clay which I used to bring forward to prove precisely the contrary. I guess we are surrounded to some extent to-day by the old friends of Mr. Clay, and they will be glad to hear any thing from that authority. While he was in Indiana a man presented a petition to liberate his negroes, and he (Mr. Clay) made a speech in answer to it, which I suppose he carefully wrote out himself and caused to be published. I have before me an extract from that speech which constitutes the evidence this pretended "Old Line Whig" at Chicago brought forward to show that Mr. Clay didn't suppose the negro was included in the Declaration of Independence. Hear what Mr. Clay said:

"And what is the foundation of this appeal to me in Indiana, to liberate the slaves under my care in Kentucky? It is a general declaration in the act announcing to the world the independence of the thirteen American colonies, that all men are created equal. Now, as an abstract principle, *there is no doubt of the truth of that declaration*; and it is desirable, *in the original construction of society, and in organized societies*, to keep it in view was a great fundamental principle. But, then, I apprehend that in no society that ever did exist, or ever shall be formed, was or can the equality asserted among the members of the

human race, be practically enforced and carried out. There are portions, large portions, women, minors, insane, culprits, transient sojourners, that will always probably remain subject to the government of another portion of the community.

"That declaration, whatever may be the extent of its import, was made by the delegations of the thirteen States. In most of them slavery existed, and had long existed, and was established by law. It was introduced and forced upon the colonies by the paramount law of England. Do you believe, that in making that declaration the States that concurred in it intended that it should be tortured into a virtual emancipation of all the slaves within their respective limits? Would Virginia and other Southern States have ever united in a declaration which was to be interpreted into an abolition of slavery among them? Did any one of the thirteen colonies entertain such a design or expectation? To impute such a secret and unavowed purpose, would be to charge a political fraud upon the noblest band of patriots that ever assembled in council—a fraud upon the Confederacy of the Revolution—a fraud upon the union of those States whose Constitution not only recognized the lawfulness of slavery, but permitted the importation of slaves from Africa until the year 1808."

This is the entire quotation brought forward to prove that somebody previous to three years ago had said the negro was not included in the term "all men" in the Declaration. How does it do so? In what way has it a tendency to prove that? Mr. Clay says *it is true as an abstract principle* that all men are created equal, but that we cannot practically apply it in all cases. He illustrates this by bringing forward the cases of females, minors, and insane persons, with whom it cannot be enforced; but he says it is true as an abstract principle in the organization of society as well as in organized society, and it should be kept in view as a fundamental principle. Let me read a few words more before I add some comments of my own.

Mr. Clay says a little further on:

"I desire no concealment of my opinions in regard to the institution of slavery. I look upon it as a great evil, and deeply lament that we have derived it from the parental Government, and from our ancestors. But here they are, and the question is, how can they be best dealt with? If a state of nature existed, and we were about to lay the foundations of society, *no man would be more strongly opposed than I should be, to incorporating the institution of slavery among its elements*."

Now, here in this same book—in this same speech—in this same extract brought forward to prove that Mr. Clay held that the negro was not included in the Declaration of Independence—no such statement on his part, but the declaration *that it is a great fundamental truth*, which should be constantly kept in view in the organization of society and in societies already organized. But if I say a word about it—if I attempt, as Mr. Clay said all good men ought to do, to keep it in view—if, in this "organized society," I ask to have the public eye turned upon it—if I ask in relation to the organization of new Territories, that the public eye should be turned upon it—forthwith I am vilified as you hear me to-day. What have I done, that I have not the license of Henry Clay's illustrious example here in doing? Have I done aught that I have not his authority for, while maintaining that in organizing new Territories and societies, this fundamental principle should be regarded, and in organized society holding it up to the public view and recognizing what *he* recognized as the great principle of free government?

And when this new principle—this new proposition that no human being ever thought of three years ago—is brought forward, *I combat it* as having an evil tendency, if not an evil design. I combat it as having a tendency to dehumanize the

negro—to take away from him the right of ever striving to be a man. I combat it as being one of the thousand things constantly done in these days to prepare the public mind to make property, and nothing but property, of the *negro in all the States of this Union*.

But there is a point that I wish, before leaving this part of the discussion, to ask attention to. I have read and I repeat the words of Henry Clay:

"I desire no concealment of my opinions in regard to the institution of slavery. I look upon it as a great evil, and deeply lament that we have derived it from the parental Government, and from our ancestors. I wish every slave in the United States was in the country of his ancestors. But here they are; the question is how they can best be dealt with? If a state of nature existed, and we were about to lay the foundations of society, no man would be more strongly opposed than I should be, to incorporate the institution of slavery among its elements."

The principle upon which I have insisted in this canvass, is in relation to laying the foundations of new societies. I have ever sought to apply these principles to the old States for the purpose of abolishing slavery in those States. It is nothing but a miserable perversion of what I *have* said, to assume that I have declared Missouri, or any other slave State, shall emancipate her slaves. I have proposed no such thing. But when Mr. Clay says that in laying the foundations of societies in our Territories where it does not exist, he would be opposed to the introduction of slavery as an element, I insist that we have *his warrant*—his license for insisting upon the exclusion of that element which he declared in such strong and emphatic language *was most hateful to him*.

Judge Douglas has again referred to a Springfield

speech in which I said “a house divided against itself cannot stand.” The Judge has so often made the entire quotation from that speech that I can make it from memory. I used this language:

“We are now far into the fifth year since a policy was initiated with the avowed object and confident promise of putting an end to the slavery agitation. Under the operation of this policy, that agitation has not only not ceased, but has constantly augmented. In my opinion it will not cease until a crisis shall have been reached and passed. ‘A house divided against itself cannot stand.’ I believe this Government cannot endure permanently half slave and half free. I do not expect the house to fall—but I do expect it will cease to be divided. It will become all one thing or all the other. Either the opponents of slavery will arrest the further spread of it, and place it where the public mind shall rest in the belief that it is in the course of ultimate extinction, or its advocates will push it forward till it shall become alike lawful in all the States—old as well as new, North as well as South.”

That extract and the sentiments expressed in it, have been extremely offensive to Judge Douglas. He has warred upon them as Satan wars upon the Bible. His perversions upon it are endless. Here now are my views upon it in brief.

I said we were now far into the fifth year, since a policy was initiated with the avowed object and confident promise of putting an end to the slavery agitation. Is it not so? When that Nebraska bill was brought forward four years ago last January, was it not for the “avowed object” of putting an end to the slavery agitation? We were to have no more agitation in Congress, it was all to be banished to the Territories. By the way, I will remark here that, as Judge Douglas is very fond of complimenting Mr. Crittenden in these days, Mr. Crittenden has said there was a falsehood in that whole business, for

there was *no slavery agitation at that time to allay*. We were for a little while *quiet* on the troublesome thing, and that very allaying plaster of Judge Douglas's stirred it up again. But was it not understood or intimated with the "confident promise" of putting an end to the slavery agitation? Surely it was. In every speech you heard Judge Douglas make, until he got into this "imbroglio," as they call it, with the Administration about the Lecompton Constitution, every speech on that Nebraska bill was full of his felicitations that we were *just at the end* of the slavery agitation. The last tip of the last joint of the old serpent's tail was just drawing out of view. But has it proved so? I have asserted that under that policy that agitation "has not only not ceased, but has constantly augmented." When was there ever a greater agitation in Congress than last winter? When was it as great in the country as to-day?

There was a collateral object in the introduction of that Nebraska policy which was to clothe the people of the Territories with the superior degree of self-government, beyond what they had ever had before. The first object and the main one of conferring upon the people a higher degree of "self-government," is a question of fact to be determined by you in answer to a single question. Have you ever heard or known of a people any where on earth who had as little to do, as, in the first instance of its use, the people of Kansas had with this same right of "self-government?" In its main policy and in its collateral object, *it has been nothing but a living, creeping lie from the time of its introduction till to-day*.

I have intimated that I thought the agitation would not cease until a crisis should have been reached and passed. I have stated in what way I thought it would be reached and passed, I have said that it might go

one way or the other. We might, by arresting the further spread of it, and placing it where the fathers originally placed it, put it where the public mind should rest in the belief that it was in the course of ultimate extinction. Thus the agitation may cease. It may be pushed forward until it shall become alike lawful in all the States, old as well as new, North as well as South. I have said, and I repeat, my wish is that the further spread of it may be arrested, and that it may be placed where the public mind shall rest in the belief that it is in the course of ultimate extinction. I have expressed that as my wish. I entertain the opinion upon evidence sufficient to my mind, that the fathers of this Government placed that institution where the public mind *did* rest in the belief that it was in the course of ultimate extinction. Let me ask why they made provision that the source of slavery—the African slave-trade—should be cut off at the end of twenty years? Why did they make provision that in all the new territory we owned at that time, slavery should be forever inhibited? Why stop its spread in one direction and cut off its source in another, if they did not look to its being placed in the course of ultimate extinction?

Again; the institution of slavery is only mentioned in the Constitution of the United States two or three times, and in neither of these cases does the word “slavery” or “negro race” occur; but covert language is used each time, and for a purpose full of significance. What is the language in regard to the prohibition of the African slave-trade? It runs in about this way: “The migration or importation of such persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year one thousand eight hundred and eight.”

The next allusion in the Constitution to the question of slavery and the black race, is on the subject of the basis of representation, and there the language used is, “Representatives and direct taxes shall be apportioned among the several states which may be included within this Union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed—three-fifths of all other persons.”

It says “persons,” not slaves, not negroes; but this “three-fifths” can be applied to no other class among us than the negroes.

Lastly, in the provision for the reclamation of fugitive slaves, it is said: “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 due.” There again there is no mention of the word “negro” or of slavery. In all three of these places, being the only allusion to slavery in the instrument covert language is used. Language is used not suggesting that slavery existed or that the black race were among us. And I understand the cotemporaneous history of those times to be that covert language was used with a purpose, and that purpose was that in our Constitution, which it was hoped and is still hoped will endure forever—when it should be read by intelligent and patriotic men, after the institution of slavery had passed from among us —there should be nothing on the face of the great charter of liberty suggesting that such a thing as negro slavery had ever existed among us. This is part

of the evidence that the fathers of the Government expected and intended the institution of slavery to come to an end. They expected and intended that it should be in the course of ultimate extinction. And when I say that I desire to see the further spread of it arrested, I only say I desire to see that done which the fathers have first done. When I say I desire to see it placed where the public mind will rest in the belief that it is in the course of ultimate extinction, I only say I desire to see it placed where they placed it. It is not true that our fathers, as Judge Douglas assumes, made this Government part slave and part free. Understand the sense in which he puts it. He assumes that slavery is a rightful thing within itself—was introduced by the framers of the constitution. The exact truth is, that they found the institution existing among us, and they left it as they found it. But in making the Government they left this institution with many clear marks of disapprobation upon it. They found slavery among them, and they left it among them because of the difficulty—the absolute impossibility of its immediate removal. And when Judge Douglas asks me why we cannot let it remain part slave and part free, as the fathers of the Government made it, he asks a question based upon an assumption which is itself a falsehood; and I turn upon him and ask him the question, when the policy that the fathers of the Government had adopted in relation to this element among us was the best policy in the world—the only wise policy—the only policy that we can ever safely continue upon—that will ever give us peace, unless this dangerous element masters us all and becomes a national institution—*I turn upon him and ask him why he could not leave it alone*. I turn and ask him why he was driven to the necessity of introducing a *new policy* in regard to it.

He has himself said he introduced a new policy. He said so in his speech on the 22d of March of the present year, 1858. I ask him why he could not let it remain where our fathers placed it. I ask, too, of Judge Douglas and his friends why we shall not again place this institution upon the basis on which the fathers left it. I ask you, when he infers that I am in favor of setting the free and slave States at war, when the institution was placed in that attitude by those who made the Constitution, *did they make any war*? If we had no war out of it, when thus placed, wherein is the ground of belief that we shall have war out of it, if we return to that policy? Have we had any peace upon this matter springing from any other basis? I maintain that we have not. I have proposed nothing more than a return to the policy of the fathers.

I confess, when I propose a certain measure of policy, it is not enough for me that I do not intend any thing evil in the result, but it is incumbent on me to show that it has not a *tendency* to that result. I have met Judge Douglas in that point of view. I have not only made the declaration that I do not *mean* to produce a conflict between the States, but I have tried to show by fair reasoning, and I think I have shown to the minds of fair men, that I propose nothing but what has a most peaceful tendency. The quotation that I happened to make in that Springfield speech, that “a house divided against itself cannot stand,” and which has proved so offensive to the Judge, was part and parcel of the same thing. He tries to show that variety in the domestic institutions of the different States is necessary and indispensable. I do not dispute it. I have no controversy with Judge Douglas about that. I shall very readily agree with him that it would be foolish for us to insist upon

having a cranberry law here, in Illinois, where we have no cranberries, because they have a cranberry law in Indiana, where they have cranberries. I should insist that it would be exceedingly wrong in us to deny to Virginia the right to enact oyster laws, where they have oysters, because we want no such laws here. I understand, I hope, quite as well as Judge Douglas or any body else, that the variety in the soil and climate and face of the country, and consequent variety in the industrial pursuits and productions of a country, require systems of law conforming to this variety in the natural features of the country. I understand quite as well as Judge Douglas, that if we here raise a barrel of flour more than we want, and the Louisianians raise a barrel of sugar more than they want, it is of mutual advantage to exchange. That produces commerce, brings us together, and makes us better friends. We like one another the more for it. And I understand as well as Judge Douglas, or any body else, that these mutual accommodations are the cements which bind together the different parts of this Union—that instead of being a thing to "divide the house"—figuratively expressing the Union—they tend to sustain it; they are the props of the house tending always to hold it up.

But when I have admitted all this, I ask if there is any parallel between these things and this institution of slavery? I do not see that there is any parallel at all between them. Consider it. When have we had any difficulty or quarrel amongst ourselves about the cranberry laws of Indiana, or the oyster laws of Virginia, or the pine lumber laws of Maine, or the fact that Louisiana produces sugar, and Illinois flour? When have we had any quarrels over these things? When have we had perfect peace in regard to this

thing which I say is an element of discord in this Union? We have sometimes had peace, but when was it? It was when the institution of slavery remained quiet where it was. We have had difficulty and turmoil whenever it has made a struggle to spread itself where it was not. I ask, then, if experience does not speak in thunder-tones, telling us that the policy which has given peace to the country heretofore, being returned to, gives the greatest promise of peace again. You may say, and Judge Douglas has intimated the same thing, that all this difficulty in regard to the institution of slavery is the mere agitation of office-seekers and ambitious northern politicians. He thinks we want to get “his place,” I suppose. I agree that there are office-seekers amongst us. The Bible says somewhere that we are desperately selfish. I think we would have discovered that fact without the Bible. I do not claim that I am any less so than the average of men, but I do claim that I am not more selfish than Judge Douglas.

But is it true that all the difficulty and agitation we have in regard to this institution of slavery springs from office-seeking—from the mere ambition of politicians? Is that the truth? How many times have we had danger from this question? Go back to the day of the Missouri Compromise. Go back to the Nullification question, at the bottom of which lay this same slavery question. Go back to the time of the Annexation of Texas. Go back to the troubles that led to the Compromise of 1850. You will find that every time, with the single exception of the Nullification question, they sprang from an endeavor to spread this institution. There never was a party in the history of this country, and there probably never will be, of sufficient strength to disturb the general peace of the country. Parties themselves may be

divided and quarrel on minor questions, yet it extends not beyond the parties themselves. But does *not* this question make a disturbance outside of political circles? Does it not enter into the churches and rend them asunder? What divided the great Methodist Church into two parts, North and South? What has raised this constant disturbance in every Presbyterian General Assembly that meets? What disturbed the Unitarian Church in this very city two years ago? What has jarred and shaken the great American Tract Society recently, not yet splitting it, but sure to divide it in the end? Is it not this same mighty, deep-seated power that somehow operates on the minds of men, exciting and stirring them up in every avenue of society—in politics, in religion, in literature, in morals, in all the manifold relations of life? Is this the work of politicians? Is that irresistible power which for fifty years has shaken the Government and agitated the people to be stilled and subdued by pretending that it is an exceedingly simple thing, and we ought not to talk about it? If you will get everybody else to stop talking about it, I assure you I will quit before they have half done so. But where is the philosophy or statesmanship which assumes that you can quiet that disturbing element in our society which has disturbed us for more than half a century, which has been the only serious danger that has threatened our institutions—I say, where is the philosophy or the statesmanship based on the assumption that we are to quit talking about it, and that the public mind is all at once to cease being agitated by it? Yet this is the policy here in the north that Douglas is advocating—that we are to care nothing about it! I ask you if it is not a false philosophy? Is it not a false statesmanship that undertakes to build up a system of policy upon the

basis of caring nothing about *the very thing that every body does care the most about*?—a thing which all experience has shown we care a very great deal about?

The Judge alludes very often in the course of his remarks to the exclusive right which the States have to decide the whole thing for themselves. I agree with him very readily that the different States have that right. He is but fighting a man of straw when he assumes that I am contending against the right of the States to do as they please about it. Our controversy with him is in regard to the new Territories. We agree that when States come in as States they have the right and the power to do as they please. We have no power as citizens of the free States or in our federal capacity as members of the Federal Union through the General Government, to disturb slavery in the States where it exists. We profess constantly that we have no more inclination than belief in the power of the Government to disturb it; yet we are driven constantly to defend ourselves from the assumption that we are warring upon the rights of the *States*. What I insist upon is, that the new Territories shall be kept free from it while in the Territorial condition. Judge Douglas assumes that we have no interest in them—that we have no right whatever to interfere. I think we have some interest. I think that as white men we have. Do we not wish for an outlet for our surplus population, if I may so express myself? Do we not feel an interest in getting at that outlet with such institutions as we would like to have prevail there? If *you* go to the Territory opposed to slavery and another man comes upon the same ground with his slave, upon the assumption that the things are equal, it turns out that he has the equal right all his way and you have no part of it

your way. If he goes in and makes it a slave Territory, and by consequence a slave State, is it not time that those who desire to have it a free State were on equal ground? Let me suggest it in a different way. How many Democrats are there about here ["A thousand"] who left slave States and came into the free State of Illinois to get rid of the institution of slavery? [Another voice—"A thousand and one."] I reckon there are a thousand and one. I will ask you, if the policy you are now advocating had prevailed when this country was in a Territorial condition, where would you have gone to get rid of it? Where would you have found your free State or Territory to go to? And when hereafter, for any cause, the people in this place shall desire to find new homes, if they wish to be rid of the institution, where will they find the place to go to?

Now irrespective of the moral aspect of this question as to whether there is a right or wrong in enslaving a negro, I am still in favor of our new Territories being in such a condition that white men may find a home—may find some spot where they can better their condition—where they can settle upon new soil and better their condition in life. I am in favor of this not merely (I must say it here as I have elsewhere) for our own people who are born amongst us, but as an outlet for *free white people every where*, the world over—in which Hans and Baptiste and Patrick, and all other men from all the world, may find new homes and better their conditions in life.

I have stated upon former occasions, and I may as well state again, what I understand to be the real issue in this controversy between Judge Douglas and myself. On the point of my wanting to make war between the free and the slave States, there has been

no issue between us. So, too, when he assumes that I am in favor of introducing a perfect social and political equality between the white and black races. These are false issues, upon which Judge Douglas has tried to force the controversy. There is no foundation in truth for the charge that I maintain either of these propositions. The real issue in this controversy—the one pressing upon every mind—is the sentiment on the part of one class that looks upon the institution of slavery *as a wrong*, and of another class that *does not* look upon it as a wrong. The sentiment that contemplates the institution of slavery in this country as a wrong is the sentiment of the Republican party. It is the sentiment around which all their actions—all their arguments circle—from which all their propositions radiate. They look upon it as being a moral, social and political wrong; and while they contemplate it as such, they nevertheless have due regard for its actual existence among us, and the difficulties of getting rid of it in any satisfactory way and to all the constitutional obligations thrown about it. Yet having a due regard for these, they desire a policy in regard to it that looks to its not creating any more danger. They insist that it should as far as may be, *be treated* as a wrong, and one of the methods of treating it as a wrong is to *make provision that it shall grow no larger*. They also desire a policy that looks to a peaceful end of slavery at some time, as being wrong. These are the views they entertain in regard to it as I understand them; and all their sentiments—all their arguments and propositions are brought within this range. I have said, and I repeat it here, that if there be a man amongst us who does not think that the institution of slavery is wrong, in any one of the aspects of which I have spoken, he is misplaced and ought not to be

with us. And if there be a man amongst us who is so impatient of it as a wrong as to disregard its actual presence among us and the difficulty of getting rid of it suddenly in a satisfactory way, and to disregard the constitutional obligations thrown about it, that man is misplaced if he is on our platform. We disclaim sympathy with him in practical action. He is not placed properly with us.

On this subject of treating it as a wrong, and limiting its spread, let me say a word. Has any thing ever threatened the existence of this Union save and except this very institution of slavery? What is it that we hold most dear amongst us? Our own liberty and prosperity. What has ever threatened our liberty and prosperity save and except this institution of slavery? If this is true, how do you propose to improve the condition of things by enlarging slavery—by spreading it out and making it bigger? You may have a wen or cancer upon your person and not be able to cut it out lest you bleed to death; but surely it is no way to cure it, to engraft it and spread it over your whole body. That is no proper way of treating what you regard a wrong. You see this peaceful way of dealing with it as a wrong—restricting the spread of it, and not allowing it to go into new countries where it has not already existed. That is the peaceful way, the old-fashioned way, the way in which the fathers themselves set us the example.

On the other hand, I have said there is a sentiment which treats it as *not* being wrong. That is the Democratic sentiment of this day. I do not mean to say that every man who stands within that range positively asserts that it is right. That class will include all who positively assert that it is right, and all who like Judge Douglas treat it as indifferent and do not say it is either right or wrong. These two

classes of men fall within the general class of those who do not look upon it as a wrong. And if there be among you any body who supposes that he, as a Democrat, can consider himself "as much opposed to slavery as anybody," I would like to reason with him. You never treat it as a wrong. What other thing that you consider as a wrong, do you deal with as you deal with that? Perhaps you *say* it is wrong, *but your leader never does, and you quarrel with any body who says it is wrong*. Although you pretend to say so yourself you can find no fit place to deal with it as a wrong. You must not say any thing about it in the free States, *because it is not here*. You must not say any thing about it in the slave States, *because it is there*. You must not say anything about it in the pulpit, because that is religion and has nothing to do with it. You must not say any thing about it in politics, *because that will disturb the security of "my place."* There is no place to talk about it as being a wrong, although you say yourself it is a wrong. But finally you will screw yourself up to the belief that if the people of the slave States should adopt a system of gradual emancipation on the slavery question, you would be in favor of it. You would be in favor of it. You say that is getting it in the right place, and you would be glad to see it succeed. But you are deceiving yourself. You all know that Frank Blair and Gratz Brown, down there in St. Louis, undertook to introduce that system in Missouri. They fought as valiantly as they could for the system of gradual emancipation which you pretend you would be glad to see succeed. Now I will bring you to the test. After a hard fight they were beaten, and when the news came over here you threw up your hats and *hurrahed for Democracy*. More than that, take all the argument made in favor of the system you have proposed, and

it carefully excludes the idea that there is any thing wrong in the institution of slavery. The arguments to sustain that policy carefully excluded it. Even here to-day you heard Judge Douglas quarrel with me because I uttered a wish that it might some time come to an end. Although Henry Clay could say he wished every slave in the United States was in the country of his ancestors, I am denounced by those pretending to respect Henry Clay for uttering a wish that it might some time, in some peaceful way, come to an end. The Democratic policy in regard to that institution will not tolerate the merest breath, the slightest hint, of the least degree of wrong about it. Try it by some of Judge Douglas's arguments. He says he "don't care whether it is voted up or voted down" in the Territories. I do not care myself in dealing with that expression, whether it is intended to be expressive of his individual sentiments on the subject, or only of the national policy he desires to have established. It is alike valuable for my purpose. Any man can say that he does not see any thing wrong in slavery, but no man can logically say it who does see a wrong in it; because no man can logically say he don't care whether a wrong is voted up or voted down. He may say he don't care whether an indifferent thing is voted up or down, but he must logically have a choice between a right thing and a wrong thing. He contends that whatever community wants slaves has a right to have them. So they have if it is not a wrong. But if it is a wrong, he cannot say people have a right to do wrong. He says that upon the score of equality, slaves should be allowed to go in a new Territory, like other property. This is strictly logical if there is no difference between it and other property. If it and other property are equal, his argument is entirely logical. But if you insist that one

is wrong and the other right, there is no use to institute a comparison between right and wrong. You may turn over every thing in the Democratic policy from beginning to end, whether in the shape it takes on the statute books, in the shape it takes in the Dred Scott decision, in the shape it takes in conversation, or the shape it takes in short maxim-like arguments —it everywhere carefully excludes the idea that there is any thing wrong in it.

That is the real issue. That is the issue that will continue in this country when these poor tongues of Judge Douglas and myself shall be silent. It is the eternal struggle between these two principles—right and wrong—throughout the world. They are the two principles that have stood face to face from the beginning of time; and will ever continue to struggle. The one is the common right of humanity and the other the divine right of kings. It is the same principle in whatever shape it develops itself. It is the same spirit that says, "You work and toil and earn bread, and I'll eat it." No matter in what shape it comes, whether from the mouth of a king who seeks to bestride the people of his own nation and live by the fruit of their labor, or from one race of men as an apology for enslaving another race, it is the same tyrannical principle. I was glad to express my gratitude at Quincy, and I re-express it here to Judge Douglas—*that he looks to no end of the institution of slavery*. That will help the people to see where the struggle really is. It will hereafter place with us all men who really do wish the wrong may have an end. And whenever we can get rid of the fog which obscures the real question—when we can get Judge Douglas and his friends to avow a policy looking to its perpetuation—we can get out from among that class of men and bring them to the side

of those who treat it as a wrong. Then there will soon be an end of it, and that end will be its "ultimate extinction." Whenever the issue can be distinctly made, and all extraneous matter thrown out so that men can fairly see the real difference between the parties, this controversy will soon be settled, and it will be done peaceably too. There will be no war, no violence. It will be placed again where the wisest and best men of the world placed it. Brooks of South Carolina once declared that when this Constitution was framed, its framers did not look to the institution existing until this day. When he said this, I think he stated a fact that is fully borne out by the history of the times. But he also said they were better and wiser men than the men of these days; yet the men of these days had experience which they had not, and by the invention of the cotton-gin it became a necessity in this country that slavery should be perpetual. I now say that, willingly or unwillingly, purposely or without purpose, Judge Douglas has been the most prominent instrument in changing the position of the institution of slavery which the fathers of the Government expected to come to an end ere this—*and putting it upon Brooks's cotton-gin basis*—placing it where he openly confesses he has no desire there shall ever be an end of it.

I understand I have ten minutes yet. I will employ it in saying something about this argument Judge Douglas uses, while he sustains the Dred Scott decision, that the people of the Territories can still somehow exclude slavery. The first thing I ask attention to is the fact that Judge Douglas constantly said, before the decision, that whether they could or not, *was a question for the Supreme Court.* But after the court has made the decision he virtually says it is *not* a question for the Supreme Court, but for the

people. And how is it he tells us they can exclude it? He says it needs "police regulations," and that admits of "unfriendly legislation." Although it is a right established by the Constitution of the United States to take a slave into a Territory of the United States and hold him as property, yet unless the Territorial Legislature will give friendly legislation, and, more especially, if they adopt unfriendly legislation, they can practically exclude him. Now, without meeting this proposition as a matter of fact, I pass to consider the real Constitutional obligation. Let me take the gentleman who looks me in the face before me, and let us suppose that he is a member of the Territorial Legislature. The first thing he will do will be to swear that he will support the Constitution of the United States. His neighbor by his side in the Territory has slaves and needs Territorial legislation to enable him to enjoy that Constitutional right. Can he withhold the legislation which his neighbor needs for the enjoyment of a right which is fixed in his favor in the Constitution of the United States which he has sworn to support? Can he withhold it without violating his oath? And more especially, can he pass unfriendly legislation to violate his oath? Why, this is a *monstrous* sort of talk about the Constitution of the United States! *There has never been as outlandish or lawless a doctrine from the mouth of any respectable man on earth.* I do not believe it is a Constitutional right to hold slaves in a Territory of the United States. I believe the decision was improperly made and I go for reversing it. Judge Douglas is furious against those who go for reversing a decision. But he is for legislating it out of all force while the law itself stands. I repeat that there has never been so monstrous a doctrine uttered from the mouth of a respectable man.

I suppose most of us (I know it of myself) believe that the people of the Southern States are entitled to a Congressional Fugitive Slave law—that is a right fixed in the Constitution. But it cannot be made available to them without Congressional legislation. In the Judge's language, it is a "barren right" which needs legislation before it can become efficient and valuable to the persons to whom it is guarantied. And as the right is Constitutional I agree that the legislation shall be granted to it—and that not that we like the institution of slavery. We profess to have no taste for running and catching niggers—at least I profess no taste for that job at all. Why then do I yield support to a Fugitive Slave law? Because I do not understand that the Constitution, which guaranties that right, can be supported without it. And if I believed that the right to hold a slave in a Territory was equally fixed in the Constitution with the right to reclaim fugitives, I should be bound to give it the legislation necessary to support it. I say that no man can deny his obligation to give the necessary legislation to support slavery in a Territory, who believes it is a Constitutional right to have it there. No man can, who does not give the Abolitionists an argument to deny the obligation enjoined by the Constitution to enact a Fugitive Slave law. Try it now. It is the strongest Abolition argument ever made. I say if that Dred Scott decision is correct, then the right to hold slaves in a Territory is equally a Constitutional right with the right of a slaveholder to have his runaway returned. No one can show the distinction between them. The one is express, so that we cannot deny it. The other is construed to be in the Constitution, so that he who believes the decision to be correct believes in the right. And the man who argues that by unfriendly

legislation, in spite of that Constitutional right, slavery may be driven from the Territories, cannot avoid furnishing an argument by which Abolitionists may deny the obligation to return fugitives, and claim the power to pass laws unfriendly to the right of the slaveholder to reclaim his fugitive. I do not know how such an argument may strike a popular assembly like this, but I defy any body to go before a body of men whose minds are educated to estimating evidence and reasoning, and show that there is an iota of difference between the Constitutional right to reclaim a fugitive, and the Constitutional right to hold a slave, in a Territory, provided this Dred Scott decision is correct. I defy any man to make an argument that will justify unfriendly legislation to deprive a slaveholder of his right to hold his slave in a Territory, that will not equally, in all its length, breadth and thickness, furnish an argument for nullifying the Fugitive Slave law. Why, there is not such an Abolitionist in the nation as Douglas, after all.

MR. DOUGLAS'S REPLY.

Mr. Lincoln has concluded his remarks by saying that there is not such an Abolitionist as I am in all America. If he could make the Abolitionists of Illinois believe that, he would not have much show for the Senate. Let him make the Abolitionists believe the truth of that statement and his political back is broken.

His first criticism upon me is the expression of his hope that the war of the Administration will be prosecuted against me and the Democratic party of this State with vigor. He wants that war prosecuted

with vigor; I have no doubt of it. His hopes of success, and the hopes of his party depend solely upon it. They have no chance of destroying the Democracy of this State except by the aid of federal patronage. He has all the federal office-holders here as his allies, running separate tickets against the Democracy to divide the party, although the leaders all intend to vote directly the Abolition ticket, and only leave the greenhorns to vote this separate ticket who refuse to go into the Abolition camp. There is something really refreshing in the thought that Mr. Lincoln is in favor of prosecuting one war vigorously. It is the first war I ever knew him to be in favor of prosecuting. It is the first war I ever knew him to believe to be just or Constitutional. When the Mexican war was being waged, and the American army was surrounded by the enemy in Mexico, he thought that war was unconstitutional, unnecessary, and unjust. He thought it was not commenced on the right *spot*.

When I made an incidental allusion of that kind in the joint discussion over at Charleston some weeks ago, Lincoln, in replying, said that I, Douglas, had charged him with voting against supplies for the Mexican war, and then he reared up, full length, and swore that he never voted against the supplies—that it was a slander—and caught hold of Ficklin, who sat on the stand, and said, “Here, Ficklin, tell the people that it is a lie.” Well, Ficklin, who had served in Congress with him, stood up and told them all that he recollected about it. It was that when George Ashmun, of Massachusetts, brought forward a resolution declaring the war unconstitutional, unnecessary, and unjust, that Lincoln had voted for it. “Yes,” said Lincoln, “I did.” Thus he confessed that he voted that the war was wrong, that our country

was in the wrong, and consequently that the Mexicans were in the right; but charged that I had slandered him by saying that he voted against the supplies. I never charged him with voting against the supplies in my life, because I knew that he was not in Congress when they were voted. The war was commenced on the 13th day of May, 1846, and on that day we appropriated in Congress ten millions of dollars and fifty thousand men to prosecute it. During the same session we voted more men and more money, and at the next session we voted more men and more money, so that by the time Mr. Lincoln entered Congress we had enough men and enough money to carry on the war, and had no occasion to vote for any more. When he got into the House, being opposed to the war, and not being able to stop the supplies, because they had all gone forward, all he could do was to follow the lead of Corwin, and prove that the war was not begun on the right spot, and that it was unconstitutional, unnecessary, and wrong. Remember, too, that this he did after the war had been begun. It is one thing to be opposed to the declaration of a war, another and very different thing to take sides with the enemy against your own country after the war has been commenced. Our army was in Mexico at the time, many battles had been fought; our citizens, who were defending the honor of their country's flag, were surrounded by the daggers, the guns and the poison of the enemy. Then it was that Corwin made his speech in which he declared that the American soldiers ought to be welcomed by the Mexicans with bloody hands and hospitable graves; then it was that Ashmun and Lincoln voted in the House of Representatives that the war was unconstitutional and unjust; and Ashmun's resolution, Corwin's

speech, and Lincoln's vote, were sent to Mexico and read at the head of the Mexican army, to prove to them that there was a Mexican party in the Congress of the United States who were doing all in their power to aid them. That a man who takes sides with the common enemy against his own country in time of war should rejoice in a war being made on me now, is very natural. And in my opinion, no other kind of a man would rejoice in it.

Mr. Lincoln has told you a great deal to-day about his being an old line Clay Whig. Bear in mind that there are a great many old Clay Whigs down in this region. It is more agreeable, therefore, for him to talk about the old Clay Whig party than it is for him to talk Abolitionism. We did not hear much about the old Clay Whig party up in the Abolition districts. How much of an old line Henry Clay Whig was he? Have you read General Singleton's speech at Jacksonville? You know that Gen. Singleton was, for twenty-five years, the confidential friend of Henry Clay in Illinois, and he testified that in 1847, when the Constitutional Convention of this State was in session, the Whig members were invited to a Whig caucus at the house of Mr. Lincoln's brother-in-law, where Mr. Lincoln proposed to throw Henry Clay overboard and take up Gen. Taylor in his place, giving, as his reason, that if the Whigs did not take up Gen. Taylor the Democrats would. Singleton testifies that Lincoln, in that speech, urged, as another reason for throwing Henry Clay overboard, that the Whigs had fought long enough for principle and ought to begin to fight for success. Singleton also testifies that Lincoln's speech did have the effect of cutting Clay's throat, and that he (Singleton) and others withdrew from the caucus in indignation. He further states that when they got to Philadelphia to

attend the National Convention of the Whig party, that Lincoln was there, the bitter and deadly enemy of Clay, and that he tried to keep him (Singleton) out of the Convention because he insisted on voting for Clay, and Lincoln was determined to have Taylor. Singleton says that Lincoln rejoiced with very great joy when he found the mangled remains of the murdered Whig statesman lying cold before him. Now, Mr. Lincoln tells you that he is an old line Clay Whig! Gen. Singleton testifies to the facts I have narrated, in a public speech which has been printed and circulated broadcast over the State for weeks, yet not a lisp have we heard from Mr. Lincoln on the subject, except that he is an old Clay Whig.

What part of Henry Clay's policy did Lincoln ever advocate? He was in Congress in 1848–9, when the Wilmot proviso warfare disturbed the peace and harmony of the country, until it shook the foundation of the Republic from its centre to its circumference. It was that agitation that brought Clay forth from his retirement at Ashland again to occupy his seat in the Senate of the United States, to see if he could not, by his great wisdom and experience, and the renown of his name, do something to restore peace and quiet to a disturbed country. Who got up that sectional strife that Clay had to be called upon to quell? I have heard Lincoln boast that he voted forty-two times for the Wilmot proviso, and that he would have voted as many times more if he could. Lincoln is the man, in connection with Seward, Chase, Giddings, and other Abolitionists, who got up that strife that I helped Clay to put down. Henry Clay came back to the Senate in 1849, and saw that he must do something to restore peace to the country. The Union Whigs and the Union Democrats welcomed him the moment he

arrived, as the man for the occasion. We believed that he, of all men on earth, had been preserved by Divine Providence to guide us out of our difficulties, and we Democrats rallied under Clay then, as you Whigs in nullification time rallied under the banner of old Jackson, forgetting party when the country was in danger, in order that we might have a country first, and parties afterward.

And this reminds me that Mr. Lincoln told you that the slavery question was the only thing that ever disturbed the peace and harmony of the Union. Did not nullification once raise its head and disturb the peace of this Union in 1832? Was that the slavery question, Mr. Lincoln? Did not disunion raise its monster head during the last war with Great Britain? Was that the slavery question, Mr. Lincoln? The peace of this country has been disturbed three times, once during the war with Great Britain, once on the tariff question, and once on the slavery question. His argument, therefore, that slavery is the only question that has ever created dissension in the Union falls to the ground. It is true that agitators are enabled now to use this slavery question for the purpose of sectional strife. He admits that in regard to all things else, the principle that I advocate, making each State and Territory free to decide for itself, ought to prevail. He instances the cranberry laws, and the oyster laws, and he might have gone through the whole list with the same effect. I say that all these laws are local and domestic, and that local and domestic concerns should be left to each State and each Territory to manage for itself. If agitators would acquiesce in that principle, there never would be any danger to the peace and harmony of the Union.

Mr. Lincoln tries to avoid the main issue by attacking the truth of my proposition, that our

fathers made this Government divided into free and slave States, recognizing the right of each to decide all its local questions for itself. Did they not thus make it? It is true that they did not establish slavery in any of the States, or abolish it in any of them; but finding thirteen States, twelve of which were slave and one free, they agreed to form a government uniting them together, as they stood divided into free and slave States, and to guaranty forever to each State the right to do as it pleased on the slavery question. Having thus made the government, and conferred this right upon each State forever, I assert that this Government can exist as they made it, divided into free and slave States, if any one State chooses to retain slavery. He says that he looks forward to a time when slavery shall be abolished everywhere. I look forward to a time when each State shall be allowed to do as it pleases. If it chooses to keep slavery forever, it is not my business, but its own; if it chooses to abolish slavery, it is its own business—not mine. I care more for the great principle of self-government, the right of the people to rule, than I do for all the negroes in Christendom. I would not endanger the perpetuity of this Union, I would not blot out the great inalienable rights of the white men for all the negroes that ever existed. Hence, I say, let us maintain this Government on the principles that our fathers made it, recognizing the right of each State to keep slavery as long as its people determine, or to abolish it when they please. But Mr. Lincoln says that when our fathers made this Government they did not look forward to the state of things now existing; and therefore he thinks the doctrine was wrong; and he quotes Brooks, of South Carolina, to prove that our fathers then thought that probably slavery would be abolished by each State

acting for itself before this time. Suppose they did; suppose they did not foresee what has occurred,—does that change the principles of our Government? They did not probably foresee the telegraph that transmits intelligence by lightning, nor did they foresee the railroads that now form the bonds of union between the different States, or the thousand mechanical inventions that have elevated mankind. But do these things change the principles of the Government? Our fathers, I say, made this Government on the principle of the right of each State to do as it pleases in its own domestic affairs, subject to the Constitution, and allowed the people of each to apply to every new change of circumstances such remedy as they may see fit to improve their condition. This right they have for all time to come.

Mr. Lincoln went on to tell you that he did not at all desire to interfere with slavery in the States where it exists, nor does his party. I expected him to say that down here. Let me ask him then how he expects to put slavery in the course of ultimate extinction every where, if he does not intend to interfere with it in the States where it exists? He says that he will prohibit it in all the Territories, and the inference is, then, that unless they make free States out of them he will keep them out of the Union; for, mark you, he did not say whether or not he would vote to admit Kansas with slavery or not, as her people might apply (he forgot that as usual, etc.); he did not say whether or not he was in favor of bringing the Territories now in existence into the Union on the principle of Clay's Compromise measures on the slavery question. I told you that he would not. His idea is that he will prohibit slavery in all the Territories and thus force them all to become

free States, surrounding the slave States with a cordon of free States and hemming them in, keeping the slaves confined to their present limits whilst they go on multiplying until the soil on which they live will no longer feed them, and he will thus be able to put slavery in a course of ultimate extinction by starvation. He will extinguish slavery in the Southern States as the French general did the Algerines when he smoked them out. He is going to extinguish slavery by surrounding the slave States, hemming in the slaves, and starving them out of existence, as you smoke a fox out of his hole. He intends to do that in the name of humanity and Christianity, in order that we may get rid of the terrible crime and sin entailed upon our fathers of holding slaves. Mr. Lincoln makes out that line of policy, and appeals to the moral sense of justice and to the Christian feeling of the community to sustain him. He says that any man who holds to the contrary doctrine is in the position of the king who claimed to govern by divine right. Let us examine for a moment and see what principle it was that overthrew the Divine right of George the Third to govern us. Did not these colonies rebel because the British parliament had no right to pass laws concerning our property and domestic and private institutions without our consent? We demanded that the British Government should not pass such laws unless they gave us representation in the body passing them,—and this the British government insisting on doing,—we went to war, on the principle that the Home Government should not control and govern distant colonies without giving them representation. Now, Mr. Lincoln proposes to govern the Territories without giving them a representation, and calls on Congress to pass laws controlling their property and domestic concerns

without their consent and against their will. Thus, he asserts for his party the identical principle asserted by George III. and the Tories of the Revolution.

I ask you to look into these things, and then tell me whether the Democracy or the Abolitionists are right. I hold that the people of a Territory, like those of a State (I use the language of Mr. Buchanan in his letter of acceptance), have the right to decide for themselves whether slavery shall or shall not exist within their limits. The point upon which Chief Justice Taney expresses his opinion is simply this, that slaves being property, stand on an equal footing with other property, and consequently that the owner has the same right to carry that property into a Territory that he has any other, subject to the same conditions. Suppose that one of your merchants was to take fifty or one hundred thousand dollars' worth of liquors to Kansas. He has a right to go there under that decision, but when he gets there he finds the Maine liquor law in force, and what can he do with his property after he gets it there? He cannot sell it, he cannot use it, it is subject to the local law, and that law is against him, and the best thing he can do with it is to bring it back into Missouri or Illinois and sell it. If you take negroes to Kansas, as Col. Jeff. Davis said in his Bangor speech, from which I have quoted to-day, you must take them there subject to the local law. If the people want the institution of slavery they will protect and encourage it; but if they do not want it they will withhold that protection, and the absence of local legislation protecting slavery excludes it as completely as a positive prohibition. You slaveholders of Missouri might as well understand what you know practically, that you cannot carry slavery where the people do not want it. All you have a right to ask is that the people shall

do as they please; if they want slavery let them have it; if they do not want it, allow them to refuse to encourage it.

My friends, if, as I have said before, we will only live up to this great fundamental principle, there will be peace between the North and the South. Mr. Lincoln admits that under the Constitution on all domestic questions, except slavery, we ought not to interfere with the people of each State. What right have we to interfere with slavery any more than we have to interfere with any other question? He says that this slavery question is now the bone of contention. Why? Simply because agitators have combined in all the free States to make war upon it. Suppose the agitators in the States should combine in one-half of the Union to make war upon the railroad system of the other half? They would thus be driven to the same sectional strife. Suppose one section makes war upon any other peculiar institution of the opposite section and the same strife is produced. The only remedy and safety is that we shall stand by the Constitution as our fathers made it, obey the laws as they are passed, while they stand the proper test and sustain the decisions of the Supreme Court and the constituted authorities.

Speech of Hon. Jefferson Davis, Senator from Mississippi,

On retiring from the United States Senate. Delivered in the Senate Chamber January 21, 1861.

I rise, Mr. President, for the purpose of announcing to the Senate that I have satisfactory evidence that the State of Mississippi, by a solemn ordinance of her people in convention assembled, has declared her separation from the United States. Under these circumstances, of course my functions are terminated here. It has seemed to me proper, however, that I should appear in the Senate to announce that fact to my associates, and I will say but very little more. The occasion does not invite me to go into argument; and my physical condition would not permit me to do so if it were otherwise, and yet it seems to become me to say something on the part of the State I here represent, on an occasion so solemn as this. It is known to Senators who have served with me here, that I have for many years advocated as an essential attribute of State sovereignty, the right of a State to secede from the Union. Therefore, if I had not believed there was justifiable cause; if I had thought that Mississippi was acting without sufficient provocation, or without an existing necessity, I should still, under my theory of the government, because of my allegiance to the State of which I am a citizen, have been bound by her action. I, however, may be permitted to say that I do think she has justifiable cause and I approve of her act. I conferred with her people before that act was taken, counseled them then that if the state of things which they apprehended should exist when the convention met, they should take the action which they have now adopted.

I hope none who hear me will confound this

expression of mine with the advocacy of the right of a State to remain in the Union and to disregard its constitutional obligations by the nullification of the law. Such is not my theory. Nullification and secession so often confounded are indeed antagonistic principles. Nullification is a remedy which it is sought to apply within the Union and against the agents of the States. It is only to be justified when the agent has violated his constitutional obligation, and a State, assuming to judge for itself denies the right of the agent thus to act and appeals to the other States of the Union for a decision; but when the States themselves and when the people of the States have so acted as to convince us that they will not regard our constitutional rights, then, and then for the first time, arises the doctrine of secession in its practical application.

A great man who now reposes with his fathers and who has been often arraigned for a want of fealty to the Union advocated the doctrine of Nullification because it preserved the Union. It was because of his deep-seated attachment to the Union, his determination to find some remedy for existing ills short of the severance of the ties which bound South Carolina to the other States, that Mr. Calhoun advocated the doctrine of nullification, which he proclaimed to be peaceful, to be within the limits of State power, not to disturb the Union, but only to be a means of bringing the agent before the tribunal of the States for their judgment.

Secession belongs to a different class of remedies. It is to be justified upon the basis that the States are sovereign. There was a time when none denied it. I hope the time may come again when a better comprehension of the theory of our government and the inalienable rights of the people of the States will

prevent any one from denying that each State is a sovereign, and thus may reclaim the grants which it has made to any agent whomsoever.

I therefore say I concur in the action of the people of Mississippi, believing it to be necessary and proper, and should have been bound by their action if my belief had been otherwise; and this brings me at the important point which I wish, on this last occasion, to present to the Senate. It is by this confounding of nullification and secession that the name of a great man whose ashes now mingle with his mother earth, has been invoked to justify coercion against a seceding state. The phrase “to execute the laws” was an expression which General Jackson applied to the case of a State refusing to obey the laws while yet a member of the Union. That is not the case which is now presented. The laws are to be executed over the United States, and upon the people of the United States. They have no relation with any foreign country. It is a perversion of terms, at least it is a great misapprehension of the case, which cites that expression for application to a State which has withdrawn from the Union. You may make war on a foreign State. If it be the purpose of gentlemen they may make war against a State which has withdrawn from the Union; but there are no laws of the United States to be executed within the limits of a Seceded State. A State finding herself in the condition in which Mississippi has judged she is; in which her safety requires that she should provide for the maintenance of her rights out of the Union, surrenders all the benefits, (and they are known to be many) deprives herself of the advantages, (they are known to be great) severs all the ties of affection (and they are close and enduring) which have bound her to the Union; and thus divesting herself of every

benefit, taking upon herself every burden, she claims to be exempt from any power to execute the laws of the United States within her limits.

I well remember an occasion when Massachusetts was arraigned before the Bar of the Senate, and when then the doctrine of coercion was rife, and to be applied against her because of the rescue of a fugitive slave in Boston. My opinion then was the same as it is now. Not in the spirit of egotism, but to show that I am not influenced in my opinion because the case is my own, I refer to that time and that occasion as containing the opinion which I then entertained and on which my present conduct is based. I then said, if Massachusetts, following her through a stated line of conduct, chooses to take the last step which separates her from the Union, it is her right to go, and I will neither vote one dollar nor one man to coerce her back; but will say to her, "God speed," in memory of the kind associations which once existed between her and the other States. It has been a conviction of pressing necessity, it has been a belief that we are to be deprived in the Union, of the rights which our fathers bequeathed to us, which has brought Mississippi into her present decision. She has heard proclaimed the theory that all men are created free and equal, and this made the basis of an attack on her social institutions; and the sacred Declaration of Independence has been invoked to maintain the position of the equality of the races. That Declaration of Independence is to be construed by the circumstances and purposes for which it was made. The communities were declaring their independence; the people of those communities were asserting that no man was born—to use the language of Mr. Jefferson—booted and spurred to ride over the rest of mankind; that men were created equal—meaning

the men of the political community; that there was no divine right to rule; that no man inherited the right to govern; that there were no classes by which power and place descended to families, but that all stations were equally within the grasp of each member of the body politic. These were the great principles they announced; these were the purposes for which they made their declaration; these were the ends to which their enunciation was directed. They have no reference to the slave; else, how happened it that among the items of arraignment made against George III. was that he endeavored to do just what the North has been endeavoring of late to do—to stir up insurrection among our slaves? Had the Declaration announced that the negroes were free and equal how was it the Prince was to be arraigned for stirring up insurrection among them? And how was this to be enumerated among the high crimes which caused the colonies to sever their connection with the mother country? When our constitution was formed, the same idea was rendered more palpable, for there we find provision made for that very class of persons as property; they were not put upon the footing of equality with white men—not even upon that of paupers and convicts, but so far as representation was concerned, were discriminated against as a lower caste only to be represented in a numerical proportion of three-fifths.

Then, Senators, we recur to the compact which binds us together; we recur to the principles upon which our government was founded; and when you deny them, and when you deny to us, the right to withdraw from a government which thus prevented, threatens to be destructive of our rights, we but tread in the path of our fathers when we proclaim our independence, and take the hazard. This is done not

in hostility to others, not to injure any section of the country, not even for our own pecuniary benefit, but from the high and solemn motive of defending and protecting the rights we inherited, and which it is our sacred duty to transmit unshorn to our children.

I find in myself, perhaps, a type of the general feeling of my constituents towards yours. I am sure I feel no hostility to you, Senators from the North. I am sure there is not one of you, whatever sharp discussion there may have been between us, to whom I cannot now say, in the presence of my God, "I wish you well," and such, I am sure, is the feeling of the people whom I represent towards those whom you represent. I therefore feel that I but express their desire when I say I hope, and they hope for peaceful relations with you, though we must part. They may be mutually beneficial to us in the future as they have been in the past, if you so will it. The reverse may bring disaster on every portion of the country; and if you will have it thus, we will invoke the God of our fathers, who delivered them from the power of the lion, to protect us from the ravages of the bear, and thus, putting our trust in God, and to our firm hearts and strong arms we will vindicate the right as best we may.

In the course of my service here, associated at different times with a great variety of Senators, I see now around me some with whom I have served long; there have been points of collision, but whatever of offense there has been to me I leave here; I carry with me no hostile remembrance. Whatever offense I have given which has not been redressed, or for which satisfaction has not been demanded, I have, Senators, in this hour of our parting, to offer you an apology for any harm which, in the heat of discussion, I have inflicted. I go hence unencumbered

of any injury received, and having discharged the duty of making the only reparation in my power for any injury offered.

Mr. President and Senators, having made the announcement which the occasion seemed to me to require, it only remains for me to bid you a final adieu.

Speech of the Hon. Henry Wilson of Massachusetts

In the canvass against Horace Greeley at Richmond, Ind., August 3, 1872.

AN ABSTRACT.

Gentlemen, standing here to-day, in this presence, among these liberty-loving, patriotic men and women of Wayne county, I want to call your attention for a few moments to what we have struggled for in the past.

Nearly forty years ago, when the slave power dominated the country—when the dark shadow of human slavery fell upon us all here in the North—there arose a body of conscientious men and women who proclaimed the doctrine that emancipation was the duty of the master and the right of the slave; they proclaimed it to be a duty to let the oppressed go free. Rewards were offered—they were denounced, mobbed—violence pervaded the land. Yet these faithful ones maintained with fidelity, against all

odds, the sublime creed of human liberty. The struggle, commencing forty years ago against the assumptions and dominations of the slave power, went on from one step to another—the slave power went right on to the conquest of the country—promises were broken, without regard to constitutions or laws of the human race. The work went on till the people, in their majesty, in 1860, went to the ballot-box and made Abraham Lincoln President of the United States. [Cheers.] Then came a great trial; that trial was whether we should do battle for the principles of eternal right, and maintain the cause of liberty, or surrender; whether we would be true to our principles or false. We stood firm—stood by the sacred cause—and then the slave power plunged the country into a godless rebellion.

Then came another trial, testing the manhood, the courage, the sublime fidelity of the lovers of liberty in the country. We met that test as we had met every other test—trusting in God, trusting in the people—willing to stand or fall by our principles. Through four years of blood we maintained those principles; we broke down the rebellion, restored a broken Union, and vindicated the authority and power of the nation. In that struggle Indiana played a glorious part in the field, and her voice in the councils of the nation had great and deserved influence. [Cheers.]

Now, gentlemen, measured by the high standard of fidelity to country, of patriotism, the great political party to which we belong to-day was as true to the country in war as it had been in peace—true to the country every time, and on all occasions.

Not only true to the country, but the Republican party was true to liberty. It struck the fetters from the bondman, and elevated four and a half millions of men from chattel-hood to manhood; gave them

civil rights, gave them political rights, and gave them part and parcel of the power of the country. [Applause.]

Now, gentlemen, here to-day, I point to this record —this great record—and say to you, that, measured by the standard of patriotism—one of the greatest and grandest standards by which to measure public men, political organizations or nations—measured by that standard which the whole world recognizes, the Republican party of the United States stands before the world with none, to accuse it of want of fidelity to country. [Cheers.] Measured by the standard of liberty, equal, universal, impartial liberty—liberty to all races, all colors and all nationalities—the Republican party stands to-day before the country pre-eminently the party of universal liberty. [Loud cheers.] Measured by the standard of humanity—that humanity that stoops down and lifts up the poor and lowly, the oppressed and the castaways, the poor, struggling sons and daughters of toil and misfortune —measured by that standard, the Republican party stands before this country to-day without a peer in our history, or in the history of any other people. [Renewed and general applause.] We have gone further, embraced more, lifted up lowlier men, carried them to a higher elevation, labored amid obloquy and reproach to lift up the despised and lowly nations of the earth than any political organization that the sun ever shone upon.

And then, gentlemen, tested by the support of all the great ideas that tend to lift up humanity, to pull none down, to lift all up, to carry the country upward and forward, ever toward God, the Republican party of the country has been, and now is, to-day, in advance of any political organization the world knows.

Gentlemen, I am not here to maintain that this great party, with its three and a half millions of voters, tested and tried as it has been during twelve years—I am not here to say that it has made no mistakes. We have committed errors; we could not always see what the right was; we failed sometimes; but, gentlemen, take our record—take it as it stands—it is a bright and glorious record, that any man, or set of men, may be proud of. We have stood, and we stand to-day, on the side of man, and on the side of the ideas God has given us in His Holy Word. [Applause.] There has not been a day since by the labors, the prayers and the sacrifices of the old anti-slavery men and women of the country, from 1830 to 1855—during twenty-five years—I say to you, gentlemen, here, to-day, that this party, the product of these prayers, and these sacrifices, and these efforts—with all its faults—has been true to patriotism, true to liberty, true to justice, true to humanity, true to Christian civilization. [Cheers.]

I say to you here to-day, that all along during this time, the Democratic party carried the banners of slavery. Whenever the slave power desired anything they got it. They wielded the entire power of the nation, until, in their arrogance, when we elected Abraham Lincoln, they plunged the country into the fire and blood of the greatest civil war recorded in history. After the war all the measures inaugurated for emancipation—to make the country free—to lift an emancipated race up—to give them instruction and make them citizens—to give them civil rights and make them voters—to put them on an equality with the rest of the people—to every one of that series of thirty or forty measures the Democratic party gave their President unqualified and united opposition. Well, now, we have been accustomed to

say that they were mistaken, misinformed, that they were honest—that they believed what they did; but, gentlemen, if they have believed what they have said, that they have acted according to their convictions from 1832 to 1872—a period of forty years—can they be honest, to-day, in indorsing the Cincinnati platform—in supporting Horace Greeley? ["No, no!"]

Why, we have read of sudden and miraculous conversions. We read of St. Paul's conversion, of the light that shone around him, but I ask you, in the history of the human family have you ever known three millions of men—three millions of great sinners for forty years—[laughter]—three millions of men, all convicted, all converted, and all changed in the twinkling of an eye. [Renewed laughter.] Why, gentlemen, if it is so, for one I will lift up my eyes and my heart to God, that those sinners, that this great political party that has been for forty years, every time and all the time, on every question and on all questions pertaining to the human race and the rights of the colored race, on the wrong side—on the side of injustice, oppression and inhumanity—on the side that has been against man, and against God's holy word; I say, gentlemen, that I will lift up my heart in gratitude to God that these men have suddenly repented.

Why, I have been accustomed to think that the greatest victory the Republican party would ever be called upon to win—and I knew it would win it, because the Republican party, as Napoleon said of his armies, are accustomed to sleep on the field of victory. The Republican party—that always won—always ought to win, because it is on the right side; and when it is defeated, it only falls back to gather strength to advance again. [Applause.] I did suppose

that the greatest task it would ever have, greater than putting down the rebellion, greater than emancipating four millions of men, greater than lifting them up to civil rights—greater than all its grand deeds—would be the conviction and conversion of the Democratic party of the United States. [Laughter and cheers.] Just as we are going into a Presidential election—when it was certain that if the Republican party said and affirmed, said by its members, said altogether, that its ideas, its principles, its policy, its measures, were stronger than were the political organization of the Democrats. I say, just as we are going into the contest, when it was certain that we would break down and crush out its ideas, and take its flags and disband it, and out of the wreck we would gather hundreds of thousands of changed and converted men, the best part of the body—just at that time some of our men are so anxious to embrace somebody that has always been wrong that they start out at once in a wild hunt to clasp hands with our enemies and to save the Democratic party from absolute annihilation. [Laughter.] To do what they want us is to disband. Well, gentlemen, I suppose there are some here to-day that belonged to the grand old Army of the Potomac. If when Lee had retreated on Richmond, and Phil. Sheridan sent back to Grant that if he pushed things he would capture the army—if, instead of sending back to Sheridan, as Grant did, "Push things," he had said to him, "Let us disband the Army of the Potomac; don't hurt the feelings of these retreating men; let us clasp hands with them," what would have been the result? I suppose there are some of you here to-day that followed Sherman—that were with him in his terrible march from Chattanooga to Atlanta—with

him in that great march from Atlanta to the sea—what would you have thought of him if, when you came in sight of the Atlantic ocean, you had had orders to disband before the banners of the rebellion had disappeared from the Southern heavens?

I tell you, to-day, this movement of a portion of our forces is this and nothing more. I would as soon have disbanded that Army of the Potomac after Sheridan's ride through the valley of the Shenandoah, or when Sherman had reached the sea, as to disband the Republican party to-day. The time has not come. [Loud and continued applause.]

I am not making a mere partisan appeal to you. I believe in this Republican party, and, if I know myself, rather than see it defeated to-day—rather than see the government pass out of its hands—I would sacrifice anything on earth in my possession, even life itself. [Loud applause] I have seen brave and good men—patriotic, liberty-loving, God-fearing men—I have seen them die for the cause of the country—for the ideas we profess, and I tell you to-day, with all the faults of the Republican party—and it has had faults and has made some mistakes—I say to you that I believe upon my conscience its defeat would be a disaster to the country, and would be a stain upon our record. It would bring upon us—we might say what we pleased, our enemies would claim it, and the world would record it—that this great, patriotic, liberty-loving Republican party of the United States, after all its great labors and great history, had been weighed in the balances and found wanting, and condemned by the American people.

Well, gentlemen, I choose, if it is to fall, to fall with it. I became an anti-slavery man in 1835. In 1836 I tied myself, pledged myself, to do all I could to overthrow the slave power of my country. During

all these years I have never given a vote, uttered a word, or written a line that I did not suppose tended to this result. I invoke you old anti-slavery men here to-day—and I know I am speaking to men who have been engaged in the cause—I implore you men who have been true in the past, no matter what the men or their natures are, to stand with the grand organization of the Republican party—be true to its cause and fight its battles—if we are defeated, let us accept the defeat as best we may; if we are victorious, let us make our future more glorious than the past. If we fail, let us have the proud consciousness that we have been faithful to our principles, true to our convictions; that we go down with our flag flying—that we go down trusting in God that our country may become, what we have striven to make it, the foremost nation on the globe. [Immense applause.]

Speech of Senator Oliver P. Morton, of Indiana,

On the National Idea, at Providence, R. I.

The distinguished orator was introduced by Senator Anthony, and made an extended speech, from which we take the more pertinent paragraphs:

From this proposition two corollaries have been adduced from time to time, and I must say with great force of logic. The first is that this Union is composed of sovereign and independent States who have simply entered into a compact for particular purposes, and the government is merely their agent;

that any State has the right to withdraw from the Union at pleasure, or whenever in its judgment the terms of the compact have been violated, or the interests of the State require its withdrawal. The second is that each State has the right to nullify any law of Congress which, in the judgment of the State, is in violation of the compact by which the government was formed. This doctrine has been the evil genius of the country from the foundation of our government. It may be said to be the devil in our political system. It has been our danger from the first. It is the rock in the straits, and we fear that the end is not yet. Now what can we oppose to this doctrine? We oppose what we call “the national idea.” We assume that this government was formed by the governments of the United States in their aggregate and in their primary capacity. We assume that, instead of there being thirty-seven nations, there is but one; instead of there being thirty-seven sovereignties, there is but one sovereignty. We assume that the States are not sovereign, but that they are integral and subordinate parts of one great country. I may be asked the question here, “Are there no State rights? Would you override the States? Would you obliterate State lines?” I answer, “No.” I answer that this doctrine is the only doctrine that can preserve the peace of this nation and preserve the rights of the States. I answer that there is a vast body of State rights guaranteed and secured by the Constitution of the United States, by the same Constitution that created and upholds the government of the United States; that these State rights have the same guarantee that the rights of the National Government have, equally entitled to the protection of the Supreme Court, springing out of the same instrument, and that one set of rights are just

as sacred as the other. Some confound the idea of State sovereignty and State rights as being one and the same thing. Others seem to suppose that State rights are only consistent with State sovereignty, and cannot exist except upon the theory of State sovereignty; while I assume that State rights are consistent with National sovereignty, and are safest under the protection of the nation. The Constitution gives one class of rights to the government of the United States. They are specified, and they carry with them all the rights that are indispensable and necessary to their full execution and enjoyment. The rest are to be held and enjoyed by the States, or reserved to the people. The States have their rights by the agreement of the nation. That seems to be the important truth that is so often overlooked, that the rights of the States, sacred and unapproachable, are sacred by the agreement of the nation, as much so as are the powers that are conferred upon the government of the United States, that the States derive their powers from the same source, viz: The Constitution of the United States. That Constitution says that the government shall have one class of powers, and that other powers shall be gained by the States, to be enjoyed by them or reserved to the people. In the consideration of this question, we must reflect that the nation had assembled in convention in 1787, and there formed a government, there declared what rights should be given to the National Government, and what rights should be reserved to the States, and that, in either case, the grant and guarantee is an act of national sovereignty by the people in convention assembled. When we shall embrace this idea fully, all the danger of centralization will pass away, though we discard the idea of State sovereignty.

I do not differ so much with many gentlemen in regard to what the rights of the States are. I differ with them in regard to the titles by which they hold them. I say that so far as State rights are concerned, and the rights of the government, that we are not to go back beyond the period of 1787, when the Constitution was formed. The rights of the elder States, and of Rhode Island as she has them now, are to be dated from the formation of the Constitution. Then they came into convention. They had the right to make any sort of government they pleased, and they did. And in that government they guarantied and secured to the States the great body of rights in regard to local and domestic government, but it was the agreement of the nation at that time. So far as the new States are concerned, they are to come in on an equality. They are to have the same rights with the old; and this theory would be impossible of execution except upon the idea that the rights of the States and of the National Government are to be determined from the action that was taken at that time. The difficulty had been in regard to this theory of State sovereignty, and the assumed right of secession and of nullification was the result. They assumed that these States existed as nations separate and distinct before that time, and that they only loaned a portion of their rights for a particular purpose. This is the base of that theory; while we assume that the people were acting together at that time in their aggregate capacity, raising a system of government, giving the United States certain powers, and providing that the States should hold and enjoy the rest, excepting those that were reserved to the people. The preservation of local self-government is essential to the liberties of this nation. Nobody endorses that sentiment more strongly than I do.

Nobody will stand by the rights of the States more firmly than I will. I hold that their rights are consistent with national sovereignty, and that national sovereignty is consistent with the rights of the States, and I deny that these rights are the result of inherent original State sovereignty. In other words, we differ in regard to the title. What the States should have, and what the government should have, was settled by the act of the nation in convention in 1787, changed to some extent by the adoption of amendments since that time. It is not enough for a party to deny the right of secession. It is not enough for a party to deny the right of nullification. They must go further. They must deny the doctrine of State sovereignty; for as long as that doctrine is admitted, these other things will spring up spontaneously from it, and whenever the occasion allows it. If we were to admit that the States were sovereign, then we would be bound to say that Webster did not answer Hayne, and that Webster and Hayne never answered Calhoun. If once it is admitted that the States are sovereign, it is hard to resist the corollaries to which I have referred, that they have the right to secede, and that they have the right to nullify.

The doctrine of nationality planted deep in the hearts of the American people is our only sheet-anchor of safety for the future. Our country is greatly extended, from the tropical to the arctic regions, with every variety of climate, soil, and productions, with different commercial and manufacturing interests. The States on the Pacific slopes are separated from those on this side of the Rocky Mountains by fifteen hundred miles of mountain and desert. They have a different commerce from what you have, almost an independent commerce. Their

commerce will be with China, Japan, Australia, the western countries of South America, and the islands of the Southern Pacific. It is now but in its infancy, but it bids fair to develop into colossal proportions, and may change the commercial aspect of the world. We know not what feelings of independence may arise in those States in time to come. It is difficult to deny the effect that may be produced by the separation of vast States with a different commerce acting in conjunction with forced theories of the origin and laws of our government. In saying this I will cast no imputation upon the loyalty of those States. They are now as loyal as any, and were during the war. But we can imagine that what has been may be again. And we can understand what may be the danger of this doctrine, if it should still maintain its hold in the minds of the American people, when conflicting interests arise, and conflicting notions arise as to what may be the interests of the people; as in 1812 a war was brought about which was regarded as being fatal to the interests of the New England States, they took their position upon it. We have had a law which was regarded in South Carolina as being fatal to her interests, and she took her position upon it. This doctrine was again seized by slavery in 1861, and the rebellion was brought on. And what may happen in the far future upon the eastern and western coasts, upon the northern and southern extremities of our nation, we cannot tell.

The idea that we are a nation, that we are one people, undivided and indivisible, should be a plank in the platform of every party. It should be printed on the banner of every party. It should be taught in every school, academy, and college. It should be the political North Star by which every political manager

should steer his bark. It should be the central idea of American politics, and every child, so to speak, should be vaccinated with this idea, so that he may be protected against this political distemper that has brought such calamity upon our country. Were the mind of the nation, so to speak, fully saturated with this sentiment of nationality, that we are but one people, undivided and indivisible, there would be no danger though our boundaries came to embrace the entire continent. It is therefore of the utmost importance that it should be taught and inculcated upon all occasions. What the sun is in the heavens, diffusing light, and life, and warmth, and by its subtle influence holding the planets in their orbits and preserving the harmony of the universe—such is the sentiment of nationality in a nation, diffusing light and protection in every part, holding the faces of Americans always toward their home, protecting the States in the exercise of their just powers, and preserving the harmony and prosperity of all.

We must have a nation. It is a necessity of our political existence, and we find the countries of the Old World now aspiring for nationality. Italy, after a long absence, has returned. Rome has again become the centre and the capital of a great nation. The bleeding fragments of the beautiful land have been bound up together, and Italy again resumes her place among the nations. And we find the great Germanic family has been sighing for a nationality. That race, whose overmastering civilization is acknowledged by all the world, has hitherto been divided into petty Principalities and States, such as Virginia and South Carolina aspire to be, but now are coming together and asserting their unity, their national existence, and are now able to dominate all the nations of Europe. We should then cherish this idea, that while

the States have their rights sacred and unapproachable, which we should guard with untiring vigilance, never permitting an encroachment, and remembering that such encroachment is as much a violation of the Constitution of the United States as to encroach upon the rights of the general Government, still bearing in mind that the States are but subordinate parts of one great nation, and that the nation is over, all even as God is over the universe. Without entering into any of the consequences that flow from this doctrine, allow me for to-night to refer to that great national attribute, that great national duty—the duty and the power to protect the citizen in the enjoyment of life, liberty, and property. If the Government of the United States has not the power to protect the citizens of the United States in the enjoyment of life, liberty, and property in cases where the States fail, or refuse, or are unable to grant protection, then that Government should be amended, or should give place to a better. Great Britain sent forth a costly and powerful expedition to Abyssinia to rescue four British subjects who had been captured and imprisoned by the government of that country. She has recently threatened Greece with war, if she did not use all her power to bring to justice two brigands who had lately murdered two British subjects. These things are greatly to the honor of Great Britain. And our Government threatened Austria with war if she did not release Martin Kosta, who had declared his intention to become a citizen of the United States, and was therefore protected by the Government of the United States. More recently we have made war upon Corea, a province in Asia, and slaughtered her people, and battered down her forts, because Americans shipwrecked upon her coast were

murdered and the government had refused to give satisfaction for it. And if a mob in London should murder half a dozen American citizens, we would call upon that government to use all its power to bring the murderers to punishment, and if Great Britain did not do so, it would be regarded as a cause of war. And yet some people entertain the idea that our Government has the power to protect its citizens everywhere except upon its own soil. The idea that I would advocate, the doctrine that I would urge as being the only true and national one, flowing inevitably from national sovereignty, is that our Government has the right to protect her citizens in the enjoyment of life, liberty, and property wherever the flag floats, whether at home or abroad.

Speech of Hon. J. Proctor Knott, of Kentucky,

Delivered in the House of Representatives on the St. Croix and Superior Land Grant, January 21, 1871.

The house having under consideration the joint resolution (S. R. No. 11) extending the time to construct a railroad from St. Croix river or lake to the west end of Lake Superior and to Bayfield—

Mr. Knott said: Mr. Speaker—If I could be actuated by any conceivable inducement to betray the sacred trust in me by those to whose generous confidence I am indebted for the honor of a seat on this floor; if I could be influenced by any possible consideration to become instrumental in giving away, in violation of their known wishes any portion of their interest in

the public domain for the mere promotion of any railroad enterprise whatever, I should certainly feel a strong inclination to give this measure my most earnest and hearty support; for I am assured that its success would materially enhance the pecuniary prosperity of some of the most valued friends I have on earth; friends for whose accommodation I would be willing to make almost any sacrifice not involving my personal honor or my fidelity as the trustee of an express trust. And that act of itself would be sufficient to countervail almost any objection I might entertain to the passage of this bill not inspired by any imperative and inexorable sense of public duty.

But, independent of the seductive influences of private friendship, to which I admit I am, perhaps, as susceptible as any of the gentlemen I see around me, the intrinsic merits of the measure itself are of such an extraordinary character as to commend it most strongly to the favorable consideration of every member of this house, myself not excepted, notwithstanding my constituents, in whose behalf alone I am acting here, would not be benefited by its passage one particle more than they would be by a project to cultivate an orange grove on the bleakest summit of Greenland's icy mountains.

Now, sir, as to those great trunk lines of railways, spanning the continent from ocean to ocean, I confess my mind has never been fully made up. It is true they may afford some trifling advantages to local traffic, and they may even in time become the channels of a more extended commerce. Yet I have never been thoroughly satisfied either of the necessity or expediency of projects promising such meagre results to the great body of our people. But with regard to the transcendent merits of the gigantic enterprise contemplated in this bill, I have never

entertained the shadow of a doubt.

Years ago, when I first heard that there was somewhere in the vast *terra incognita*, somewhere in the bleak regions of the great northwest, a stream of water known to the nomadic inhabitants of the neighborhood as the river St. Croix, I became satisfied that the construction of a railroad from that raging torrent to some point in the civilized world was essential to the happiness and prosperity of the American people if not absolutely indispensable to the perpetuity of republican institutions on this continent. I felt instinctively that the boundless resources of that prolific region of sand and pine shrubbery would never be fully developed without a railroad constructed and equipped at the expense of the government, and perhaps not then. I had an abiding presentiment that, some day or other, the people of this whole country, irrespective of party affiliations, regardless of sectional prejudices, and "without distinction of race, color, or previous condition of servitude," would rise in their majesty and demand an outlet for the enormous agricultural productions of those vast and fertile pine barrens, drained in the rainy season by the surging waters of the turbid St. Croix.

These impressions, derived simply and solely from the "eternal fitness of things," were not only strengthened by the interesting and eloquent debate on this bill, to which I listened with so much pleasure the other day, but intensified, if possible, as I read over this morning, the lively colloquy which took place on that occasion, as I find it reported in last Friday's *Globe*. I will ask the indulgence of the house while I read a few short passages, which are sufficient, in my judgment, to place the merits of the great enterprise, contemplated in the measure now

under discussion, beyond all possible controversy.

The honorable gentleman from Minnesota (Mr. Wilson), who, I believe, is managing this bill, in speaking of the character of the country through which this railroad is to pass, says this:

"We want to have the timber brought to us as cheaply as possible. Now, if you tie up the lands, in this way, so that no title can be obtained to them—for no settler will go on these lands, for he cannot make a living—you deprive us of the benefit of that timber."

Now, sir, I would not have it by any means inferred from this that the gentleman from Minnesota would insinuate that the people out in this section desire this timber merely for the purpose of fencing up their farms so that their stock may not wander off and die of starvation among the bleak hills of St. Croix. I read it for no such purpose, sir, and make no comment on it myself. In corroboration of this statement of the gentleman from Minnesota, I find this testimony given by the honorable gentleman from Wisconsin (Mr. Washburn). Speaking of these same lands, he says:

"Under the bill, as amended by my friend from Minnesota, nine-tenths of the land is open to actual settlers at $2.50 per acre; the remaining one tenth is pine-timbered land, that is not fit for settlement, and never will be settled upon; but the timber will be cut off. I admit that it is the most valuable portion of the grant, for most of the grant is not valuable. It is quite valueless; and if you put in this amendment of the gentleman from Indiana you may as well just kill the bill, for no man and no company will take the grant and build the road."

I simply pause here to ask some gentleman better

versed in the science of mathematics than I am, to tell me if the timbered lands are in fact the most valuable portion of that section of country, and they would be entirely valueless without the timber that is in them, what the remainder of the land is worth which has no timber on it at all?

But, further on, I find a most entertaining and instructive interchange of views between the gentleman from Arkansas (Mr. Rogers), the gentleman from Wisconsin (Mr. Washburn), and the gentleman from Maine (Mr. Peters), upon the subject of pine lands generally, which I will tax the patience of the house to read:

"Mr. Rogers—Will the gentleman allow me to ask him a question?

"Mr. Washburn, of Wisconsin—Certainly.

"Mr. Rogers—Are these pine lands entirely worthless except for timber?

"Mr. Washburn, of Wisconsin—They are generally worthless for any other purpose. I am personally familiar with that subject. These lands are not valuable for purposes of settlement.

"Mr. Farnsworth—They will be after the timber is taken off.

"Mr. Washburn, of Wisconsin—No, sir.

"Mr. Rogers—I want to know the character of these pine lands.

"Mr. Washburn, of Wisconsin—They are generally sandy, barren lands. My friend from the Green Bay district (Mr. Sawyer) is himself perfectly familiar with this question, and he will bear me out in what I say, that these timber lands are not adapted to settlement.

"Mr. Rogers—The pine lands to which I am

accustomed are generally very good. What I want to know is, what is the difference between our pine lands and your pine lands?

"Mr. Washburn, of Wisconsin—The pine timber of Wisconsin generally grows upon barren, sandy land. The gentleman from Maine (Mr. Peters) who is familiar with pine lands, will, I have no doubt, say that pine timber grows generally upon the most barren lands."

"Mr. Peters—As a general thing pine lands are not worth much for cultivation."

And further on I find this pregnant question the joint production of the two gentlemen from Wisconsin.

"Mr. Paine—Does my friend from Indiana suppose that in any event settlers will occupy and cultivate these pine lands?

"Mr. Washburn, of Wisconsin—Particularly without a railroad."

Yes, sir, "particularly without a railroad." It will be asked after awhile, I am afraid, if settlers will go anywhere unless the government builds a railroad for them to go on.

I desire to call attention to only one more statement, which I think sufficient to settle the question. It is one made by the gentleman from Wisconsin (Mr. Paine), who says:

"These lands will be abandoned for the present. It may be that at some remote period there will spring up in that region a new kind of agriculture, which will cause a demand for these particular lands; and they may then come into use and be valuable for agricultural purposes. But I know, and I cannot help thinking that my friend from Indiana understands that, for the present, and for many years to come,

these pine lands can have no possible value other than that arising from the pine timber which stands on them."

Now, sir, who, after listening to this emphatic and unequivocal testimony of these intelligent, competent and able-bodied witnesses, who that is not as incredulous as St. Thomas himself, will doubt for a moment that the Goshen of America is to be found in the sandy valleys and upon the pine-clad hills of the St. Croix? Who will have the hardihood to rise in his seat on this floor and assert that, excepting the pine bushes, the entire region would not produce vegetation enough in ten years to fatten a grasshopper? Where is the patriot who is willing that his country shall incur the peril of remaining another day without the amplest railroad connection with such an inexhaustible mine of agricultural wealth? Who will answer for the consequences of abandoning a great and warlike people, in the possession of a country like that, to brood over the indifference and neglect of their government? How long would it be before they would take to studying the Declaration of Independence and hatching out the damnable heresy of secession? How long before the grim demon of civil discord would rear again his horrid head in our midst, "gnash loud his iron fangs and shake his crest of bristling bayonets?"

Then, sir, think of the long and painful process of reconstruction that must follow with its concomitant amendments to the constitution, the seventeenth, eighteenth and nineteenth articles. The sixteenth, it is of course understood, is to be appropriated to those blushing damsels who are, day after day, beseeching us to let them vote, hold office, drink cocktails, ride a-straddle, and do everything else the men do. But above all, sir, let me implore you to

reflect for a single moment on the deplorable condition of our country in case of a foreign war, with all our ports blockaded, all our cities in a state or siege, the gaunt specter of famine brooding like a hungry vulture over our starving land; our commissary stores all exhausted, and our famishing armies withering away in the field, a helpless prey to the insatiate demon of hunger; our navy rotting in the docks for want of provisions for our gallant seamen, and we without any railroad communication whatever with the prolific pine thickets of the St. Croix.

Ah, sir, I could very well understand why my amiable friends from Pennsylvania (Mr. Myers, Mr. Kelley and Mr. O'Neill) should be so earnest in their support of this bill the other day; and if their honorable colleague, my friend, Mr. Randall, will pardon the remark, I will say I consider his criticism of their action on that occasion as not only unjust, but ungenerous. I knew they were looking forward with a far-reaching ken of enlightened statesmanship to the pitiable condition in which Philadelphia will be left unless speedily supplied with railroad connection in some way or other with this garden spot of the universe. And beside, sir, this discussion has relieved my mind of a mystery that has weighed upon it like an incubus for years. I could never understand before why there was so much excitement during the last Congress over the acquisition of Alta Vela. I could never understand why it was that some of our ablest statesmen and most disinterested patriots should entertain such dark forebodings of the untold calamities that were to befall our beloved country unless we should take immediate possession of that desirable island. But I see now that they were laboring under the mistaken

impression that the government would need the guano to manure the public lands on the St. Croix.

Now, sir, I repeat, I have been satisfied for years that if there was any portion of the inhabited globe absolutely in a suffering condition for want of a railroad it was these teeming pine barrens of the St. Croix. At what particular point on that noble stream such a road should be commenced I knew was immaterial, and it seems so to have been considered by the draughtsman of this bill. It might be up at the spring or down at the foot-log, or the water-gate, or the fish-dam, or anywhere along the bank, no matter where. But in what direction should it run, or where it should terminate, were always to my mind questions of the most painful perplexity. I could conceive of no place on "God's green earth" in such straitened circumstances for railroad facilities as to be likely to desire or willing to accept such a connection. I knew that neither Bayfield nor Superior city would have it, for they both indignantly spurned the munificence of the government when coupled with such ignominious conditions, and let this very same land grant die on their hands years and years ago rather than submit to the degradation of a direct communication by railroad with the piny woods of the St. Croix; and I knew that what the enterprising inhabitants of those giant young cities would refuse to take would have few charms for others, whatever their necessities or cupidity might be.

Hence as I have said, sir, I was utterly at a loss to determine where the terminus of this great and indispensable road should be, until I accidentally overheard some gentleman the other day mention the name of "*Duluth*."

Duluth! The word fell upon my ear with a peculiar and indescribable charm, like the gentle murmur of a

low fountain stealing forth in the midst of roses; or the soft, sweet accents of an angel's whisper in the bright, joyous dream of sleeping innocence.

"*Duluth!*" 'Twas the name for which my soul had panted for years, as the hart panteth for the water-brooks. But where was *Duluth*? Never in all my limited reading, had my vision been gladdened by seeing the celestial word in print. And I felt a profound humiliation in my ignorance that its dulcet syllables had never before ravished my delighted ear. I was certain the draughtsman in this bill had never heard of it or it would have been designated as one of the termini of this road. I asked my friends about it, but they knew nothing of it. I rushed to the library, and examined all the maps I could find. I discovered in one of them a delicate hairlike line, diverging from the Mississippi near a place marked Prescott, which, I supposed, was intended to represent the river St. Croix, but, could nowhere find *Duluth*. Nevertheless, I was confident it existed somewhere, and that its discovery would constitute the crowning glory of the present century, if not of all modern times. I knew it was bound to exist in the very nature of things; that the symmetry and perfection of our planetary system would be incomplete without it. That the elements of maternal nature would since have resolved themselves back into original chaos if there had been such a hiatus in creation as would have resulted from leaving out *Duluth*! In fact, sir, I was overwhelmed with the conviction that *Duluth* not only existed somewhere, but that wherever it was, it was a great and glorious place. I was convinced that the greatest calamity that ever befell the benighted nations of the ancient world was in their having passed away without a knowledge of the actual existence of *Duluth*; that

their fabled Atlantis, never seen save by the hallowed vision of the inspired poesy, was, in fact, but another name for *Duluth*; that the golden orchard of the Hesperides, was but a poetical synonym for the beer-gardens in the vicinity of *Duluth*. I was certain that Herodotus had died a miserable death, because in all his travels and with all his geographical research he had never heard of *Duluth*. I knew that if the immortal spirit of Homer could look down from another heaven than that created by his own celestial genius upon the long lines of pilgrims from every nation of the earth to the gushing fountain of poesy opened by the touch of his magic wand, if he could be permitted to behold the vast assemblage of grand and glorious productions of the lyric art called into being by his own inspired strains, he would weep tears of bitter anguish that, instead of lavishing all the stores of his mighty genius upon the fall of Illion, it had not been his more blessed lot to crystalize in deathless song the rising glories of *Duluth*. Yes, sir, had it not been for this map, kindly furnished me by the legislature of Minnesota, I might have gone down to my obscure and humble grave in an agony of despair, because I could nowhere find *Duluth*. Had such been my melancholy fate, I have no doubt that with the last feeble pulsation of my breaking heart, with the last faint exhalation of my fleeting breath, I should have whispered, “Where is *Duluth*?”

But, thanks to the beneficence of that band of ministering angels who have their bright abodes in the far-off capital of Minnesota, just as the agony of my anxiety was about to culminate in the frenzy of despair, this blessed map was placed in my hands; and as I unfolded it a resplendent scene of ineffable glory opened before me, such as I imagined burst upon the enraptured vision of the wandering peri

through the opening gates of Paradise. There, there, for the first time, my enchanted eye rested upon the ravishing word, "*Duluth!*" This map, sir, is intended, as it appears from its title, to illustrate the position of *Duluth* in the United States; but if gentlemen will examine it, I think they will concur with me in the opinion, that it is far too modest in its pretensions. It not only illustrates the position of *Duluth* in the United States, but exhibits its relations with all created things. It even goes further than this. It hits the shadowy vale of futurity, and affords us a view of the golden prospects of *Duluth* far along the dim vista of ages yet to come.

If gentlemen will examine it, they will find *Duluth* not only in the center of the map, but represented in the center of a series of concentric circles one hundred miles apart, and some of them as much as four thousand miles in diameter, embracing alike, in their tremendous sweep the fragrant savannas of the sunlit South and the eternal solitudes of snow that mantle the ice-bound North. How these circles were produced is perhaps one of those primordial mysteries that the most skilled paleologist will never be able to explain. But the fact is, sir, *Duluth* is pre-eminently a central point, for I am told by gentlemen who have been so reckless of their own personal safety as to venture away into those awful regions where *Duluth* is supposed to be, that it is so exactly in the center of the visible universe that the sky comes down at precisely the same distance all around it.

I find, by reference to this map, that *Duluth* is situated somewhere near the western end of Lake Superior, but as there is no dot or other mark indicating its exact location, I am unable to say whether it is actually confined to any particular spot,

or whether "it is just lying around there loose." I really cannot tell whether it is one of those ethereal creations of intellectual frostwork, more intangible than the rose-tinted clouds of a summer sunset; one of those airy exhalations of the speculator's brain which, I am told, are very flitting in the form of towns and cities along those lines of railroad, built with government subsidies, luring the unwary settler as the mirage of the desert lures the famishing traveler on, and ever on, until it fades away in the darkening horizon; or whether it is a real, *bona fide*, substantial city, all "staked off," with the lots marked with their owners' names, like that proud commercial metropolis recently discovered on the desirable shores of San Domingo. But, however that may be, I am satisfied *Duluth* is there, or thereabouts, for I see it stated here on the map that it is exactly thirty-nine hundred and ninety miles from Liverpool, though I have no doubt, for the sake of convenience, it will be moved back ten miles, so as to make the distance an even four thousand.

Then, sir, there is the climate of *Duluth*, unquestionably the most salubrious and delightful to be found anywhere on the Lord's earth. Now, I have always been under the impression, as I presume other gentlemen have, that in the region around Lake Superior it was cold enough for at least nine months in the year to freeze the smoke-stack off a locomotive. But I see it represented on this map that *Duluth* is situated exactly half way between the latitudes of Paris and Venice, so that gentlemen who have inhaled the exhilarating air of the one, or basked in the golden sunlight of the other, may see at a glance that *Duluth* must be the place of untold delight, a terrestrial paradise, fanned by the balmy zephyrs of an eternal spring, clothed in the gorgeous

sheen of ever blooming flowers, and vocal with the silvery melody of nature's choicest songsters. In fact sir, since I have seen this map, I have no doubt that Byron was vainly endeavoring to convey some faint conception of the delicious charms of *Duluth* when his poetic soul gushed forth, in the rippling strains of that beautiful rhapsody—

"Know ye the land of the cedar and the vine,
Whence the flowers ever blossom, the beams ever shine;
Where the light wings of Zephyr, oppressed with perfume,
Wax faint o'er the gardens of Gul in her bloom;
Where the citron and olive are fairest of fruit,
And the voice of the nightingale never is mute;
Where the tints of the earth and the hues of the sky,
In color though varied, in beauty may vie?"

As to the commercial resources of *Duluth*, sir, they are simply illimitable and inexhaustible, as is shown by this map. I see it stated here that there is a vast scope of territory, embracing an area of over two millions of square miles, rich in every element of material wealth and commercial prosperity, all tributary to *Duluth*. Look at it, sir, (pointing to the map.) Here are inexhaustible mines of gold, immeasurable veins of silver, impenetrable depths of boundless forest, vast coal measures, wide extended plains of richest pasturage—all, all embraced in this vast territory—which must, in the very nature of things, empty the untold treasures of its commerce into the lap of *Duluth*. Look at it, sir, (pointing to the map); do not you see from these broad, brown lines drawn around this immense territory, that the enterprising inhabitants of *Duluth* intend some day to inclose it all in one vast corral, so that its commerce will be bound to go there whether it would or not?

And here, sir, (still pointing to the map), I find within a convenient distance the Piegan Indians, which, of all the many accessories to the glory of *Duluth*, I consider by far the most inestimable. For, sir, I have been told that when the small-pox breaks out among the women and children of the famous tribe, as it sometimes does, they afford the finest subjects in the world for the strategical experiments of any enterprising military hero who desires to improve himself in the noble art of war, especially for any valiant lieutenant-general whose

> "Trenchant blade, Toledo trusty,
> For want of fighting has grown rusty,
> And eats into itself for lack,
> Of somebody to hew and hack."

Sir, the great conflict now raging in the Old World has presented a phenomenon in military science unprecedented in the annals of mankind, a phenomenon that has reversed all the traditions of the past as it has disappointed all the expectations of the present. A great and warlike people, renowned alike for their skill and valor, have been swept away before the triumphant advance of an inferior foe, like autumn stubble before a hurricane of fire. For aught I know the next flash of electric fire that simmers along the ocean cable may tell us that Paris, with every fibre quivering with the agony of impotent despair, writhes beneath the conquering heel of her loathed invader. Ere another moon shall wax and wane, the brightest star in the galaxy of nations may fall from the zenith of her glory never to rise again. Ere the modest violets of early spring shall ope their beauteous eyes, the genius of civilization may chant the wailing requiem of the proudest nationality the world has ever seen, as she scatters her withered and

tear-moistened lilies o'er the bloody tomb of butchered France. But, sir, I wish to ask if you honestly and candidly believe that the Dutch would have overrun the French in that kind of style if General Sheridan had not gone over there, and told King William and Von Moltke how he had managed to whip the Piegan Indians.

And here, sir, recurring to this map, I find in the immediate vicinity of the Piegans "vast herds of buffalo" and "immense fields of rich wheat lands." [Here the hammer fell.]

[Many cries: "Go on!" "go on!"]

The Speaker—Is there any objection to the gentleman from Kentucky continuing his remarks? The chair hears none. The gentleman will proceed.

Mr. Knott—I was remarking, sir, upon these vast "wheat fields" represented on this map in the immediate neighborhood of the buffaloes and Piegans, and was about to say that the idea of there being these immense wheat fields in the very heart of a wilderness, hundreds and hundreds of miles beyond the utmost verge of civilization, may appear to some gentlemen as rather incongruous, as rather too great a strain on the "blankets" of veracity. But to my mind there is no difficulty in the matter whatever. The phenomenon is very easily accounted for. It is evident, sir, that the Piegans sowed that wheat there and ploughed it in with buffalo bulls. Now, sir, this fortunate combination of buffaloes and Piegans, considering their relative positions to each other and to *Duluth*, as they are arranged on this map, satisfies me that *Duluth* is destined to be the best market of the world. Here, you will observe, (pointing to the map), are the buffaloes, directly between the Piegans and *Duluth*; and here, right on

the road to *Duluth*, are the Creeks. Now, sir, when the buffaloes are sufficiently fat from grazing on those immense wheat fields, you see it will be the easiest thing in the world for the Piegans to drive them on down, stay all night with their friends, the Creeks, and go into *Duluth* in the morning. I think I see them, now, sir, a vast herd of buffaloes, with their heads down, their eyes glaring, their nostrils dilated, their tongues out, and their tails curled over their backs, tearing along toward *Duluth*, with about a thousand Piegans on their grass-bellied ponies, yelling at their heels! On they come! And as they sweep past the Creeks, they join in the chase, and away they all go, yelling, bellowing, ripping and tearing along, amid clouds of dust, until the last buffalo is safely penned in the stock-yards at *Duluth*.

Sir, I might stand here for hours and hours, and expatiate with rapture upon the gorgeous prospects of *Duluth*, as depicted upon this map. But human life is too short, and the time of this house far too valuable to allow me to linger longer upon this delightful theme. I think every gentleman upon this floor is as well satisfied as I am that *Duluth* is destined to become the commercial metropolis of the universe and that this road should be built at once. I am fully persuaded that no patriotic representative of the American people, who has a proper appreciation of the associated glories of *Duluth* and the St. Croix, will hesitate a moment that every able-bodied female in the land, between the ages of eighteen and forty-five, who is in favor of "woman's rights," should be drafted and set to work upon this great work without delay. Nevertheless, sir, it grieves my very soul to be compelled to say that I cannot vote for the grant of lands provided for in this bill.

Ah, sir, you can have no conception of the

poignancy of my anguish that I am deprived of that blessed privilege! There are two insuperable obstacles in the way. In the first place my constituents, for whom I am acting here, have no more interest in this road than they have in the great question of culinary taste now, perhaps, agitating the public mind of Dominica, as to whether the illustrious commissioners, who recently left this capital for that free and enlightened republic, would be better fricasseed, boiled, or roasted, and, in the second place, these lands, which I am asked to give away, alas, are not mine to bestow! My relation to them is simply that of trustee to an express trust. And shall I ever betray that trust? Never, sir! Rather perish *Duluth*! Perish the paragon of cities! Rather let the freezing cyclones of the bleak northwest bury it forever beneath the eddying sands of the raging St. Croix.

Henry Carey's Speech on the Rates of Interest.

In the Pennsylvania Constitutional Convention, 1873.

In the Constitutional Convention, in Committee of the Whole on the article reported from the Committee on Agriculture, Mining, Manufactures, and Commerce, the first section being as follows: —"In the absence of special contracts the legal rate of interest and discount shall be seven per centum per annum, but special contracts for higher or lower rates shall be lawful. All national and other banks of issue shall be restricted to the rate of seven per

centum per annum." Mr. H. C. Carey made an address in favor of striking out the section. The following is an abstract of his remarks:—

Precisely a century and a half since, in 1723, the General Assembly of Pennsylvania reduced the legal charge for the use of money from eight to six per cent. per annum. This was a great step in the direction of civilization, proving, as it did, that the labor of the present was obtaining increased power over accumulations of the past, the laborer approaching toward equality with the capitalist. At that point it has since remained, with, however, some change in the penalties which had been then prescribed for violations of the law.

Throughout the recent war the financial policy of the National Government so greatly favored the money-borrower and the laborer as to have afforded reason for believing that the actual rate of interest was about to fall permanently below the legal one, with the effect of speedily causing usury laws to fall into entire disuse. Since its close, however, under a mistaken idea that such was the real road to resumption, all the Treasury operation of favoring the money-lender; the result exhibiting itself in the facts that combinations are being everywhere formed for raising the price of money; that the long loans of the past are being daily more and more superseded by the call loans of the present; that manufacturer and merchant are more and more fleeced by Shylocks who would gladly take "the pound of flesh nearest the heart" from all over whom they are enabled to obtain control.

Anxious for the perpetuation of this unhappy state of things, these latter now invite their victims to give their aid towards leveling the barriers by which they themselves are even yet to a considerable extent

protected, assuring them that further grant of power will be followed by greater moderation in its exercise. Misled thereby, money borrowers, traders, and manufacturers are seen uniting, year after year with their common enemy in the effort at obtaining a repeal of the laws in regard to money, under which the State has so greatly prospered. Happily our working men, farmers, mechanics, and laborers fail to see that advantage is likely to accrue to them from a change whose obvious tendency is that of increasing the power of the few who have money to lend over the many who need to borrow; and hence it is that their Representatives at Harrisburg have so steadily closed their ears against the siren song by which it is sought to lead their constituents to give their aid to the work of their own destruction.

Under these circumstances is it that we are now asked to give place in the organic law to a provision by means of which this deplorable system is to be made permanent, the Legislature being thereby prohibited, be the necessity what it may, from placing any restraint upon the few who now control the supply of the most important of all the machinery of commerce, as against the many whose existence, and that of their wives and children, is dependent upon the obtaining the use thereof on such terms as shall not from year to year cause them to become more and more mere tools in the hands of the already rich. This being the first time in the world's history that any such idea has been suggested, it may be well, before determining on its adoption, to study what has been elsewhere done in this direction, and what has been the result.

Mr. Carey then proceeded to quote at great length from recent and able writers the results that had followed in England from the adoption of the

proposition now before the convention. These may be summed up as the charging of enormous rates of interest, the London joint stock banks making dividends among their stockholders to the extent of twenty, thirty, and almost forty per cent., the whole of which has ultimately to be taken from the wages of labor employed in manufactures, or in agriculture. At no time, said Mr. Carey, in Britain's history, have pauperism and usury traveled so closely hand in hand together; the rich growing rich to an extent that, till now, would have been regarded as fabulous, and the wretchedness of the poor having grown in like proportion.

After discussing the effects of the repeal of the usury laws in some of the American States, Mr. Carey continued:—

"We may be told, however, that at times money is abundant, and that even so late as last summer it was difficult to obtain legal interest. Such certainly was the case with those who desired to put it out on call; but at that very moment those who needed to obtain the use of money for long periods were being taxed, even on securities of unexceptionable character, at double, or more than double, the legal rates. The whole tendency of the existing system is in the direction of annihilating the disposition for making those permanent loans of money by means of which the people of other countries are enabled to carry into effect operations tending to secure to themselves control of the world's commerce. Under that system there is, and there can be, none of that stability in the price of money required for carrying out such operations.

Leaving out of view the recent great combination for the maintenance and perpetuation of slavery, there has been none so powerful, none so dangerous

as that which now exists among those who, having obtained a complete control of the money power, are laboring to obtain legal recognition of the right of capital to perfect freedom as regards all the measures to which it may be pleased to resort for the purpose of obtaining more perfect control over labor. Already several of the States have to some extent yielded to the pressure that has been brought to bear upon them. Chief among these is Massachusetts, the usury laws having there been totally repealed, and with the effect, says a distinguished citizen of that State, that "all the savings institutions of the city at once raised the rate from six to seven per cent.; those out of the city to seven and a half and eight per cent. and there was no rate too high for the greedy. The consequence," as he continues, "has been disastrous to industrial pursuits. Of farming towns in my county, more than one quarter have diminished in population." Rates per day have now to a great extent, as I am assured, superseded the old rates per month or year; two cents per day, or $7.30 per annum, having become the charge for securities of the highest order. What, under such circumstances, must be the rate for paper of those who, sound and solvent as they may be, cannot furnish such security, may readily be imagined. Let the monopoly system be maintained and the rate, even at its headquarters, New England, will attain a far higher point than any that has yet been reached; this, too, in despite of the fact that her people had so promptly secured to themselves a third of the whole circulation allowed to the 40,000,000 of the population of the Union scattered throughout almost a continent. How greatly they value the power that has been thus obtained is proved by the fact that to every effort at inducing them to surrender, for advantage of the West or

South, any portion thereof, has met with resistance so determined that nothing has been yet accomplished.

Abandonment of our present policy is strongly urged upon us for the reason that mortgages bear in New York a higher rate of interest. A Pennsylvanian in any of the northern counties has, as we are told, but to cross the line to obtain the best security at seven per cent. Why, however, is it that his neighbors find themselves compelled to go abroad when desirous of obtaining money on such security? The answer to this question is found in the fact that the taxation of mortgages is there so great as to absorb from half to two-thirds of the interest promised to be paid.

Again, we are told that Ohio legalizes “special contracts” up to eight per cent. and, that if we would prevent the efflux of capital we must follow in the same direction. Is there, however, in the exhibit now made by that State, anything to warrant us in so doing? Like Pennsylvania, she has abundant coal and ore. She has two large cities, the one fronting on the Ohio, and the other on the lakes, giving her more natural facilities for maintaining commerce than are possessed by Pennsylvania; and yet, while the addition to her population in the last decade was but 306,000, that of Pennsylvania was 615,000. In that time she added 900 to her railroad mileage, Pennsylvania meantime adding 2,500. While her capital engaged in manufactures rose from 57 to 141 millions, that of Pennsylvania grew from 109 to 406, the mere increase of the one being more than fifty per cent. in excess of the total of the other. May we find in these figures any evidence that capital has been attracted to Ohio by a higher rate of interest, or repelled from our State by a lower one? Assuredly

not!

What in this direction is proposed to be done among ourselves is shown in the section now presented for our consideration. By it the legal rate in the absence of “special contracts” is to be raised to seven per cent., such “contracts,” however ruinous in their character, and whatsoever the nature of the security, are to be legalized; the only exception to these sweeping changes being that national banks, issuing circulating notes are to be limited to seven per cent. Shylock asked only “the due and forfeit of his bond.” Let this section be adopted, let him then present himself in any of our courts, can its judge do other than decide that “the law allows it and the court awards it,” monstrous as may have been the usury, and discreditable as may have been the arts by means of which the unfortunate debtor may have been entrapped? Assuredly not. Shylock, happily, was outwitted, the bond having made no provision for taking even “one jot of blood.” Here, the unfortunate debtor, forced by his flinty-hearted creditor into a “special contract” utterly ruinous, may, in view of the destruction of all hope for the future of his wife and children, shed almost tears of blood, but they will be of no avail; yet do we claim to live under a system whose foundation-stone exhibits itself in the great precept from which we learn that duty requires of us to do to others as we would that others should do unto ourselves.

By the English law the little landowner, the mechanic who owns the house in which he lives, is protected against his wealthy mortgagee. Here, on the contrary, the farmer, suffering under the effects of blight or drought, and thus deprived of power to meet with punctuality the demands of his mortgagee, is to have no protection whatsoever. So, too, with the

poor mechanic suffering temporarily by reason of accidental incapacity for work, and, with the sheriff full in view before him, compelled to enter into a "special contract" doubling if not trebling, the previous rate of interest. Infamous as may be its extortion the court may not deny the aid required for its enforcement.

The amount now loaned on mortgage security in this State at six per cent. is certainly not less than $400,000,000, and probably extends to $500,000,000, a large portion of which is liable to be called for at any moment. Let this section be adopted and we shall almost at once witness a combined movement among mortgagees for raising the rate of interest. Notices demanding payment will fly thick as hail throughout the State, every holder of such security knowing well that the greater the alarm that can be produced and the more utter the impossibility of obtaining other moneys the larger may be made the future rate of interest. The unfortunate mortgagor must then accept the terms, hard as they may be, dictated to him, be they 8, 10, 12, or 20 per cent. Such, as I am assured has been the course of things in Connecticut, where distress the most severe has been produced by a recent abandonment by the State of the policy under which it has in the past so greatly prospered. At this moment her savings' banks are engaged in compelling mortgagers to accept eight per cent. as the present rate. How long it will be before they will carry it up to ten or twelve, or what will be the effect, remains to be seen. Already among ourselves the effects of the sad blunders of our great financiers exhibit themselves in the very unpleasant fact that sheriffs' sales are six times more numerous than they were in the period from 1861 to 1867, when the country was so severely suffering

under the waste of property, labor, and life, which had but then occurred. Let this section be adopted, giving perfect freedom to the Shylocks of the day, and the next half dozen years will witness the transfer, under the sheriff's hammer, of the larger portion of the real property of both the city and the State. Of all the devices yet invented for the subjugation of labor by capital, there is none that can claim to be entitled to take precedence of that which has been now proposed for our consideration.

Rightly styled the Keystone of the Union, one duty yet remains to her to be performed, to wit: that of bringing about equality in the distribution of power over that machinery for whose use men pay interest, which is known as money. New England, being rich and having her people concentrated within very narrow limits, has been allowed to absorb a portion of that power fully equal to her needs, while this State, richer still, has been so "cabined, cribbed, confined," that her mine and furnace operators find it difficult to obtain that circulating medium by whose aid alone can they distribute among their workmen their shares of the things produced.—New York, already rich, has been allowed to absorb a fourth of the permitted circulation, to the almost entire exclusion of the States south of Pennsylvania and west of the Mississippi; and hence it is that her people are enabled to levy upon those of all these latter such enormous taxes. To the work of correcting this enormous evil Pennsylvania should now address herself. Instead of following in the wake of New Jersey and Connecticut, thereby giving to the monopoly an increase of strength, let her place herself side by side with the suffering States of the West, the South, and the Southwest, demanding that what has been made free to New York and New

England shall be made equally free to her and them. Let her do this, and the remedy will be secured, with such increase in the general power for developing the wonderful resources of the Union as will speedily make of it an iron and cloth exporting State, with such power for retaining and controlling the precious metals as will place it on a surer footing in that respect than any of the powers of the Eastern world. The more rapid the societary circulation, and the greater the facility of making exchanges from hand to hand, and from place to place, the greater is the tendency toward reduction in the rate of interest, toward equality in the condition of laborer and employer, and toward growth and power to command the services of all the metals, gold and silver included.

It will be said, however, that adoption of such measures as have been indicated would tend to produce a general rise of prices; or, in the words of our self-styled economists, would cause “inflation.” The vulgar error here involved was examined some thirty years since by an eminent British economist, and with a thoroughness never before exhibited in reference to any other economic question whatsoever, the result exhibiting itself in the following brief words of a highly distinguished American one, published some twelve or fifteen years since, to wit:

> “Among the innumerable influences which go to determine the general rate of prices, the quantity of money, or currency, is one of the least effective.”

Since then we have had a great war, in the course of which there have been numerous and extensive changes in the price of commodities, every one of which is clearly traceable to causes widely different from those to which they so generally are attributed.

Be that, however, as it may, the question now before us is one of right and justice, and not of mere expediency. North and east of Pennsylvania eight millions of people have been allowed a greater share of the most important of all powers, the money one, than has been allotted to the thirty-two millions south and west of New York, and have thus been granted a power of taxation that should be no longer tolerated. The basis of our whole system is to be found in equality before the law, each and every man, each and every State, being entitled to exercise the same powers that are permitted to our people, or other States. If the Union is to be maintained, it can be so on no terms other than those of recognition of the existence of the equality that has here been indicated. To the work of compelling that recognition Pennsylvania should give herself, inscribing on her shield the brief words *fiat justitia, ruat cœlum*—let justice be done though the heavens fall!

Speech of Gen. Simon Cameron.

On the benefits derived by Pennsylvania from the Policy of Internal Improvements.

Any one will see, who will take the trouble to read the debates on the location of the National Capital, that the decision of that question seems to have been made solely with reference to a connection of the East with the then great wilderness of the West. All the sagacious men then in public life looked to the time when the West, with its wonderful productive

soil brought under subjection by industry, would exercise a controlling influence on the destiny of the country. Columbia, in the State of Pennsylvania, was at one time within one vote of becoming the site of the Capital; and Germantown, near, and now a part of, Philadelphia, was actually decided on as the proper location by a majority of one. The first of these was favored because it was believed to be a favorable point from which to begin a slack water route to the west. Germantown near the Schuylkill, was chosen for the same reason. All looked forward to a system of canals which would accomplish this desirable object, and experience has fully demonstrated their wisdom in that great design. About 1790, General Washington and the great financier Robert Morris, traveled on horseback from Philadelphia to the Susquehanna river, with a view of deciding whether a canal could be built over that route.

Shortly after this, some gentlemen near Philadelphia actually began building a canal to the west, did some work on its eastern end, built one or two locks on the dividing ridge near Lebanon, and for want of sufficient funds and knowledge of the subject the work was stopped. The money expended on the enterprise was lost.

But the progressive men of the country, keeping their minds on the subject, continued to agitate the popular mind on it until 1820, when the Legislature of Pennsylvania chartered the Union Canal Company, and appropriated one million dollars to aid its construction. In a few years the canal was completed between the Schuylkill and Susquehanna. Although very small, this improvement did a great deal of good. And the most remarkable thing about it was its unpopularity with the masses. Not only the members

of General Assembly who passed the bill, but Governor Heister, who signed the act of incorporation, were driven from office at the first opportunity legally presented for testing public opinion, and the party to which they belonged went into a minority. I remember well what a mighty sum a million dollars seemed to be; and the political revolution caused by this appropriation showed me that the idea of its vastness was not confined by any means to myself.

Our system of canals was completed, and the benefits derived from them were incalculable. When they were commenced our State was poor. Industry languished. The interchange of her products was difficult. Population was sparse. Intelligence was not generally diffused. Manufactures struggled weakly along. Work was not plentiful. Wages were low. When they were finished the busy hum of industry was heard on every hand. Our population had grown until we numbered millions. Our iron ore beds were yielding their precious hoards for human use. Coal mines, unknown or useless until means were provided for transporting their wealth to market, now sent millions of tons in every direction. Progress in every walk of advanced civilization was realized, and we were on the high road to permanent prosperity. But in the meantime a new and better means of communication had been discovered, and the building of railroads quickly reduced the value of canals, and the works we had completed at so much cost, and with such infinite labor, were suddenly superseded. We lost nearly all the money they had cost us, but this investment was wisely made. The return to our State was many times greater than the outlay.

Like all great projects intended for the public

good, that of Internal Improvement progressed. In 1823, the New York canal—which had been pushed through against the prejudiced opposition of the people, by the genius of De Witt Clinton—was opened. Its success caused a revolution in the public mind all over the country. The effect was so marked in the State, that in 1825 a convention was called to consider the subject. Every county in the State was represented, I believe. That body pronounced in favor of a grand system of public works, which should not only connect the East and West, but also the waters of the Susquehanna with the great lakes, the West and the Northwest. Appropriations were recommended to the amount of three millions of dollars, and in 1826, I think the work began. This sum seemed to be enormous, and the estimates of the engineers reached a total of six millions of dollars. Meeting an ardent friend of the system one day, he declared that a sum of that magnitude could never be expended on these works. I ventured to reply, with great deference to his age and experience, that I thought it would be insufficient, and before they were completed I would not be surprised if ten millions would be found necessary. Looking at me steadily for a few moments, he closed the conversation by exclaiming, “Young man, you are a d ——d fool!” I was thus left in full possession of his opinion of me. But after we had spent $41,698,594.74 in the construction of these works, I found my estimate of his judgment was singularly in harmony with my opinion of his politeness. His candor I never doubted.

In the convention of 1825, there were two gentlemen who voted for railways instead of canals. One was professor Vethake of Dickinson College, Carlisle; and the other was Jacob Alter, a man of

very little education, but of strong understanding. The professor was looked upon as a dreamer, and was supposed to have led his colleague astray in his vagaries. But they both lived to see railroads extended over the whole world. As a part of our system of public works, we built a railroad from the Delaware to the Susquehanna, from Philadelphia to Columbia, and one from the eastern base of the Allegheny mountains to their western base. They were originally intended to be used with horse power. In the meantime the railroad system had been commenced, and the Pennsylvania Railroad, under the charge of a man of extraordinary ability, John Edgar Thompson, was rapidly pushed to completion. Another great railway, the Philadelphia and Reading, was built to carry anthracite coal from the Schuylkill mines to the market. A railroad was built each side of the Lehigh river, that another part of our coal territory might find a market in New York. Another was built from the north branch of the Susquehanna, connecting with the New York roads, and leading to the northern coal field. And yet another was built along the Susquehanna, through the southern coal basin, to the city of Baltimore. The total cost of these roads, independent of the Pennsylvania railroad, was $95,250,410.10, as shown by official reports. Their earnings last year are officially given at $24,753,065.32. Each of these was forced to contend with difficulty and prejudice. All were unpopular, and all were looked upon with suspicion until they actually forced their usefulness on the public mind. Those who made the fight for canals were forced to go over the whole ground again for railroads, and their double victory is greater than the success generally vouchsafed to the pioneers in any cause. These roads, with the Pennsylvania railroad and the

lesser lines of improvements running through the coal region cost over $207,000,000.

The Reading Railroad will serve to illustrate the struggle of these great schemes. Its stock, now worth over par, once sold for twenty cents on the dollar; and at one time it was forced to sell its bonds at forty cents on the dollar to pay operating expenses. The vindication of the sagacity of the pioneers in these great enterprises is complete. All these lines are now profitable, and it has been demonstrated everywhere in the United States, that every new railroad creates the business from which its stockholders receive their dividends. It seems, therefore, scarcely possible to fix a limit to our profitable railroad expansion. They open new fields of enterprise, and this enterprise in turn, makes the traffic which fills the coffers of the companies.

I cannot now look back to the struggle to impress the people with the advantages of railways, without a feeling of weariness at the seeming hopeless struggle, and one of merriment at the general unbelief in our new-fangled project. Once at Elizabethtown in this State a public meeting had been called for the purpose of securing subscriptions to the stock of the Harrisburg and Lancaster Railroad. This road was intended to complete the railway between Philadelphia and Harrisburg, one hundred and five miles. A large concourse had gathered. Ovid F. Johnson, Attorney-General of our State, and a brilliant orator, made an excellent speech; but the effect was not in proportion to the effort. I determined to make an appeal, and I gave such arguments as I could. In closing I predicted that those now listening to me would see the day when a man could breakfast in Harrisburg, go to Philadelphia, transact a fair day's business there, and

returning, eat his supper at home. Great applause followed this, and some additional subscriptions. Abram Harnly, a friend of the road, and one of the most intelligent of his class, worked his way to me, and taking me aside whispered, “That was a good idea about going to Philadelphia and back to Harrisburg the same day;” and then, bursting with laughter, he added,—“But you and I know better than that!” We lived to see the road built; and now people can come and go over the distance twice a day, which Abram seemed to consider impossible for a single daily trip.

The peculiar condition of the States then known as “the West” was the subject of anxiety to many. They had attracted a large population, but the people were exclusively devoted to agriculture. Lacking diversified industry, they were without accumulated wealth to enable them to build railways; nor were the States in condition to undertake such an onerous duty, although several of them made a feeble attempt to do so. At one time the bonds of Illinois, issued to build her canals, sold as low as thirty cents on the dollar. So with Indiana. Both States were supposed to be bankrupt. It became, therefore, an important problem as to how means of communication should be supplied to the people of the West. Congress, in 1846, gave a grant of land to aid in building a railroad in Illinois. Every alternate section was given to the Company, and each alternate section was reserved by the Government. The road was built; and the one-half of the land retained by the government sold for a great deal more than all was worth before the road was constructed. This idea was original, I think, with Mr. Whitney of Mass., who spent two winters in Washington, about 1845, endeavoring to induce

Congress to adopt that plan for the construction of a Trans-Continental Railway.

He died before seeing his scheme succeed. Others have built a road across the continent on the Central route. Another on the Northern route is now progressing, and the wealth and enterprise of those having it in charge renders its completion certain. And it yet remains for us to give the people of the Southern route a road to the Pacific which shall develop the magnificent region through which it will pass, and give the country one route to the great ocean protected from the ordinary difficulty of climate with which railroads must contend over so large a part of our territory. But I am admonished by the value of your space to confine myself to the limits of my own State.

I have said that the outlay we have made in building our public works was of great benefit to us even when the canals had been rendered almost valueless through the competition of railroads. This is paradoxical, but it is true nevertheless. That expenditure gave our people a needed knowledge of our vast resources. It familiarized them with large expenditures when made for the public good. And it showed them how a great debt may be beneficially incurred, and yet not break down the enterprise of the people. We at one time owed $41,698,595.74. By a steady attention to our finances, it is now reduced to $31,000,000, with resources,—the proceeds of the sale of public works—on hand amounting to $10,000,000. And while we have been steadily reducing our State debt, we have built 5,384 miles of railway on the surface of the earth, and 500 miles underground in our mines, at a cost of not less than $350,000,000, for a mile of railroad in Pennsylvania means something. We sent 368,000 men to the

Federal Army. And our credit stands high on every stock exchange. Gratifying as this progress is, it is only a fair beginning. There is a large part of our territory rich in timber and full of iron, coal, and all kinds of mineral wealth, so entirely undeveloped by railroads that we call it “the Wilderness.” To open it up is the business of to-day, and I sincerely hope to see it done soon.

Forty years ago George Shoemaker, a young tavern-keeper of more vigor and enterprise than his neighbors, came to the conclusion that anthracite coal could be used as fuel. He went to the expense of taking a wagon load of it to Philadelphia, a hundred miles away, and, after peddling it about the streets for some days, was forced to give it away, and lose his time, his labor and his coal. He afterwards saw a great railway built to carry the same article to the same point, and enriching thousands from the profits of the traffic. But his experience did not end there. He saw a thousand dollars paid eagerly for an acre of coal land, which at the time of his venture to Philadelphia, no one would have, and he could not give away.

I have thought that a retrospective survey of our wonderful development might point plainly to the duty of the future. For if the experience of what has gone before is not useful to cast light on what is yet to come, then it will be difficult indeed to discover wherein its value lies. It teaches me to devote time and labor for the advancement of all Public Improvements, and I trust it may have a like effect on all who have the time and patience to read what I have here written.

Speech of Hon. John A. Logan,

On Self-Government in Louisiana, January 13 and 14, 1875.

The Senate having under consideration the resolution submitted by Mr. SCHURZ on the 8th of January, directing the Committee of the Judiciary to inquire what legislation is necessary to secure to the people of the State of Louisiana their rights of Self-government under the Constitution Mr. LOGAN said:

Mr. PRESIDENT: I believe it is considered the duty of a good sailor to stand by his ship in the midst of a great storm. We have been told in this Chamber that a great storm of indignation is sweeping over this land, which will rend asunder and sink the old republican craft. We have listened to denunciations of the President, of the republicans in this Chamber, of the republican party as an organization, their acts heretofore and their purposes in reference to acts hereafter, of such a character as has seldom been listened to in this or in any other legislative hall. Every fact on the side of the republican party has been perverted, every falsehood on the part of the opposition has been exaggerated, arguments have been made here calculated to inflame and arouse a certain class of the people of this country against the authorities of the Government, based not upon truth but upon manufactured statements which were utterly false. The republican party has been characterized as despotic, as tyrannical, as oppressive. The course of the Administration and the party toward the southern people has been denounced as of the most tyrannical character by men who have received clemency at the hands of this same party.

Now, sir, what is the cause of all this vain declamation? What is the cause of all this studied denunciation? What is the reason for all these accusations made against a party or an administration? I may be mistaken, but, if I am not, this is the commencement of the campaign of 1876. It has been thought necessary on the part of the opposition Senators here to commence, if I may use a homely phrase, a raid upon the republican party and upon this Administration, and to base that upon false statements in reference to the conduct of affairs in the State of Louisiana.

I propose in this debate, and I hope I shall not be too tedious, though I may be somewhat so, to discuss the question that should be presented to the American people. I propose to discuss that question fairly, candidly, and truthfully. I propose to discuss it from a just, honest, and legal standpoint. Sir, what is that question? There was a resolution offered in this Chamber calling on the President to furnish certain information. A second resolution was introduced, (whether for the purpose of hanging on it an elaborate speech or not I am not aware,) asking the Committee on the Judiciary to report at once some legislation in reference to Louisiana. Without any facts presented officially arguments have been made, the country has been aroused, and some people have announced themselves in a manner calculated to produce a very sore feeling against the course and conduct of the party in power. I say this is done without the facts; without any basis whatever; without any knowledge officially communicated to them in reference to the conduct of any of the parties in the State of Louisiana. In discussing this question we ought to have a standpoint; we ought to have a beginning; some point from which we may all reason

and see whether or not any great outrage has been perpetrated against the rights of the American people or any portion of them.

I then propose to start at this point, that there is a government in the State of Louisiana. Whether that government is a government of right or not is not the question. Is there a government in that State against which treason, insurrection, or rebellion, may be committed? Is there such a government in the State of Louisiana as should require the maintenance of peace and order among the citizens of that State? Is there such a government in the State of Louisiana as requires the exercise of Executive authority for the purpose of preserving peace and order within its borders? I ask any Senator on this floor to-day if he can stand up here as a lawyer, as a Senator, as an honest man, and deny the fact that a government does exist? Whether he calls it a government *de jure* or a government *de facto*, it is immaterial. It is such an organization as involves the liberties and the protection of the rights of the people of that State. It will not do for Senators to talk about the election of 1872. The election of 1872 has no more to do with this "military usurpation" that you speak of to-day than an election of a hundred years ago. It is not a question as to whether this man or that was elected. The question is, is there such a government there as can be overturned, and has there been an attempt to overturn it? If so, then what is required to preserve its status or preserve the peace and order of the people?

But the other day when I asked the question of a Senator on the other side, who was discussing this question, whether or not he indorsed the Penn rebellion, he answered me in a playful manner that excited the mirth of people who did not understand

the question, by saying that I had decided that there was no election, and that therefore there was no government to overturn. Now I ask Senators, I ask men of common understanding if that is the way to treat a question of this kind; when asked whether insurrection against a government recognized is not an insurrection and whether he endorses it, he says there is no government to overturn. If there is no government to overturn, why do you make this noise and confusion about a Legislature there? If there is no State government, there is no State Legislature. But I will not answer in that manner. I will not avoid the issue; I will not evade the question. I answer there is a Legislature, as there is a State government, recognized by the President, recognized by the Legislature, recognized by the courts, recognized by one branch of Congress, and recognized by the majority of the citizens by their recognition of the laws of the State; and it will not do to undertake to avoid questions in this manner.

Let us see, then, starting from that standpoint, what the position of Louisiana is now, and what it has been. On the 14th day of September last a man by the name of Penn, as to whom we have official information this morning, with some seven or ten thousand white-leaguers made war against that government, overturned it, dispersed it, drove the governor from the executive chamber, and he had to take refuge under the jurisdiction of the Government of the United States, on the soil occupied by the United States custom-house, where the exclusive jurisdiction of the United States Government extends, for the purpose of protecting his own life.

This then was a revolution; this then was a rebellion; this then was treason against the State, for which these men should have been arrested, tried,

and punished. Let gentlemen dodge the question as they may; it may be well for some men there who engaged in this treasonable act against the government that they had Mr. Kellogg for governor. It might not have been so well for them, perhaps, had there been some other man in his place. I tell the Senator from Maryland if any crowd of armed men should undertake to disperse the government of the State of Illinois, drive its governor from the executive chamber, enter into his private drawers, take his private letters, and publish them, and act as those men did, some of them would pay the penalty either in the penitentiary or by dancing at the end of a rope.

But when this rebellion was going on against that State, these gentlemen say it was a State affair; the Government of the United States has nothing to do with it! That is the old-fashioned secession doctrine again. The government of the United States has nothing to do with it! This national government is made up of States, and each State is a part of the Government, each is a part of its life, of its body. It takes them all to make up the whole; and treason against any part of it is treason against the whole of it, and it became the duty of the President to put it down, as he did do; and, in putting down that treason against the Kellogg government, the whole country almost responded favorably to his action.

But our friend from Maryland, not in his seat now, [Mr. HAMILTON] said that that was part of the cause of the elections going as they did. In other words, my friend from Maryland undertook in a roundabout way to endorse the Penn rebellion, and claim that people of the country did the same thing against the government of the State of Louisiana, and on this floor since this discussion has been going on, not one

Senator on that side of the chamber has lisped one word against the rebellion against the government of the State of Louisiana, and all who have spoken of it have passed it by in silence so as to indicate clearly that they endorse it, and I believe they do.

Then, going further, the President issued his proclamation requiring those insurgents to lay down their arms and to resume their peaceful pursuits. This morning we have heard read at the clerk's desk that these men have not yet complied fully with that proclamation. Their rebellious organization continued up to the time of the election and at the election. When the election took place, we are told by some of these Senators that the election was a peaceable, and a fair election, that a majority of democrats were elected. That is the question we propose to discuss as well as we are able to do it. They tell us that there was no intimidation resorted to by any one in the State of Louisiana. I dislike very much to follow out these statements that are not true and attempt to controvert them because it does seem to me that we ought to act fairly and candidly in this Chamber and discuss questions without trying to pervert the issue or the facts in connection with it.

Now, I state it as a fact, and I appeal to the Senator from Louisiana to say whether or not I state truly, that on the night before the election in Louisiana notices were posted all over that country on the doors of the colored republicans and the white republicans, too, of a character giving them to understand that if they voted their lives would be in danger; and here is one of the notices posted all over that country:



2 × 6

This "2 × 6" was to show the length and width of the grave they would have. Not only that, but the negroes that they could impose upon and get to vote the democratic ticket received, after they had voted, a card of safety; and here is that card issued to the colored people whom they had induced to vote the democratic ticket, so that they might present it if any white-leaguers should undertake to plunder or murder them:



NEW ORLEANS, *Nov. 28, 1874.*

This is to certify that Charles Durassa, a barber by occupation, is a Member of the 1st Ward Colored Democratic Club, and that at the late election he voted for and worked in the interests of the Democratic Candidates.

WILLIAM ALEXANDER,
President 1st Ward Col'd Democratic Club.

NICK HOPE, Secretary.

ROOMS DEMOCRATIC PARISH COMMITTEE.

New Orleans, Nov. 28, 1874.

The undersigned, Special Committee, appointed on

behalf of the Parish Committee, approve of the above Certificate.

ED. FLOOD, Chairman.
PAUL WATERMAN.
H. J. RIVET.

ATTEST:
J. H. HARDY, Ass't Sec. Parish Committee.

These were the certificates given to negroes who voted the democratic ticket, that they might present them to save their lives when attacked by the men commonly known as Ku-Klux or white-leaguers in that country; and we are told that there is no intimidation in the State of Louisiana!

Our friend from Georgia [Mr. GORDON] has been very profuse in his declamation as to the civility and good order and good bearing of the people of Louisiana and the other Southern States. But, sir, this intimidation continued up to the election. After the election, it was necessary for the governor of that State to proceed in some manner best calculated to preserve the peace and order of the country.

Now, Mr. President, I want to ask candid, honest, fair-minded men, after reading the report of General Sheridan showing the murder, not for gain, not for plunder, but for political opinions in the last few years of thirty-five hundred persons in the State of Louisiana, all of them republicans, not one of them a democrat—I want to ask if they can stand here before this country and defend the democratic party of Louisiana? I put this question to them for they have been here for days crying against the wrongs upon the democracy of Louisiana. I want any one of

them to tell me if he is prepared to defend the democracy of Louisiana. What is your democracy of Louisiana? You are excited, your extreme wrath is aroused at General Sheridan because he called your White Leagues down there "banditti." I ask you if the murder of thirty-five hundred men in a short time for political purposes by a band of men banded together for the purpose of murder does not make them banditti, what it does make them? Does it make them democrats? It certainly does not make them republicans. Does it make them honest men? It certainly does not. Does it make them law-abiding men? It certainly does not. Does it make them peaceable citizens? It certainly does not. But what does it make them? A band of men banded together and perpetrating murder in their own State? Webster says a bandit is "a lawless or desperate fellow; a robber; a brigand," and "banditti" are men banded together for plunder and murder; and what are your White Leagues banded together for if the result proves that they are banded together for murder for political purposes?

O, what a crime it was in Sheridan to say that these men were banditti! He is a wretch. From the papers he ought to be hanged to a lamp-post; from the Senators he is not fit to breathe the free air of heaven or of this free Republic; but your murderers of thirty-five hundred people for political offenses are fit to breathe the air of this country and are defended on this floor to-day, and they are defended here by the democratic party, and you cannot avoid or escape the proposition. You have denounced republicans for trying to keep the peace in Louisiana; you have denounced the Administration for trying to suppress bloodshed in Louisiana; you have denounced all for the same purpose; but not one

word has fallen from the lips of a solitary democratic Senator denouncing these wholesale murders in Louisiana. You have said, “I am sorry these things are done,” but you have defended the White Leagues; you have defended Penn; you have defended rebellion; and you stand here to-day the apologists of murder, of rebellion, and of treason in that State.

I want to ask the judgment of an honest country, I want to ask the judgment of the moral sentiments of the law-abiding people of this grand and glorious Republic to tell me whether men shall murder by the score, whether men shall trample the law under foot, whether men shall force judges to resign, whether men shall force prosecuting attorneys to resign, whether men shall take five officers of a State out and hang or shoot them if they attempt to exercise the functions of their office, whether men shall terrify the voters and office-holders of a State, whether men shall undertake in violation of law to organize a Legislature for revolutionary purposes, for the purpose of putting a governor in possession and taking possession of the State and then ask the democracy to stand by them—I appeal to the honest judgment of the people of this land and ask them to respond whether this was not an excusable case when this man used the Army to protect the life of that State and to preserve the peace of that people? Sir, the man who will not use all the means in his power to preserve the nationality, the integrity of this Government, the integrity of a State or the peace and happiness of a people, is not fit to govern, he is not fit to hold position in this or any other civilized age.

Does liberty mean wholesale slaughter? Does republican government mean tyranny and oppression of its citizens? Does an intelligent and enlightened

age of civilization mean murder and pillage, bloodshed at the hands of Ku-Klux or White Leagues or anybody else, and if any one attempts to put it down, attempts to reorganize and produce order where chaos and confusion have reigned, they are to be denounced as tyrants, as oppressors, and as acting against republican institutions? I say then the happy days of this Republic are gone. When we fail to see that republicanism means nothing, that liberty means nothing but the unrestrained license of the mobs to do as they please, then republican government is a failure. Liberty of the citizen means the right to exercise such rights as are prescribed within the limits of the law so that he does not in the exercise of these rights infringe the rights of other citizens. But the definition is not well made by our friends on the opposite side of this Chamber. Their idea of liberty is license; it is not liberty, but it is license. License to do what? License to violate law, to trample constitutions under foot, to take life, to take property, to use the bludgeon and the gun or anything else for the purpose of giving themselves power. What statesman ever heard of that as a definition of liberty? What man in a civilized age has ever heard of liberty being the unrestrained license of the people to do as they please without any restraint of law or of authority? No man, no not one until we found the democratic party, would advocate this proposition and indorse and encourage this kind of license in a free country.

Mr. President, I have perhaps said more on this question of Louisiana than might have been well for me to say on account of my strength, but what I have said about it I have said because I honestly believed it. What I have said in reference to it comes from an honest conviction in my mind and in my heart of

what has been done to suppress violence and wrong. But I have a few remarks in conclusion to submit now to my friends on the other side, in answer to what they have said not by way of argument but by way of accusation. You say to us—I had it repeated to me this morning in private conversation —"Withdraw your troops from Louisiana and you will have peace." Ah, I heard it said on this floor once "Withdraw your troops from Louisiana and your State government will not last a minute." I heard that said from the opposite side of the Chamber, and now you say "Withdraw your troops from Louisiana and you will have peace."

Mr. President, I dislike to refer to things that are past and gone; I dislike to have my mind called back to things of the past; but I well remember the voice in this Chamber once that rang out and was heard throughout this land, "Withdraw your troops from Fort Sumter if you want peace." I heard that said. Now it is "Withdraw your troops from Louisiana if you want peace." Yes, I say, withdraw your troops from Louisiana if you want a revolution, and that is what is meant. But, sir, we are told, and doubtless it is believed by the Senators who tell us so, who denounce the republican party, that it is tyrannical, oppressive, and outrageous. They have argued themselves into the idea that they are patriots, pure and undefiled. They have argued themselves into the idea that the democratic party never did any wrong. They have been out of power so long that they have convinced themselves that if they only had control of this country for a short time, what a glorious country they would make it. They had control for nearly forty long years, and while they were the agents of this country—I appeal to history to bear me out—they made the Government a bankrupt, with

rebellion and treason in the land, and were then sympathizing with it wherever it existed. That is the condition in which they left the country when they had it in their possession and within their control. But they say the republican party is a tyrant; that it is oppressive. As I have said, I wish to make a few suggestions to my friends in answer to this accusation—oppressive to whom? They say to the South, that the republican party has tyrannized over the South. Let me ask you how has it tyrannized over the South? Without speaking of our troubles and trials through which we passed, I will say this: at the end of a rebellion that scourged this land, that drenched it with blood, that devastated a portion of it, left us in debt and almost bankrupt, what did the republican party do? Instead of leaving these our friends and citizens to-day in a territorial condition where we might exercise jurisdiction over them for the next coming twenty years, where we might have deprived them of the rights of members on this floor, what did we do? We reorganized them into States, admitted them back into the Union, and through the clemency of the republican party we admitted representatives on this floor who had thundered against the gates of liberty for four bloody years. Is that the tyranny and oppression of which you complain at the hands of the republican party? Is that a part of our oppression against you southern people?

Let us go a little further. When the armed democracy, for that is what they were, laid down their arms in the Southern States, after disputing the right of freedom and liberty in this land for four years, how did the republican party show itself in its acts of tyranny and oppression toward you? You appealed to them for clemency. Did you get it? Not a

man was punished for his treason. Not a man ever knocked at the doors of a republican Congress for a pardon who did not get it. Not a man ever petitioned the generosity of the republican party to be excused for his crimes who was not excused. Was that oppression upon the part of the republicans in this land? Is that a part of the oppression of which you accuse us?

Let us look a little further. We find to-day twenty-seven democratic Representatives in the other branch of Congress who took arms in their hands and tried to destroy this Government holding commissions there by the clemency of the republican party. We find in this Chamber by the clemency of the republican party three Senators who held such commissions. Is that tyranny; is that oppression; is that the outrage of this republican party on you southern people? Sir, when Jeff Davis, the head of the great rebellion, who roams the land free as air, North, South, East, and West, makes democratic speeches wherever invited, and the vice-president of the southern rebellion holds his seat in the other House of Congress, are we to be told that we are tyrants, and oppressing the southern people? These things may sound a little harsh, but it is time to tell the truth in this country. The time has come to talk facts. The time has come when cowards should hide, and honest men should come to the front and tell you plain, honest truths. You of the South talk to us about oppressing you. You drenched your land in blood, caused weeping throughout this vast domain, covered the land in weeds of mourning both North and South, widowed thousands and orphaned many, made the pension-roll as long as an army-list, made the debt that grinds the poor of this land—for all these things you have been pardoned, and yet you

talk to us about oppression. So much for the oppression of the republican party of your patriotic souls and selves. Next comes the President of the United States. He is a tyrant, too. He is an oppressor still, in conjunction with the republican party. Oppressor of what? Who has he oppressed of your Southern people, and when, and where? When your Ku-Klux, banded together for murder and plunder in the Southern States, were convicted by their own confession, your own representatives pleaded to the President and said, “Give them pardon, and it will reconcile many of the southern people.” The President pardoned them; pardoned them of their murder, of their plunder, of their piracy on land; and for this I suppose he is a tyrant.

More than that, sir, this tyrant in the White House has done more for you southern people than you ought to have asked him to do. He has had confidence in you until you betrayed that confidence. He has not only pardoned the offences of the South, pardoned the criminals of the democratic party, but he has placed in high official position in this Union some of the leading men who fought in the rebellion. He has put in his Cabinet one of your men; he has made governors of Territories of some of your leading men who fought in the rebellion; he has sent on foreign missions abroad some of your men who warred against this country; he has placed others in the Departments; and has tried to reconcile you in every way on earth, by appealing to your people, by recognizing them and forgiving them for their offenses, and for these acts of generosity, for these acts of kindness, he is arraigned to-day as a Cæsar, as a tyrant, as an oppressor.

Such kindness in return as the President has received from these people will mark itself in the

history of generosity. O, but say they, Grant wants to oppress the White Leagues in Louisiana; therefore he is an oppressor. Yes, Mr. President, Grant does desire that these men should quit their everyday chivalric sports of gunning upon negroes and republicans. He asks kindly that you stop it. He says to you, “That is all I want you to do;” and you say that you are desirous that they shall quit it. You have but to say it and they will quit it. It is because you have never said it that they have not quit it. It is in the power of the democratic party to-day but to speak in tones of majesty, of honor, and justice in favor of human life, and your Ku-Klux and murderers will stop. But you do not do it; and that is the reason they do not stop. In States where it has been done they have stopped. But it will not do to oppress those people; it will not do to make them submit and subject them to the law; it will not do to stop these gentlemen in their daily sports and in their lively recreations. They are White Leagues; they are banded together as gentlemen; they are of southern blood; they are of old southern stock; they are the chivalry of days gone by; they are knights of the bloody shield; and the shield must not be taken from them. Sirs, their shield will be taken from them; this country will be aroused to its danger; this country will be aroused to do justice to its citizens; and when it does, the perpetrators of crime may fear and tremble. Tyranny and oppression! A people who without one word of opposition allows men who have been the enemies of a government to come into these legislative Halls and make laws for that government to be told that they are oppressors is a monstrosity in declamation and assertion. Who ever heard of such a thing before? Who ever believed that such men could make such charges? Yet we are tyrants!

Mr. President, the reading of the title of that bill from the House only reminds me of more acts of tyranny and oppression of the republican party, and there is a continuation of the same great offenses constantly going on in this Chamber. But some may say "It is strange to see Logan defending the President of the United States." It is not strange to me. I can disagree with the President when I think he is wrong; and I do not blame him for disagreeing with me; but when these attacks are made, coming from where they do, I am ready to stand from the rising sun in the morning to the setting sun in the evening to defend every act of his in connection with this matter before us.

I may have disagreed with President Grant in many things; but I was calling attention to the men who have been accusing him here, on this floor, on the stump, and in the other House; the kind of men who do it, the manner of its doing, the sharpness of the shafts that are sent at him, the poisonous barbs that they bear with them, and from these men who, at his hands, have received more clemency than any men ever received at the hands of any President or any man who governed a country. Why, sir, I will appeal to the soldiers of the rebel army to testify in behalf of what I say in defense of President Grant—the honorable men who fought against the country, if there was honor in doing it. What will be their testimony? It will be that he captured your armed democracy of the South, he treated them kindly, turned them loose, with their horses, with their wagons, with their provisions; treated them as men, and not as pirates. Grant built no prison-pens for the southern soldiers; Grant provided no starvation for southern men; Grant provided no "dead-lines" upon which to shoot southern soldiers if they crossed

them; Grant provided no outrageous punishment against these people that now call him a tyrant. Generous to a fault in all his actions toward the men who were fighting his country and destroying the constitution, that man to-day is denounced as a very Cæsar!

Sherman has not been denounced, but the only reason is that he was not one of the actors in this transaction; but I want now to say to my friends on the other side, especially to my friend from Delaware, who repeated his bitter denunciation against Sheridan yesterday—and I say this in all kindness, because I am speaking what future history will bear me out in—when Sheridan and Grant and Sherman, and others like them, are forgotten in this country, you will have no country. When the democratic party is rotten for centuries in its grave, the life, the course, the conduct of these men will live as bright as the noonday sun in the heart of every patriot of a republic like the American Union. Sirs, you may talk about tyranny, you may talk about oppression, you may denounce these men; their glory may fade into the darkness of night; but that darkness will be a brilliant light compared with the darkness of the democratic party. Their pathway is illuminated by glory; yours by dark deeds against the Government. That is a difference which the country will bear witness to in future history when speaking of this country and the actors on its stage.

Now, Mr. President, I have a word to say about our duty. A great many people are asking, what shall we do? Plain and simple in my judgment is the proposition. I say to republicans, do not be scared. No man is ever hurt by doing an honest act and performing a patriotic duty. If we are to have a war of words outside or inside, let us have them in truth

and soberness, but in earnest. What then is our duty? I did not believe that in 1872 there were official data upon which we could decide who was elected governor of Louisiana. But this is not the point of my argument. It is that the President has recognized Kellogg as governor of that State, and he has acted for two years. The Legislature of the State has recognized him; the supreme court of the State has recognized him; one branch of Congress has recognized him. The duty is plain, and that is for this, the other branch of Congress, to do it, and that settles the question. Then, when it does it, your duty is plain and simple, and as the President has told you, he will perform his without fear, favor, or affection. Recognize the government that revolution has been against and intended to overthrow, and leave the President to his duty, and he will do it. That is what to do.

Sir, we have been told that this old craft is rapidly going to pieces; that the angry waves of dissension in the land are lashing against her sides. We are told that she is sinking, sinking, sinking to the bottom of the political ocean. Is that true? Is it true that this gallant old party, that this gallant old ship that has sailed through troubled seas before is going to be stranded now upon the rock of fury that has been set up by a clamor in this Chamber and a few newspapers in the country? Is it true that the party that saved this country in all its great crises, in all its great trials, is sinking to-day on account of its fear and trembling before an inferior enemy? I hope not. I remember, sir, once I was told that the old republican ship was gone; but when I steadied myself on the shores bounding the political ocean of strife and commotion, I looked afar off and there I could see a vessel bounding the boisterous billows with

white sails unfurled, marked on her sides “Freighted with the hopes of mankind,” while the great Mariner above, as her helmsman, steered her, navigated her to a haven of rest, of peace, and of safety. You have but to look again upon that broad ocean of political commotion to-day, and the time will soon come when the same old craft, provided with the same cargo, will be seen, flying the same flag, passing through these tempestuous waves, anchoring herself at the shores of honesty and justice, and there she will lie undisturbed by strife and tumult, again in peace and safety. [Manifestations of applause in the galleries.]

Speech of Hon. James G. Blaine, of Maine,

On the False Issue raised by the Democratic Party, Delivered in the Senate of the United States, Monday, April 14, 1879.

The Senate having under consideration the bill (H. R. No. 1,) making appropriations for the support of the Army for the fiscal year ending June 30, 1880, and for other purposes—

Mr. Blaine said:

Mr. PRESIDENT: The existing section of the Revised Statutes numbered 2002 reads thus:

No military or naval officer, or other person engaged in the civil, military, or naval service of the United States, shall order, bring, keep or have under his authority or control, any troops or armed men at the place where any general or special election is held in any State, unless it be necessary to repel the armed enemies of the United States, *or to keep the peace at the polls*.

The object of the proposed section, which has just been read at the Clerk's desk, is to get rid of the eight closing words, namely, "or to keep the peace at the polls," and therefore the mode of legislation proposed in the Army bill now before the Senate is an unusual mode; it is an extraordinary mode. If you want to take off a single sentence at the end of a section in the Revised Statutes the ordinary way is to strike off those words, but the mode chosen in this bill is to repeat and re-enact the whole section leaving those few words out. While I do not wish to be needlessly suspicious on a small point I am quite persuaded that this did not happen by accident but that it came by design. If I may so speak it came of cunning, the intent being to create the impression

that whereas the republicans in the administration of the General Government had been using troops right and left, hither and thither, in every direction, as soon as the democrats got power they enacted this section. I can imagine democratic candidates for Congress all over the country reading this section to gaping and listening audiences as one of the first offsprings of democratic reform, whereas every word of it, every syllable of it, from its first to its last, is the enactment of a republican Congress.

I repeat that this unusual form presents a dishonest issue, whether so intended or not. It presents the issue that as soon as the democrats got possession of the Federal Government they proceeded to enact the clause which is thus expressed. The law was passed by a republican Congress in 1865. There were forty-six Senators sitting in this Chamber at that time, of whom only ten or at most eleven were democrats. The House of Representatives was overwhelmingly republican. We were in the midst of a war. The republican administration had a million or possibly twelve hundred thousand bayonets at its command. Thus circumstanced and thus surrounded, with the amplest possible power to interfere with elections had they so designed, with soldiers in every hamlet and county of the United States, the republican party themselves placed that provision on the statute book, and Abraham Lincoln, their President, signed it.

I beg you to observe, Mr. President, that this is the first instance in the legislation of the United States in which any restrictive clause whatever was put upon the statute book in regard to the use of troops at the polls. The republican party did it with the Senate and the House in their control. Abraham Lincoln signed it when he was Commander-in-Chief of an army larger than ever Napoleon Bonaparte had at his command.

So much by way of correcting an ingenious and studied attempt at misrepresentation.

The alleged object is to strike out the few words that authorize the use of troops to keep peace at the polls. This country has been alarmed, I rather think indeed amused, at the great effort made to create a widespread impression that the republican party relies for its popular strength upon the use of the bayonet. This democratic Congress has attempted to give a bad name to this country throughout the civilized world, and to give it on a false issue. They have raised an issue that has no foundation in fact—that is false in whole and detail, false in the charge, false in all the specifications. That impression sought to be created, as I say, not only throughout the North American continent but in Europe to-day, is that elections are attempted in this country to be controlled by the bayonet.

I denounce it here as a false issue. I am not at liberty to say that any gentleman making this issue knows it to be false; I hope he does not; but I am going to prove to him that it is false, and that there is not a solitary inch of solid earth on which to rest the foot of any man who makes that issue. I have in my hand an official transcript of the location and the number of all the troops of the United States east of Omaha. By "east of Omaha," I mean all the United States east of the Mississippi river and that belt of States that border the Mississippi river on the west, including forty-one million at least out of the forty-five million of people that this country is supposed to contain to-day. In that magnificent area, I will not pretend to state its extent, but with forty-one million people, how many troops of the United States are there to-day? Would any Senator on the opposite side like to guess, or would he like to state how

many men with muskets in their hands there are in the vast area I have named? There are two thousand seven hundred and ninety-seven! And not one more.

From the headwaters of the Mississippi River to the lakes, and down the great chain of lakes, and down the Saint Lawrence and down the valley of the Saint John and down the St. Croix striking the Atlantic Ocean and following it down to Key West, around the Gulf, up to the mouth of the Mississippi again, a frontier of eight thousand miles either bordering on the ocean or upon foreign territory is guarded by these troops. Within this domain forty-five fortifications are manned and eleven arsenals protected. There are sixty troops to every million of people. In the South I have the entire number in each State, and will give it.

And the entire South has eleven hundred and fifty-five soldiers to intimidate, overrun, oppress and destroy the liberties of fifteen million people! In the Southern States there are twelve hundred and three counties. If you distribute the soldiers there is not quite one for each county; and when I give the counties I give them from the census of 1870. If you distribute them territorially there is one for every seven hundred square miles of territory, so that if you make a territorial distribution, I would remind the honorable Senator from Delaware, if I saw him in his seat, that the quota for his State would be three —"one ragged sergeant and two abreast," as the old song has it. [Laughter.] That is the force ready to destroy the liberties of Delaware!

Mr. President, it was said, as the old maxim has it, that the soothsayers of Rome could not look each other in the face without smiling. There are not two democratic Senators on this floor who can go into the cloak-room and look each other in the face

without smiling at this talk, or, more appropriately, I should say without blushing—the whole thing is such a prodigious and absolute farce, such a miserably manufactured false issue, such a pretense without the slightest foundation in the world, and talked about most and denounced the loudest in States that have not and have not had a single Federal soldier. In New England we have three hundred and eighty soldiers. Throughout the South it does not run quite seventy to the million people. In New England we have absolutely one hundred and twenty soldiers to the million. New England is far more overrun to-day by the Federal soldier, immensely more, than the whole South is. I never heard anybody complain about it in New England, or express any great fear of his liberties being endangered by the presence of a handful of troops.

As I have said, the tendency of this talk is to give us a bad name in Europe. Republican institutions are looked upon there with jealousy. Every misrepresentation, every slander is taken up and exaggerated and talked about to our discredit, and the democratic party of the country to-day stand indicted, and I here indict them, for public slander of their country, creating the impression in the civilized world that we are governed by a ruthless military despotism. I wonder how amazing it would be to any man in Europe, familiar as Europeans are with great armies, if he were told that over a territory larger than France and Spain and Portugal and Great Britain and Holland and Belgium and the German Empire all combined, there were but eleven hundred and fifty-five soldiers! That is all this democratic howl, this mad cry, this false issue, this absurd talk is based on—the presence of eleven hundred and fifty-five soldiers on eight hundred and fifty thousand

square miles of territory, not double the number of the democratic police in the city of Baltimore, not a third of the police in the city of New York, not double the democratic police in the city of New Orleans. I repeat, the number indicts them; it stamps the whole cry as without any foundation; it derides the issue as a false and scandalous and partisan makeshift.

What then is the real motive underlying this movement? Senators on that side, democratic orators on the stump cannot make any sensible set of men at the crossroads believe that they are afraid of eleven hundred and fifty-five soldiers distributed one to each county in the South. The minute you state that, everybody sees the utter, palpable and laughable absurdity of it, and therefore we must go further and find a motive for all this cry. We want to find out, to use a familiar and vulgar phrase, what is "the cat under the meal." It is not the troops. That is evident. There are more troops by fifty per cent. scattered through the Northern States east of the Mississippi to-day than through the Southern States east of the Mississippi, and yet nobody in the North speaks of it; everybody would be laughed at for speaking of it; and therefore the issue, I take no risk in stating, I make bold to declare, that this issue on the troops, being a false one, being one without foundation, conceals the true issue, which is simply to get rid of the Federal presence at Federal elections, to get rid of the *civil power of the United States* in the election of Representatives to the Congress of the United States. That is the whole of it; and disguise it as you may there is nothing else in it or of it.

You simply want to get rid of the supervision by the Federal Government of the election of Representatives to Congress through civil means; and

therefore this bill connects itself directly with another bill, and you cannot discuss this military bill without discussing a bill which we had before us last winter, known as the legislative, executive, and judicial appropriation bill. I am quite well aware, I profess to be as well aware as any one, that it is not permissible for me to discuss a bill that is pending before the other House. I am quite well aware that propriety and parliamentary rule forbid that I should speak of what is done in the House of Representatives; but I know very well that I am not forbidden to speak of that which is not done in the House of Representatives. I am quite free to speak of the things that are not done there, and therefore I am free to declare that neither this military bill nor the legislative, executive, and judicial appropriation bill ever emanated from any committee of the House of Representatives at all; they are not the work of any committee of the House of Representatives, and, although the present House of Representatives is almost evenly balanced in party division, no solitary suggestion has been allowed to come from the minority of that House in regard to the shaping of these bills. Where do they come from? We are not left to infer; we are not even left to the Yankee privilege of guessing, because we know. The Senator from Kentucky [MR. BECK] obligingly told us—I have his exact words here—"that the honorable Senator from Ohio [MR. THURMAN] was the chairman of a committee appointed by the democratic party to see how it was best to present all these questions before us."

We are told, too, rather a novel thing, that if we do not take these laws, we are not to have the appropriations. I believe it has been announced in both branches of Congress, I suppose on the

authority of the democratic caucus, that if we do not take these bills as they are planned, we shall not have any of the appropriations that go with them. The honorable Senator from West Virginia [Mr. HEREFORD] told it to us on Friday; the honorable Senator from Ohio [Mr. THURMAN] told it to us last session; the honorable Senator from Kentucky [Mr. BECK] told it to us at the same time, and I am not permitted to speak of the legions who told us so in the other House. They say all these appropriations are to be refused—not merely the Army appropriation, for they do not stop at that. Look for a moment at the legislative bill that came from the democratic caucus. Here is an appropriation in it for defraying the expenses of the Supreme Court and the circuit and district courts of the United States, including the District of Columbia, &c., $2,800,000: "Provided"—provided what?

That the following sections of the Revised Statutes relating to elections—going on to recite them—be repealed.

That is, you will pass an appropriation for the support of the judiciary of the United States only on condition of this repeal. We often speak of this government being divided between three great departments, the executive, the legislative, and the judicial—co-ordinate, independent, equal. The legislative, under the control of a democratic caucus, now steps forward and says, "We offer to the Executive this bill, and if he does not sign it, we are going to starve the judiciary." That is carrying the thing a little further than I have ever known. We do not merely propose to starve the Executive if he will not sign the bill, but we propose to starve the judiciary that has had nothing whatever to do with the question. That has been boldly avowed on this

floor; that has been boldly avowed in the other House; that has been boldly avowed in democratic papers throughout the country.

And you propose not merely to starve the judiciary but you propose that you will not appropriate a solitary dollar to take care of this Capitol. The men who take care of this great amount of public property are provided for in that bill. You say they shall not have any pay if the President will not agree to change the election laws. There is the public printing that goes on for the enlightenment of the whole country and for printing the public documents of every one of the Departments. You say they shall not have a dollar for public printing unless the President agrees to repeal these laws.

There is the Congressional Library that has become the pride of the whole American people for its magnificent growth and extent. You say it shall not have one dollar to take care of it, much less add a new book, unless the President signs these bills. There is the Department of State that we think throughout the history of the Government has been a great pride to this country for the ability with which it has conducted our foreign affairs; it is also to be starved. You say we shall not have any intercourse with foreign nations, not a dollar shall be appropriated therefor unless the President signs these bills. There is the Light-House Board that provides for the beacons and the warnings on seventeen thousand miles of sea and gulf and lake coast.

You say those lights shall all go out and not a dollar shall be appropriated for the board if the President does not sign these bills. There are the mints of the United States at Philadelphia, New Orleans, Denver, San Francisco, coining silver and coining gold—not a dollar shall be appropriated for

them if the President does not sign these bills. There is the Patent Office, the patents issued which embody the invention of the country—not a dollar for them. The Pension Bureau shall cease its operations unless these bills are signed and patriotic soldiers may starve. The Agricultural Bureau, the Post Office Department, every one of the great executive functions of the Government is threatened, taken by the throat, highwayman-style, collared on the highway, commanded to stand and deliver in the name of the democratic congressional caucus. That is what it is; simply that. No committee of this Congress in either branch has ever recommended that legislation—not one. Simply a democratic caucus has done it.

Of course this is new. We are learning something every day. I think you may search the records of the Federal Government in vain; it will take some one much more industrious in that search than I have ever been, and much more observant than I have ever been, to find any possible parallel or any possible suggestion in our past history of any such thing. Most of the Senators who sit in this Chamber can remember some vetoes by Presidents that shook this country to its centre with excitement. The veto of the national-bank bill by Jackson in 1832, remembered by the oldest in this Chamber; the veto of the national-bank bill in 1841 by Tyler, remembered by those not the oldest, shook this country with a political excitement which up to that time had scarcely a parallel; and it was believed, whether rightfully or wrongfully is no matter, it was believed by those who advocated those financial measures at the time, that they were of the very last importance to the well-being and prosperity of the people of the Union. That was believed by the great

and shining lights of that day. It was believed by that man of imperial character and imperious will, the great Senator from Kentucky. It was believed by Mr. Webster, the greatest of New England Senators. When Jackson vetoed the one or Tyler vetoed the other, did you ever hear a suggestion that those bank charters should be put on appropriation bills or that there should not be a dollar to run the Government until they were signed? So far from it that, in 1841, when temper was at its height; when the whig party, in addition to losing their great measure, lost it under the sting and the irritation of what they believed was a desertion by the President whom they had chosen; and when Mr. Clay, goaded by all these considerations, rose to debate the question in the Senate, he repelled the suggestion of William C. Rives, of Virginia, who attempted to make upon him the point that he had indulged in some threat involving the independence of the Executive. Mr. Clay rose to his full height and thus responded:

"I said nothing whatever of any obligation on the part of the President to conform his judgment to the opinions of the Senate and the House of Representatives, although the Senator argued as if I had, and persevered in so arguing after repeated correction. I said no such thing. I know and I respect the perfect independence of each department, acting within its proper sphere, of the other departments."

A leading democrat, an eloquent man, a man who has courage and frankness and many good qualities, has boasted publicly that the democracy are in power for the first time in eighteen years, and they do not intend to stop until they have wiped out every vestige of every war measure. Well, "forewarned is forearmed," and you begin appropriately on a measure that has the signature of Abraham Lincoln. I think the picture is a striking one when you hear these words from a man who was then in arms

against the Government of the United States, doing his best to destroy it, exerting every power given him in a bloody and terrible rebellion against the authority of the United States and when Abraham Lincoln was marching at the same time to his martyrdom in its defense! Strange times have fallen upon us that those of us who had the great honor to be associated in higher or lower degree with Mr. Lincoln in the administration of the Government should live to hear men in public life and on the floors of Congress, fresh from the battle-fields of the rebellion, threatening the people of the United States that the democratic party, in power for the first time in eighteen years, proposes not to stay its hand until every vestige of the war measures has been wiped out! the late vice-president of the confederacy boasted—perhaps I had better say stated—that for sixty out of the seventy-two years preceding the outbreak of the rebellion, from the foundation of the Government, the South, though in a minority, had by combining with what he termed the anti-centralists in the North ruled the country; and in 1866 the same gentleman indicated in a speech, I think before the Legislature of Georgia, that by a return to Congress the South might repeat the experiment with the same successful result. I read that speech at the time; but I little thought I should live to see so near a fulfillment of its prediction. I see here to-day two great measures emanating, as I have said, not from a committee of either House, but from a democratic caucus in which the South has an overwhelming majority, two-thirds in the House, and out of forty-two Senators on the other side of this Chamber professing the democratic faith thirty are from the South—twenty-three, a positive and pronounced majority, having themselves been participants in the

war against the Union either in military or civil station. So that as a matter of fact, plainly deducible from counting your fingers, the legislation of this country to-day, shaped and fashioned in a democratic caucus where the confederates of the South hold the majority, is the realization of Mr. STEPHENS' prophecy. And very appropriately the House under that control and the Senate under that control, embodying thus the entire legislative powers of the Government, deriving its political strength from the South, elected from the South, say to the President of the United States, at the head of the Executive Department of the Government, elected as he was from the North—elected by the whole people, but elected as a Northern man; elected on Republican principles, elected in opposition to the party that controls both branches of Congress to-day —they naturally say, "You shall not exercise your constitutional power to veto a bill."

Some gentleman may rise and say, "Do you call it revolution to put an amendment on an appropriation bill?" Of course not. There have been a great many amendments put on appropriation bills, some mischievous and some harmless; but I call it the audacity of revolution for any Senator or Representative, or any caucus of Senators or Representatives, to get together and say, "We will have this legislation or we will stop the great departments of the Government." That is revolutionary. I do not think it will amount to revolution; my opinion is it will not. I think that is a revolution that will not go around; I think that is a revolution which will not revolve; I think that is a revolution whose wheel will not turn; but it is a revolution if persisted in, and if not persisted in, it must be backed out from with ignominy. The

democratic party in Congress have put themselves exactly in this position to-day, that if they go forward in the announced programme, they march to revolution. I think they will, in the end, go back in an ignominious retreat. That is my judgment.

The extent to which they control the legislation of the country is worth pointing out. In round numbers, the Southern people are about one-third of the population of the Union. I am not permitted to speak of the organization of the House of Representatives, but I can refer to that of the last House. In the last House of Representatives, of the forty-two standing committees the South had twenty-five. I am not blaming the honorable Speaker for it. He was hedged in by partisan forces, and could not avoid it. In this very Senate, out of thirty-four standing committees the South has twenty-two. I am not calling these things up just now in reproach; I am only showing what an admirable prophet the late vice-president of the Southern Confederacy was, and how entirely true all his words have been, and how he has lived to see them realized.

I do not profess to know, Mr. President, least of all Senators on this floor, certainly as little as any Senator on this floor, do I profess to know, what the President of the United States will do when these bills are presented to him, as I suppose in due course of time they will be. I certainly should never speak a solitary word of disrespect of the gentleman holding that exalted position, and I hope I should not speak a word unbefitting the dignity of the office of a Senator of the United States. But as there has been speculation here and there on both sides as to what he would do, it seems to me that the dead heroes of the Union would rise from their graves if he should consent to be intimidated and outraged in his proper

constitutional powers by threats like these.

All the war measures of Abraham Lincoln are to be wiped out, say leading democrats! The Bourbons of France busied themselves, I believe, after the restoration, in removing every trace of Napoleon's power and grandeur, even chiseling the "N" from public monuments raised to perpetuate his glory; but the dead man's hand from Saint Helena reached out and destroyed them in their pride and in their folly. And I tell the Senators on the other side of this Chamber,—I tell the democratic party North and South—South in the lead and North following,—that, the slow, unmoving finger of scorn, from the tomb of the martyred President on the prairies of Illinois, will wither and destroy them. Though dead he speaketh. [Great applause in the galleries.]

The presiding officer, (Mr. ANTHONY in the chair.) The Sergeant-at-Arms will preserve order in the galleries and arrest persons manifesting approbation or disapprobation.

Mr. BLAINE. When you present these bills with these threats to the living President, who bore the commission of Abraham Lincoln and served with honor in the Army of the Union, which Lincoln restored and preserved, I can think only of one appropriate response from his lips or his pen. He should say to you with all the scorn befitting his station:

Is thy servant a dog that he should do this thing?

Speech of Roscoe Conkling.

On the Extra Session of 1879. What it Teaches and what it Means. In the Senate of the United States, April 24, 1879.

The Senate having under consideration the bill (H. R. No. 1) making appropriations for the support of the Army for the fiscal year ending June 30, 1880, and for other purposes—

Mr. CONKLING said:

Mr. PRESIDENT: During the last fiscal year the amount of national taxes paid into the Treasury was $234,831,461.77. Of this sum one hundred and thirty million and a fraction was collected under tariff laws as duties on imported merchandise, and one hundred and four million and a fraction as tax on American productions. Of this total of $235,000,000 in round numbers, twenty-seven States which adhered to the Union during the recent war paid $221,204,268.88. The residue came from eleven States. I will read their names: Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia. These eleven States paid $13,627,192.89. Of this sum more than six million and a half came from the tobacco of Virginia. Deducting the amount of the tobacco tax in Virginia, the eleven States enumerated paid $7,125,462.60 of the revenues and supplies of the Republic.

Mr. HILL, of Georgia. Will the Senator from New York allow me to ask him a question?

Mr. CONKLING. If the Senator thinks that two of us are needed to make a statement of figures I will.

Mr. HILL, of Georgia. Two no doubt can make it better.

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Georgia?

Mr. CONKLING. After the expressed opinion of the Senator from Georgia that the statement needs his aid, I cannot decline.

Mr. HILL, of Georgia. I will not interrupt the Senator if it is disagreeable to him, I assure him. I ask if in the computation he has made of the amount paid he does not ascribe to the States that adhered to the Union, to use his language, all——

Mr. CONKLING. Having heard the Senator so far, I must ask him to desist.

The PRESIDING OFFICER. The Senator from New York declines to yield further.

Mr. CONKLING. I have stated certain figures as they appear in the published official accounts: the Senator seems about to challenge the process or system by which the accounts are made up. I cannot give way for this, and must beg him to allow me to proceed with observations which I fear to prolong lest they become too wearisome to the Senate.

The laws exacting these few millions from eleven States, and these hundreds of millions from twenty-seven States, originated, as the Constitution requires all bills for raising revenue to originate, in the House of Representatives. They are not recent laws. They have been approved and affirmed by succeeding Congresses. The last House of Representatives and its predecessor approved them, and both these Houses were ruled by a democratic Speaker, by democratic committees, and by a democratic majority. Both Senate and House are democratic now, and we hear of no purpose to repeal or suspend existing revenue laws. They are to remain in full force. They will continue to operate and to take tribute of the people. If the sum they exact this year and next year, shall be less than last year, it will be only or chiefly because

recent legislation favoring southern and tobacco-growing regions has dismissed twelve or fourteen million of annual tax on tobacco.

This vast revenue is raised and to be raised for three uses. It is supplied in time of severe depression and distress, to pay debt inflicted by rebellion; to pay pensions to widows, orphans, and cripples made by rebellion; and to maintain the Government and enforce the laws preserved at inestimable cost of life and treasure.

It can be devoted to its uses in only one mode. Once in the Treasury, it must remain there useless until appropriated by act of Congress. The Constitution so ordains. To collect it, and then defeat or prevent its object or use, would be recreant and abominable oppression.

The Constitution leaves no discretion to Congress whether needful appropriations shall be made. Discretion to ascertain and determine amounts needful, is committed to Congress, but the appropriation of whatever is needful after the amount has been ascertained, is commanded positively and absolutely. When, for example, the Constitution declares that the President and the judges at stated periods shall receive compensation fixed by law, the duty to make the appropriations is plain and peremptory; to refuse to make them, is disobedience of the Constitution, and treasonable. So, when it is declared that Congress shall have power to provide money to pay debts, and for the common defense and the general welfare, the plain meaning is that Congress shall do these things, and a refusal to do them is revolutionary, and subversive of the Constitution. A refusal less flagrant would be impeachable in the case of every officer and department of the Government within the reach of

impeachment. Were the President to refuse to do any act enjoined on him by the Constitution, he would be impeachable, and ought to be convicted and removed from office as a convict. Should the judges, one, or some, or all of them, refuse to perform any duty which the Constitution commits to the judicial branch, the refusal would be plainly impeachable.

Congress is not amenable to impeachment. Congressional majorities are triable at the bar of public opinion, and in no other human forum. Could Congress be dissolved instantly here as in England, could Senators and Representatives be driven instantly from their seats by popular disapproval, were they amenable presently somewhere, there would be more of bravery, if not less of guilt, in a disregard of sworn obligation. Legislators are bound chiefly by their honor and their oaths; and the very impunity and exemption they enjoy exalts and measures their obligations, and the crime and odium of violating them. Because of the fixed tenure by which the members of each House hold their places and their trusts, irreparable harm may come of their acts any omissions, before they can be visited with even political defeat, and before the wrong they do can be undone. A congressional majority is absolutely safe during its term, and those who suffered such impunity to exist in the frame of our Government, must have relied on the enormity and turpitude of the act to deter the representatives of the people and the representatives of States from betraying a trust so exalted and so sacred as their offices imply.

Mr. President, it does not escape my attention, as it must occur to those around me, that in ordinary times obvious aphorisms, I might say truisms like these would be needless, if not out of place in the

Senate. They are pertinent now because of an occasion without example in American history. I know of no similar instance in British history. Could one be found, it would only mark the difference between an hereditary monarchy without a written constitution, and a free republic with a written charter plainly defining from the beginning the powers, the rights, and the duties of every department of the Government. The nearest approaches in English experience to the transactions which now menace this country, only gild with broad light the wisdom of those who established a system to exempt America forever from the struggles between kingcraft and liberty, between aristocratic pretensions and human rights, which in succeeding centuries had checkered and begrimed the annals of Great Britain. It was not to transplant, but to leave behind and shut out the usurpations and prerogatives of kings, nobles, and gentry, and the rude and violent resorts which, with varying and only partial success, had been matched against them, that wise and far-seeing men of many nationalities came to these shores and founded “a government of the people, for the people, and by the people.” Such boisterous conflicts as the Old World had witnessed between subjects and rulers—between privilege and right, were the warnings which our fathers heeded, the dangers which they shunned, the evils which they averted, the disasters which they made impossible so long as their posterity should cherish their inheritance.

Until now no madness of party, no audacity or desperation of sinister, sectional, or partisan design, has ever ventured on such an attempt as has recently come to pass in the two Houses of Congress. The proceeding I mean to characterize, if misunderstood

anywhere, is misunderstood here. One listening to addresses delivered to the Senate during this debate, as it is called, must think that the majority is arraigned, certainly that the majority wishes to seem and is determined to seem arraigned, merely for insisting that provisions appropriating money to keep the Government alive, and provisions not in themselves improper relating to other matters, may be united in the same bill. With somewhat of monotonous and ostentatious iteration we have been asked whether incorporating general legislation in appropriation bills is revolution, or revolutionary? No one in my hearing has ever so contended.

Each House is empowered by the Constitution to make rules governing the modes of its own procedure. The rules permitting, I know of nothing except convenience, common sense, and the danger of log-rolling combinations, which forbids putting all the appropriations into one bill, and in the same bill, all the revenue laws, a provision admitting a State into the Union, another paying a pension to a widow, another changing the name of a steamboat. The votes and the executive approval which would make one of these provisions a law, would make them all a law. The proceeding would be outlandish, but it would not violate the Constitution.

A Senator might vote against such a huddle of incongruities, although separately he would approve each one of them. If, however, they passed both Houses in a bunch, and the Executive found no objection to any feature of the bill on its merits, and the only criticism should be that it would have been better legislative practice to divide it into separate enactments, it is not easy to see on what ground a veto could stand.

The assault which has been made on the executive

branch of the Government and on the Constitution itself, would not be less flagrant if separate bills had been resorted to as the weapons of attack. Suppose in a separate bill, the majority had, in advance of the appropriations, repealed the national-bank act and the resumption act, and had declared that unless the Executive surrendered his convictions and yielded up his approval of the repealing act, no appropriations should be made; would the separation of the bills have palliated or condoned the revolutionary purpose? In the absence of an avowal that appropriations were to be finally withheld, or that appropriations were to be made to hinge upon the approval or veto of something else, a resort to separate bills might have cloaked and secreted for a time the real meaning of the transaction. In that respect it would have been wise and artful to resort to separate bills on this occasion; and I speak, I think, in the hearing of at least one democratic Senator who did not overlook in advance the suggestion now made. But when it was declared, or intended, that unless another species of legislation is agreed to, the money of the people, paid for that purpose, shall not be used to maintain their Government and to enforce the laws—when it is designed that the Government shall be thrown into confusion and shall stop unless private charity or public succor comes to its relief, the threat is revolutionary, and its execution is treasonable.

In the case before us, the design to make appropriations hinge and depend upon the destruction of certain laws is plain on the face of the bills before us,—the bill now pending, and another one on our tables. The same design was plain on the face of the bills sent us at the last session. The very fact that the sections uncovering the ballot-box to

violence and fraud, are not, and never have been separately presented, but are thrust into appropriation bills, discloses and proves a belief, if not a knowledge, that in a separate bill the Executive would not approve them. Moreover both Houses have rung with the assertion that the Executive would not approve in a separate measure the overthrow of existing safeguards of the ballot-box, and that should he refuse to give his approval to appropriations and an overthrow of those safeguards linked together, no appropriations should be made.

The plot and the purpose then, is by duress to compel the Executive to give up his convictions, his duty, and his oath, as the price to be paid a political party for allowing the Government to live! Whether the bills be united or divided, is mere method and form. The substance in either form is the same, and the plot if persisted in will bury its aiders and abettors in opprobrium, and will leave a buoy on the sea of time warning political mariners to keep aloof from a treacherous channel in which a political party foundered and went down.

The size of the Army and its pay, have both been exactly fixed by law—by law enacted by a democratic House, and approved by a second democratic House. It has been decided and voted that the coast defenses and the Indian and frontier service, require a certain number of soldiers; and the appropriations needed for provision and pay have been ascertained to a farthing. Nothing remains to be done, but to give formal sanction and warrant for the use of the money from time to time. This was all true at the last session. But a democratic House, or more justly speaking the democratic majority in the House refused to give its sanction, refused to allow the people’s money, to reach the use for which the

people paid it, unless certain long-standing laws were repealed. When the Senate voted against the repeal, we were bluntly told that unless that vote was reversed, unless the Senate and the Executive would accept the bills, repealing clauses and all, the session should die, no appropriations should be made, and the wheels of the Government should stop. The threat was executed; the session did die, and every branch of the Government was left without the power to execute its duties after the 30th of next June.

We were further told that when the extra session, thus to be brought about, should convene, the democrats would rule both Houses, that the majority would again insist on its terms, and that then unless the Executive submitted to become an accomplice in the design to fling down the barriers that block the way to the ballot-box against fraud and force, appropriations would again be refused, and again the session should die leaving the Government paralyzed. The extra session has convened; the democrats have indeed the power in both Houses, and thus far the war and the caucus have come up to the manifesto. So far the exploit has been easy. The time of trial is to come; the issue has been made, and of its ignominious failure, there can be no doubt if the Executive shall plant itself on constitutional right and duty, and stand firm. The actors in this scheme have managed themselves and their party into a predicament, and unless the President lets them out they will and they must back out. [Laughter, and manifestations of applause in the galleries.]

Should the Executive interpose the constitutional shield against the political enormities of the proposed bills, and then should the majority carry out the threat to desert their posts by adjournment

without making the needed appropriations, I hope and trust they will be called back instantly and called back as often as need be until they relinquish a monstrous pretension and abandon a treasonable position.

The Army bill now pending, is not, in its political features, the bill tendered us at the last session a few days ago; it is not the same bill then insisted on as the ultimatum of the majority. The bill as it comes to us now, condemns its predecessor as crude and objectionable. It was found to need alteration. It did need alteration badly, and those who lately insisted on it as it was, insist on it now as it then was not. A grave proviso has been added to save the right of the President to aid a State gasping in the throes of rebellion or invasion and calling for help. As the provision stood when thrust upon us first and last at the recent session, it would have punished as a felon the President of the United States, the General of the Army, and others, for attempting to obey the Constitution of the United States and two ancient acts of Congress, one of them signed by George Washington. Shorn of this absurdity, the bill as it now stands, should it become a law, will be the first enactment of its kind that ever found its way into the statutes of the United States. A century, with all its activities and party strifes, with all its passionate discords, with all its expedients for party advantage, with all its wisdom and its folly, with all its patriotism and its treason, has never till now produced a congressional majority which deemed such a statute fit to be enacted.

Let me state the meaning of the amendments proposed under guise of enlarging liberty on election day—that day of days when order, peace, and security for all, as well as liberty, should reign. The

amendments declare in plain legal effect that, no matter what the exigency may be, no matter what violence or carnage may run riot and trample down right and life, no matter what mob brutality may become master, if the day be election day, any officer or person, civil, military, or naval, from the President down, who attempts to interfere, to prevent or quell violence by the aid of national soldiers, or armed men not soldiers, shall be punished, and may be fined $5,000 and imprisoned for five years. This is the law we are required to set up. Yes, not only to leave murderous ruffianism untouched, but to invite it into action by assurances of safety in advance.

In the city of New York, all the thugs and shoulder-hitters and repeaters, all the carriers of slung-shot, dirks, and bludgeons, all the fraternity of the bucketshops, the rat-pits, the hells and the slums, all the graduates of the nurseries of modern so-called democracy, [laughter;] all those who employ and incite them, from King's Bridge to the Battery, are to be told in advance that on the day when the million people around them choose their members of the National Legislature, no matter what God-daring or man-hurting enormities they may commit, no matter what they do, nothing that they can do will meet with the slightest resistance from any national soldier or armed man clothed with national authority.

Another bill, already on our tables, strikes down even police officers armed, or unarmed, of the United States.

In South Carolina, in Louisiana, in Mississippi, and in the other States where the colored citizens are counted to swell the representation in Congress, and then robbed of their ballots and dismissed from the

political sun—in all such States, every rifle club, and white league, and murderous band, and every tissue ballot-box stuffer, night-rider, and law-breaker, is to be told that they may turn national elections into a bloody farce, that they may choke the whole proceeding with force and fraud, and blood, and that the nation shall not confront them with one armed man. State troops, whether under the name of rifle clubs or white leagues, or any other, armed with the muskets of the United States, may constitute the mob, may incite the mob, but the national arm is to be tied and palsied.

I repeat such an act of Congress has never yet existed. If there ever was a time when such an act could safely and fitly stand upon the statute book, that time is not now, and is not likely to arrive in the near future. Until rebellion raised its iron hand, all parties and all sections had been content to leave where the Constitution left it the power and duty of the President to take care that the laws be faithfully executed.

The Constitution has in this regard three plain commands:

The President “shall take care that the laws be faithfully executed.”

Again, “The President shall be Commander-in-Chief of the Army and Navy of the United States, and of the militia of the several States, when called into the actual service of the United States.”

“The actual service of the United States” some man may say means war merely, service in time of war. Let me read again, “Congress shall have power to provide for calling forth the militia.” For what? First of all, “to execute the laws of the Union.”

Yes, Congress shall have power “to provide for

calling forth the militia to execute the laws of the Union." Speaking to lawyers, I venture to emphasize the word "execute." It is a term of art; it has a long-defined meaning. The act of 1795, re-enacted since, emphasized these constitutional provisions.

The election law came in to correct abuses which reached their climax in 1868 in the city of New York. In that year in the State of New York the republican candidate for governor was elected; the democratic candidate was counted in. Members of the Legislature were fraudulently seated. The election was a barbarous burlesque. Many thousand forged naturalization papers were issued; some of them were white and some were coffee-colored. The same witnesses purported to attest hundreds and thousands of naturalization affidavits, and the stupendous fraud of the whole thing was and is an open secret. Some of these naturalization papers were sent to other States. So plenty were they, that some of them were sent to Germany, and Germans who had never left their country claimed exemption from the German draft for soldiers in the Franco-Prussian war, because they were naturalized American citizens! [Laughter.]

Repeating, ballot-box stuffing, ruffianism, and false counting decided everything. Tweed made the election officers, and the election officers were corrupt. In 1868, thirty thousand votes were falsely added to the democratic majority in the cities of New York and Brooklyn alone. Taxes and elections were the mere spoil and booty of a corrupt junta in Tammany Hall. Assessments, exactions, and exemptions were made the bribes and the penalties of political submission. Usurpation and fraud inaugurated a carnival of corrupt disorder; and

obscene birds without number swooped down to the harvest and gorged themselves on every side in plunder and spoliation. Wrongs and usurpations springing from the pollution and desecration of the ballot-box stalked high-headed in the public way. The courts and the machinery of justice were impotent in the presence of culprits too great to be punished.

The act of 1870 came in to throttle such abuses. It was not born without throes and pangs. It passed the Senate after a day and a night which rang with democratic maledictions and foul aspersions.

In the autumn of that year an election was held for the choice of Representatives in Congress. I see more than one friend near me who for himself and for others has reason even unto this day to remember that election and the apprehension which preceded it. It was the first time the law of 1870 had been put in force. Resistance was openly counseled. Democratic newspapers in New York advised that the officers of the law be pitched into the river. Disorder was afoot. Men, not wanting in bravery, and not republicans, dreaded the day. Bloodshed, arson, riot were feared. Ghastly spectacles were still fresh in memory. The draft riots had spread terror which had never died, and strong men shuddered when they remembered the bloody assizes of the democratic party. They had seen men and women, blind with party hate, dizzy and drunk with party madness, stab and burn and revel in murder and in mutilating the dead. They had seen an asylum for colored orphans made a funeral pile, and its smoke sent up from their Christian and imperial city to tell in heaven of the inhuman bigotry, the horrible barbarity of man. Remembering such sickening scenes, and dreading their repetition, they asked the President to protect

them—to protect them with the beak and claw of national power. Instantly the unkenneled packs of party barked in vengeful chorus. Imprecations, maledictions, and threats were hurled at Grant; but with that splendid courage which never blanched in battle, which never quaked before clamor—with that matchless self-poise which did not desert him even when a continent beyond the sea rose and uncovered before him, [applause in the galleries,] he responded in the orders which it has pleased the honorable Senator from Delaware to read. The election thus protected was the fairest, the freest, the most secure, a generation has seen. When, two years afterward, New York came to crown Grant with her vote, his action in protecting her chief city on the Ides of November, 1870, was not forgotten. When next New York has occasion to record her judgment of the services of Grant, his action in 1870 touching peace in the city of New York will not be hidden away by those who espouse him wisely. [Applause in the galleries.]

Now, the election law is to be emasculated; no national soldier must confront rioters or mobs; no armed man by national authority, though not a soldier, must stay the tide of brutality or force; no deputy marshal must be within call; no supervisor must have power to arrest any man who in his sight commits the most flagrant breach of the peace. But the democrats tell us “we have not abolished the supervisors; we have left them.” Yes, the legislative bill leaves the supervisors, two stool-pigeons with their wings clipped, [laughter,] two licensed witnesses to stand about idle, and look—yes, “a cat may look at a king”—but they must not touch bullies or lawbreakers, not if they do murders right before their eyes.

If a civil officer should, under the pending amendment, attempt to quell a riot by calling on the bystanders, if they have arms, he is punishable for that. If a marshal, the marshal of the district in which the election occurs, the marshal nominated to the Senate and confirmed by the Senate—I do not mean a deputy marshal—should see an affray or a riot at the polls on election day and call upon the bystanders to quell it, if this bill becomes a law, and one of those bystanders has a revolver in his pocket, or another one takes a stick or a cudgel in his hand, the marshal may be fined $5,000 and punished by five years' imprisonment.

Such are the devices to belittle national authority and national law, to turn the idea of the sovereignty of the nation into a laughing-stock and a by-word.

Under what pretexts is this uprooting and overturning to be? Any officer who transgresses the law, be he civil or military, may be punished in the courts of the State or in the courts of the nation under existing law. Is the election act unconstitutional? The courts for ten years have been open to that question. The law has been pounded with all the hammers of the lawyers, but it has stood the test; no court has pronounced it unconstitutional, although many men have been prosecuted and convicted under it. Judge Woodruff and Judge Blatchford have vindicated its constitutionality. But, as I said before, the constitutional argument has been abandoned. The supreme political court, practically now above Congresses or even constitutions, the democratic caucus, has decided that the law is constitutional. The record of the judgment is in the legislative bill.

We are told it costs money to enforce the law. Yes, it costs money to enforce all laws; it costs money to

prosecute smugglers, counterfeiters, murderers, mail robbers and others. We have been informed that it has cost $200,000 to execute the election act. It cost more than $5,000,000,000 in money alone, to preserve our institutions and our laws, in one war, and the nation which bled and the nation which paid is not likely to give up its institutions and the birthright of its citizens for $200,000. [Applause in the galleries.]

The presiding officer, (Mr. COCKRELL, in the chair.) The Senator will suspend a moment. The chair will announce to the galleries that there shall be no more applause; if so, the galleries will be cleared immediately.

Mr. CONKLING. Mr. President, that interruption reminds me, the present occupant of the chair having been deeply interested in the bill, that the appropriations made and squandered for local and unlawful improvements in the last river and harbor bill alone, would pay for executing the election law as long as grass grows or water runs. The interest on the money wrongfully squandered in that one bill, would execute it twice over perpetually. The cost of this needless extra session, brought about as a partisan contrivance, would execute the election law for a great while. A better way to save the cost, than to repeal the law, is to obey it. Let White Leagues and rifle clubs disband; let your night-riders dismount; let your tissue ballot-box stuffers desist; let repeaters, false-counters, and ruffians no longer be employed to carry elections, and then the cost of executing the law will disappear from the public ledger.

Again we are told that forty-five million people are in danger from an army nominally of twenty-five thousand men scattered over a continent, most of

them beyond the frontiers of civilized abode. Military power has become an affrighting specter. Soldiers at the polls are displeasing to a political party. What party? That party whose Administration ordered soldiers, who obeyed, to shoot down and kill unoffending citizens here in the streets of Washington on election day; that party which has arrested and dispersed Legislatures at the point of the bayonet; that party which has employed troops to carry elections to decide that a State should be slave and should not be free; that party which has corraled courts of justice with national bayonets, and hunted panting fugitive slaves, in peaceful communities, with artillery and dragoons; that party which would have to-day no majority in either House of Congress except for elections dominated and decided by violence and fraud; that party under whose sway, in several States, not only the right to vote, but the right to be, is now trampled under foot.

Such is the source of an insulting summons to the Executive to become *particeps criminis* in prostrating wholesome laws, and this is the condition on which the money of the people, paid by the people, shall be permitted to be used for the purposes for which the people paid it.

Has the present national Administration been officiously robust in checking the encroachments and turbulence of democrats, either by the use of troops or otherwise? I ask this question because the next election is to occur during the term of the present Administration.

What is the need of revolutionary measures now? What is all this uproar and commotion, this daring venture of partisan experiment, for? Why not make your issue against these laws, and carry your issue to the people? If you can elect a President and a

Congress of your thinking, you will have it all your own way.

Why now should there be an attempt to block the wheels of government on the eve of an election at which this whole question is triable before the principals and masters of us all? The answer is inevitable. But one truthful explanation can be made of this daring enterprise. It is a political, a partisan manœuvre. It is a strike for party advantage. With a fair election and an honest count, the democratic party cannot carry the country. These laws, if executed, insure some approach to a fair election. Therefore they stand in the way, and therefore they are to be broken down.

I reflect upon no man's motives, but I believe that the sentiment which finds expression in the transaction now proceeding in the two houses of Congress, has its origin in the idea I have stated. I believe that the managers and charioteers of the democratic party think that with a fair election and a fair count they cannot carry the State of New York. They know that with free course, such as existed in 1868, to the ballot-box and count, no matter what majority may be given in that State where the green grass grows, the great cities will overbalance and swamp it. They know that with the ability to give eighty, ninety, one hundred thousand majority in the county of New York and the county of Kings, half of it fraudulently added, it is idle for the three million people living above the Highlands of the Hudson to vote.

This is a struggle for power. It is a fight for empire. It is a contrivance to clutch the National Government. That we believe; that I believe.

The nation has tasted, and drunk to the dregs, the

sway of the democratic party, organized and dominated by the same influences which dominate it again and still. You want to restore that dominion. We mean to resist you at every step and by every lawful means that opportunity places in our hands. We believe that it is good for the country, good for every man North and South who loves the country now, that the Government should remain in the hands of those who were never against it. We believe that it is not wise or safe to give over our nationality to the dominion of the forces which formerly and now again rule the democratic party. We do not mean to connive at further conquests, and we tell you that if you gain further political power, you must gain it by fair means, and not by foul. We believe that these laws are wholesome. We believe that they are necessary barriers against wrongs, necessary defenses for rights; and so believing, we will keep and defend them even to the uttermost of lawful honest effort.

The other day, it was Tuesday I think, it pleased the honorable Senator from Illinois [Mr. Davis] to deliver to the Senate an address, I had rather said an opinion, able and carefully prepared. That honorable Senator knows well the regard not only, but the sincere respect in which I hold him, and he will not misunderstand the freedom with which I shall refer to some of his utterances.

Whatever else his sayings fail to prove, they did I think, prove their author, after Mrs. Winslow, the most copious and inexhaustible fountain of soothing syrup. The honorable Senator seemed like one slumbering in a storm and dreaming of a calm. He said there was no uproar anywhere—one would infer you could hear a pin drop—from centre to circumference. Rights, he said, are secure. I have his

language here. If I do not seem to give the substance aright I will stop and read it. Rights secure North and South; peace and tranquillity everywhere. The law obeyed and no need of special provisions or anxiety. It was in this strain that the Senator discoursed.

Are rights secure, when fresh-done barbarities show that local government in one portion of our land is no better than despotism tempered by assassination? Rights secure, when such things can be, as stand proved and recorded by committees of the Senate! Rights secure, when the old and the young fly in terror from their homes, and from the graves of their murdered dead! Rights secure, when thousands brave cold, hunger, death, seeking among strangers in a far country a humanity which will remember that—

> "Before man made them citizens,
> Great nature made them men!"

Read the memorial signed by Judge Dillon, by the democratic mayor of Saint Louis, by Mr. Henderson, once a member of the Senate, and by other men known to the nation, detailing what has been done in recent weeks on the Southern Mississippi. Read the affidavits accompanying this memorial. Has any one a copy of the memorial here? I have seen the memorial. I have seen the signatures. I hope the honorable Senator from Illinois will read it, and read the affidavits which accompany it. When he does, he will read one of the most sickening recitals of modern times. He will look upon one of the bloodiest and blackest pictures in the book of recent years. Yet the Senator says, all is quiet. "There is not such faith, no not in Israel." Verily "order reigns in Warsaw."

Solitudinem faciunt, pacem appellant.

Mr. President, the republican party every where wants peace and prosperity—peace and prosperity in the South, as much and as sincerely as elsewhere. Disguising the truth, will not bring peace and prosperity. Soft phrases will not bring peace. “Fair words butter no parsnips.” We hear a great deal of loose, flabby talk about “fanning dying embers,” “rekindling smoldering fires,” and so on. Whenever the plain truth is spoken, these unctious monitions, with a Peter Parley benevolence, fall copiously upon us. This lullaby and hush has been in my belief a mistake from the beginning. It has misled the South and misled the North. In Andrew Johnson’s time a convention was worked up at Philadelphia, and men were brought from the North and South, for ecstasy and gush. A man from Massachusetts and a man from South Carolina locked arms and walked into the convention arm in arm, and sensation and credulity palpitated, and clapped their hands, and thought an universal solvent had been found. Serenades were held at which “Dixie” was played. Later on, anniversaries of battles fought in the war of Independence, were made occasions by men from the North and men from the South for emotional, dramatic, hugging ceremonies. General Sherman, I remember, attended one of them, and I remember also, that with the bluntness of a soldier, and the wisdom and hard sense of a statesman, he plainly cautioned all concerned not to be carried away, and not to be fooled. But many have been fooled, and being fooled, have helped to swell the democratic majorities which now display themselves before the public eye.

Of all such effusive demonstrations I have this to say: honest, serious convictions are not ecstatic or emotional. Grave affairs and lasting purposes do not

express or vent themselves in honeyed phrase or sickly sentimentality, rhapsody, or profuse professions.

This is as true of political as of religious duties. The Divine Master tells us, “Not every one that saith unto me, Lord, Lord, shall enter into the kingdom of heaven; but he that doeth the will of my Father which is in heaven.”

Facts are stubborn things, but the better way to deal with them is to look them squarely in the face.

The republican party and the Northern people preach no crusade against the South. I will say nothing of the past beyond a single fact. When the war was over, no man who fought against his flag was punished even by imprisonment. No estate was confiscated. Every man was left free to enjoy life, liberty, and the pursuit of happiness. After the Southern States were restored to their relations in the Union, no man was ever disfranchised by national authority—not one. If this statement is denied, I invite any Senator to correct me. I repeat it. After the Southern State governments were rebuilded, and the States were restored to their relations in the Union, by national authority, not one man for one moment was ever denied the right to vote, or hindered in the right. From the time that Mississippi was restored, there never has been an hour when Jefferson Davis might not vote as freely as the honorable Senator in his State of Illinois. The North, burdened with taxes, draped in mourning, dotted over with new-made graves tenanted by her bravest and her best, sought to inflict no penalty upon those who had stricken her with the greatest, and, as she believed, the guiltiest rebellion that ever crimsoned the annals of the human race.

As an example of generosity and magnanimity, the conduct of the nation in victory was the grandest the world has ever seen. The same spirit prevails now. Yet our ears are larumed with the charge that the republicans of the North seek to revive and intensify the wounds and pangs and passions of the war, and that the southern democrats seek to bury them in oblivion of kind forgetfulness.

We can test the truth of these assertions right before our eyes. Let us test them. Twenty-seven States adhered to the Union in the dark hour. Those States send to Congress two hundred and sixty-nine Senators and Representatives. Of these two hundred and sixty-nine Senators and Representatives, fifty-four, and only fifty-four, were soldiers in the armies of the Union. The eleven States which were disloyal send ninety-three Senators and Representatives to Congress. Of these, eighty-five were soldiers in the armies of the rebellion, and at least three more held high civil station in the rebellion, making in all eighty-eight out of ninety-three.

Let me state the same fact, dividing the Houses. There are but four Senators here who fought in the Union Army. They all sit here now; and there are but four. Twenty Senators sit here who fought in the army of the rebellion, and three more Senators sit here who held high civil command in the confederacy.

In the House, there are fifty Union soldiers from twenty-seven States, and sixty-five confederate soldiers from eleven States.

Who, I ask you, Senators, tried by this record, is keeping up party divisions on the issues and hatreds of the war?

The South is solid. Throughout all its borders it has

no seat here save two in which a republican sits. The Senator from Mississippi [MR. BRUCE] and the Senator from Louisiana [Mr. KELLOGG] are still spared; and whisper says that an enterprise is afoot to deprive one of these Senators of his seat. The South is emphatically solid. Can you wonder that the North soon becomes solid too? Do you not see that the doings witnessed now in Congress fill the North with alarm, and distrust of the patriotism and good faith of men from the South? Forty-two democrats have seats on this floor; forty-three if you add the honorable Senator from Illinois, [MR. DAVIS.] He does not belong to the democratic party, although I must say, after reading his speech the other day, that a democrat who asks anything more of him is an insatiate monster. [Laughter.] If we count the Senator from Illinois, there are forty-three democrats in this Chamber. Twenty-three is a clear majority of all, and twenty-three happens to be exactly the number of Senators from the South who were leaders in the late rebellion.

Do you anticipate my object in stating these numbers? For fear you do not, let me explain. Forty-two Senators rule the Senate; twenty-three Senators rule the caucus. A majority rules the Senate; a caucus rules the majority; and the twenty-three southern Senators rule the caucus. The same thing, in the same way, governed by the same elements, is true in the House.

This present assault upon the purity and fairness of elections, upon the Constitution, upon the executive department, and upon the rights of the people; not the rights of a king, not on such rights as we heard the distinguished presiding officer, who I am glad now to discover in his seat, dilate upon of a morning some weeks ago; not the divine right of kings, but

the inborn rights of the people—the present assault upon them, could never have been inaugurated without the action of the twenty-three southern Senators here, and the southern Representatives there, [pointing to the House.]

The people of the North know this and see it. They see the lead and control of the democratic party again where it was before the war, in the hands of the South. “By their fruits ye shall know them.” The honorable Senator from Alabama [Mr. MORGAN], educated no doubt by experience in political appearances, and spectacular effects, said the other day that he preferred the democrats from the North should go first in this debate. I admired his sagacity. It was the skill of an experienced tactician to deploy the northern levies as the sappers and miners; it was very becoming certainly. It was not from cruelty, or to make them food for powder, that he set them in the forefront of the battle; he thought it would appear better for the northern auxiliaries to go first and tunnel the citadel. Good, excellent, as far as it went; but it did not go very far in misleading anybody; putting the tail foremost and the head in the sand, only displayed the species and habits of the bird. [Laughter.]

We heard the other day that “the logic of events” had filled the southern seats here with men banded together by a common history and a common purpose. The Senator who made that sage observation perhaps builded better than he knew. The same logic of events, let me tell democratic Senators, and the communities behind them, is destined to bring from the North more united delegations.

I read in a newspaper that it was proposed the other day in another place, to restore to the Army of

the United States men who, educated at the nation's cost and presented with the nation's sword, drew the sword against the nation's life. In the pending bill is a provision for the retirement of officers now in the Army, with advanced rank and exaggerated pay. This may be harmless, it may be kind. One swallow proves not spring, but along with other things, suspicion will see in it an attempt to coax officers now in the Army to dismount, to empty their saddles, in order that others may get on.

So hue and cry is raised because courts, on motion, for cause shown in open court, have a right to purge juries in certain cases. No man in all the South, under thirty-five years of age, can be affected by this provision, because every such man was too young when the armies of the rebellion were recruited to be subject to the provision complained of. As to the rest, the discretion is a wholesome one. But, even if it were not, let me say in all kindness to southern Senators, it was not wise to make it a part of this proceeding, and raise this uproar in regard to it.

Even the purpose, in part already executed, to remove the old and faithful officers of the Senate, even Union soldiers, that their places may be snatched by others—to overturn an order of the Senate which has existed for a quarter of a century, in order to grasp all the petty places here, seems to me unwise. It is not wise, if you want to disarm suspicion that you mean aggrandizing, gormandizing, unreasonable things.

Viewing all these doings in the light of party advantage—advantage to the party to which I belong, I could not deplore them; far from it; but wishing the repose of the country, and the real, lasting, ultimate welfare of the South, and wishing it from the bottom of my heart, I believe they are

flagrantly unwise, hurtfully injudicious.

What the South needs is to heal, build, mend, plant, sow. In short, to go to work. Invite labor; cherish it; do not drive it out. Quit proscription, both for opinion's sake, and for color's sake. Reform it altogether. I know there are difficulties in the way. I know there is natural repugnance in the way; but drop passion, drop sentiment which signifies naught, and let the material prosperity and civilization of your land advance. Do not give so much energy, so much restless, sleepless activity, to an attempt so soon to get possession once more, and dominate and rule the country. There is room enough at the national board, and it is not needed, it is not decorous, plainly speaking, that the South should be the MacGregor at the table, and that the head of the table should be wherever he sits. For a good many reasons, it is not worth while to insist upon it.

Mr. President, one of Rome's famous legends stands in these words: "Let what each man thinks of the Republic be written on his brow." I have spoken in the spirit of this injunction. Meaning offence to no man, and holding ill-will to no man, because he comes from the South, or because he differs with me in political opinion, I have spoken frankly, but with malice toward none.

This session, and the bill pending, are acts in a partisan and political enterprise. This debate, begun after a caucus had defined and clenched the position of every man in the majority, has not been waged to convince anybody here. It has resounded to fire the democratic heart, to sound a blast to the cohorts of party, to beat the long-roll, and set the squadrons in the field. That is its object, as plainly to be seen as the ultimate object of the attempted overthrow of laws.

Political speeches having been thus ordained, I have discussed political themes, and with ill-will to no portion of the country but good will toward every portion of it, I have with candor spoken somewhat of my thoughts of the duties and dangers of the hour. [Applause on the floor and in the galleries.]

Lincoln's Speech at Gettysburg.

"Four-score and seven years ago, our fathers brought forth on this continent, a new Nation, conceived in liberty, and dedicated to the proposition that all men are created equal.

"Now, we are engaged in a great civil war testing whether that Nation, or any Nation, so conceived and so dedicated, can long endure. We are met on a great battle-field of that war. We have come to dedicate a portion of that field, as a final resting-place for those, who here gave their lives that that Nation might live. It is altogether fitting and proper that we should do this.

"But, in a large sense, we cannot dedicate—we cannot consecrate—we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it far above our poor power to add or detract. The world will little note, nor long remember what we SAY here, but it can never forget what they DID here. It is for us the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced. It is rather for us to be here dedicated to the great task remaining before us, that from these honored dead,

we take increased devotion to that cause for which they gave the last full measure of devotion, that we here highly resolve that these dead shall not have died in vain; that this Nation, under God, shall have a new birth of freedom; and that Government of the people, by the people, and for the people shall not perish from this earth."

Speech of Hon. John M. Broomall, of Pennsylvania,

On the Civil Rights Bill. House of Representatives, March 8, 1866.

Mr. Speaker, it is alleged that this species of legislation will widen the breach existing between the two sections of the country, will offend our southern brethren. Do not gentlemen know that those who are most earnestly asking this legislation are our southern brethren themselves.

They are imploring us to protect them against the conquered enemies of the country, who notwithstanding their surrender, have managed, through their skill or our weakness, to seize nearly all the conquered territory.

This is not the first instance in the world's history in which all that had been gained by hard fighting was lost by bad diplomacy.

But they, whose feelings are entitled to so much consideration in the estimation of those who urge this argument, are not our southern brethren, but the southern brethren of our political opponents; the

conquered rebels, pardoned and unpardoned; traitors priding themselves upon their treason.

These people are fastidious. The ordinary terms of the English language must be perverted to suit their tastes. Though they surrendered in open and public war, they are not to be treated as prisoners. Though beaten in the last ditch of the last fortification, they are not to be called a conquered people. The decision of the forum of their own choosing is to be explained away into meaningless formality for their benefit. Though guilty of treason, murder, arson, and all the crimes in the calendar, they are “our southern brethren.” The entire decalogue must be suspended lest it should offend these polished candidates for the contempt and execration of posterity.

Out of deference to the feelings of these sensitive gentlemen, an executive construction must be given to the word “loyalty,” so that it shall embrace men who only are not hanged because they have been pardoned, and who only did not destroy the Government because they could not. Out of deference to the feelings of these sensitive gentlemen, too, a distinguished public functionary, once the champion of the rights of man, a leader in the cause of human progress, a statesman whose keen foreknowledge could point out the “irrepressible conflict between slavery and freedom,” cannot now see that treason and loyalty are uncompromising antagonisms.

It is charged against us that the wheels of Government are stopped by our refusal to admit the representatives of these southern communities. When we complain that Europe is underselling us in our markets, and demand protection for the American laborer, we are told to “admit the southern Senators and Representatives.” When we complain that

excessive importations are impoverishing the country, and rapidly bringing on financial ruin, we are told to "admit the southern Senators and Representatives." When we complain that an inflated currency is making the rich richer, and the poor poorer, keeping the prices of even the necessaries of life beyond the reach of widows and orphans who are living upon fixed incomes, the stereotyped answer comes, "Admit the southern Senators and Representatives." When we demand a tax upon cotton to defray the enormous outlay made in dethroning that usurping "king of the world," still the answer comes, and the executive parrots everywhere repeat it, "Admit the southern Senators and Representatives."

The mind of the man who can see in that prescription a remedy for all political and social diseases must be curiously constituted. Would these Senators and Representatives vote a tax upon cotton? Would they protect American industry by increasing duties? Would they prevent excessive importations? To believe this requires as unquestioning a faith as to believe in the sudden conversion of whole communities from treason to loyalty.

We are blocking the wheels of Government! Why, the Government has managed to get along for four years, not only without the aid of the Southern Senators and Representatives, but against their efforts to destroy it; and in the mean time has crushed a rebellion that would have destroyed any other Government under heaven. Surely the nation can do without the services of these men, at least during the time required to examine their claims and to protect by appropriate legislation *our* Southern brethren. None but a Democrat would think of consulting the wolf about what safeguard should be

thrown around the flock.

Those who advocate the admission of the Senators and Representatives from the States lately reclaimed from the rebellion, as a means of protecting the loyal men in those States and as a substitute for the system of legislation of which this bill is part, well know that the majority in both Houses of Congress ardently desire the full recognition of those States, and only ask that the rights and interests of the truly loyal men in those States shall be first satisfactorily secured.

Much useless controversy has been had about the legal *status* of those States. There is no difference between the two parties of the country on that point. The actual point of difference is this: the Democrats affiliate with their old political friends in the South, the late rebels, the friends and followers of Breckinridge, Lee, and Davis. The Union majority, on the other hand, naturally affiliate with the loyal men in the South, the men who have always supported the Government against Breckinridge, Lee, and Davis. Each party wants the South reconstructed in the hands of its own “southern brethren.”

In short, the northern party corresponding with the loyal men of the South ask that the legitimate results of Grant’s victory shall be carried out, while the northern party corresponding with the rebels of the South ask that things should be considered as if Lee had been the conqueror, or at least as if there had been a drawn battle, without victory on either side.

This brings the rights of those in whose behalf the opponents of the bill under consideration are acting directly in question, and in order to limit down the field of controversy as far as possible, let us inquire

how far all parties agree upon the legal *status* of the communities lately in rebellion. Now, the meanest of all controversies is that which comes from dialectics. Where the disputants attach different meanings to the same word their time is worse than thrown away. I have always looked upon the question whether the States are in or out of the Union as only worthy of the schoolmen of the middle ages, who could write volumes upon a mere verbal quibble. The disputants would agree if they were compelled to use the word "State" in the same sense. I will endeavor to avoid this trifling.

All parties agree that at the close of the rebellion the people of North Carolina, for example, had been "deprived of all civil government." The President, in his proclamation of May 29, 1865, tells the people of North Carolina this in so many words, and he tells the people of the other rebel States the same thing in his several proclamations to them. This includes the Conservatives and Democrats, who, however they may disagree, at last agree in this, that the President shall do their thinking.

The Republicans subscribe to this doctrine, though they differ in their modes of expressing it. Some say that those States have ceased to possess any of the rights and powers of government as States of the Union. Others say, with the late lamented President, that "those States are out of practical relations with the Government."

Others hold that the State organizations are out of the Union. And still others that the rebels are conquered, and therefore that their organizations are at the will of the conqueror.

The President has hit upon a mode of expression which embraces concisely all these ideas. He says

that the people of those States were, by the progress of the rebellion and by its termination, “deprived of all civil government.”

One step further. All parties agree that the people of these States, being thus disorganized for all State purposes, are still at the election of the government, citizens of the United States, and as such, as far as they have not been disqualified by treason, ought to be allowed to form their own State governments, subject to the requirements of the Constitution of the United States.

Still one step further. All parties agree that this cannot be done by mere unauthorized congregations of the people, but that the time, place and manner must be prescribed by some department of the Government, according to the argument of Mr. Webster and the spirit of the decision of the Supreme Court in Luther *vs.* Borden, 7 Howard, page 1.

Yet another step in the series of propositions. All parties agree that as Congress was not in session at the close of the rebellion, the President, as Commander-in-Chief, was bound to take possession of the conquered country and establish such government as was necessary.

Thus far all is harmonious; but now the divergence begins. At the commencement of the present session of Congress three-fourths of both Houses held that when the people of the States are “deprived of all civil government,” and when, therefore, it becomes necessary to prescribe the time, place, and manner in and by which they shall organize themselves again into States while the President may take temporary measures, yet only the law-making power of the Government is competent to the full accomplishment of the task. In other words, that only Congress can

enable citizens of the United States to create States. I have said that at the commencement of the session three-fourths of both houses held this opinion. The proportion is smaller now, and by a judicious use of executive patronage it may become still smaller; but the truth of the proposition will not be affected if every Representative and Senator should be manipulated into denying it.

On the other hand, the remaining fourth, composed of the supple Democracy and its accessions, maintain that this State-creating power is vested in the President alone, and that he has already exercised it.

The holy horror with which our opponents affect to contemplate the doctrine of destruction of States is that much political hypocrisy. Every man who asks the recognition of the existing local governments in the South thereby commits himself to that doctrine. The only possible claim that can be set up in favor of the existing governments is based upon the theory that the old ones have been destroyed. The present organizations sprang up at the bidding of the President after the conquest among a people who, he said, had been “deprived of all civil government.”

If the President’s “experiment” had resulted in organizing the southern communities in loyal hands, the majority in Congress would have found no difficulty in indorsing it and giving it the necessary efficiency by legislative enactment.

In this case, too, the President never would have denied the power of Congress in the premises. He never would have set up the theory that the citizens of the United States, through their representatives, are not to be consulted when those who have once broken faith with them ask to have the compact

renewed.

Our opponents have no love for the President. They called him a usurper and a tyrant in Tennessee. They ridiculed him as a negro “Moses.” They tried to kill him, and failing that, they accused him of being privy to the murder of his predecessor. But when his “experiment” at reconstruction was found to result in favor of their friends, the rebels, then they hung themselves about his neck like so many mill-stones, and tried to damn him to eternal infamy by indorsing his policy. Will they succeed? Will he shake them off, or go down with them?

But let us suffer these discordant elements to settle their own terms of combinations as best they may. The final result cannot be doubtful.

If ten righteous men were needed to save Sodom, even Andrew Johnson will find it impossible to save the Democratic party.

Our path of duty is plain before us. Let us pass this bill and such others as may be necessary to secure protection to the loyal men of the South. If our political opponents thwart our purposes in this, let us go to the country upon that issue.

I am by no means an advocate of extensive punishment, either in the way of hanging or confiscation, though some of both might be salutary. I do not ask that full retribution be enforced against those who have so grievously sinned. I am willing to make forgiveness the rule and punishment the exception; yet I have my *ultimatum*. I might excuse the pardon of the traitors Lee and Davis, even after the hanging of Wirz, who but obeyed their orders, orders which he would have been shot for disobeying. I might excuse the sparing of the master after killing the dog whose bite but carried with it

the venom engendered in the master's soul. I might look calmly upon a constituency ground down by taxation, and tell the complainants that they have neither remedy nor hope of vengeance upon the authors of their wrongs. I might agree to turn unpityingly from the mother whose son fell in the Wilderness, and the widow whose husband was starved at Andersonville, and tell them that in the nature of things retributive justice is denied them, and that the murderers of their kindred may yet sit in the councils of their country; yet even I have my *ultimatum*. I might consent that the glorious deeds of the last five years should be blotted from the country's history; that the trophies won on a hundred battle-fields, the sublime visible evidence of the heroic devotion of America's citizen soldiery, should be burned on the altar of reconciliation. I might consent that the cemetery at Gettysburg should be razed to the ground; that its soil should be submitted to the plow, and that the lamentation of the bereaved should give place to the lowing of cattle. But there is a point beyond which I shall neither be forced nor persuaded. I will never consent that the government shall desert its allies in the South and surrender their rights and interests to the enemy, and in this I will make no distinction of caste or color either among friends or foes.

The people of the South were not all traitors. Among them were knees that never bowed to the Baal of secession, lips that never kissed his image. Among the fastness of the mountains, in the rural districts, far from the contagion of political centres, the fires of patriotism still burned, sometimes in the higher walks of life, oftener in obscure hamlets, and still oftener under skins as black as the hearts of those who claimed to own them.

These people devoted all they had to their country. The homes of some have been confiscated, and they are now fugitives from the scenes that gladdened their childhood. Some were cast into dungeons for refusing to fire upon their country's flag, and still others bear the marks of stripes inflicted for giving bread and water to the weary soldier of the Republic, and aiding the fugitive to escape the penalty of the disloyalty to treason. If the God of nations listened to the prayers that ascended from so many altars during those eventful years, it was to the prayers of these people.

Sir, we talked of patriotism in our happy northern homes, and claimed credit for the part we acted; but if the history of these people shall ever be written, it will make us blush that we ever professed to love our country.

The government now stands guard over the lives and fortunes of these people. They are imploring us not to yield them up without condition to those into whose hands recent events have committed the destinies of the unfortunate South. A nation which could thus withdraw its protection from such allies, at such a time, without their full and free consent, could neither hope for the approval of mankind nor the blessing of heaven.

Speech, of Hon. Charles A. Eldridge, of Wisconsin.

Against the Civil Rights Bill, in the House of Representatives, March 2, 1866.

Mr. Speaker: I thought yesterday that I would discuss this measure at some length; but I find myself this morning very unwell; and I shall therefore make only a few remarks, suggesting some objections to the bill.

I look upon the bill before us, Mr. Speaker, as one of the series of measures rising out of a feeling of distrust and hatred on the part of certain individuals, not only in this House, but throughout the country, toward these persons who formerly held slaves. I had hoped that long before this time the people of this country would have come to the conclusion that the subject of slavery and the questions connected with it had already sufficiently agitated this country. I had hoped that now, when the war is over, when peace has been restored, when in every State of the Union the institution of slavery has been freely given up, its abolition acquiesced in, and the Constitution of the United States amended in accordance with that idea, this subject would cease to haunt us as it is made to do in the various measures which are constantly being here introduced.

This bill is, it appears to me, one of the most insidious and dangerous of the various measures which have been directed against the interest of the people of this country. It is another of the measures designed to take away the essential rights of the State. I know that when I speak of States and State rights, I enter upon unpopular subjects. But, sir, whatever other gentlemen may think, I hold that the rights of the States are the rights of the Union, that the rights of the States and the liberty of the States are essential to the liberty of the individual citizen. * * *

Now, it may be said that there is no reason for this distinction; but I claim that there is. And there is no

man that can look upon this crime, horrid as it is, diabolical as it is when committed by the white man, and not say that such a crime committed by a negro upon a white woman deserves, in the sense and judgment of the American people, a different punishment from that inflicted upon the white man. And yet the very purpose of this section, as I contend, is to abolish or prevent the execution of laws making a distinction in regard to the punishment.

But, further, it is said the negro race is weak and feeble; that they are mere children—"wards of the Government." In many instances it might be just and proper to inflict a less punishment upon them for certain crimes than upon men of intelligence and education, whose motives may have been worse. It might be better for the community to control them by milder and gentler means. If the judge sitting upon the bench of the State court shall, in carrying out the law of the State, inflict a higher penalty upon the white man than that which attaches to the freedman, not that I suppose it is ever contemplated to enforce that, yet it would be equally applicable, and the penalty would be incurred by the judge in the same manner precisely.

But I proceed to the section I was about to remark upon when the gentleman interrupted me. The marshals who may be employed to execute warrants and precepts under this bill, as I have already remarked, are offered a bribe for the execution of them. It creates marshals in great numbers, and authorizes commissioners to appoint almost anybody for that purpose, and it stimulates them by the offer of a reward not given in the case of the arrest of persons guilty of any other crime.

It goes further. It authorizes the President, when

he is apprehensive that some crime of that sort may be committed, on mere suspicion, mere information or statement that it is likely to be committed, to take any judge from the bench or any marshal from his office to the place where the crime is apprehended, for the purpose of more efficiently and speedily carrying out the provisions of the bill.

The gentleman from Pennsylvania (Mr. Thayer) tells us that it is very remarkable that it should be claimed that this bill is intended to create and continue a sort of military despotism over the people where this law is to be executed. It seems to me nothing is plainer. Where do we find any laws heretofore passed having no relation to the negro in which such a provision as this tenth section is to be found? Generally the marshal seeks by himself to execute this warrant, and failing, he calls out his POSSE COMITATUS. But this bill authorizes the use in the first instance of the Army and Navy by the President for the purpose of executing such writs.

The gentlemen who advocate this bill are great sticklers for equality, and insist that there shall be no distinction made on account of race or color.

Why, sir, every provision of this bill carries upon its face the distinction, and is calculated to perpetuate it forever as long as the act shall be in force. Where did this measure originate but in the recognition of the difference between races and colors? Does any one pretend that this bill is intended to protect white men—to save them from any wrongs which may be inflicted upon them by the negroes? Not at all. It is introduced and pressed in the pretended interest of the black man, and recognizes and virtually declares distinction between race and color.

I deprecate all these measures because of the implication they carry upon their face, that the people who have heretofore owned slaves intend to do them harm. I do not believe it. So far as my knowledge goes, and so far as my information extends, I believe that the people who have held the freedmen as slaves will treat them with more kindness, with more leniency, than those of the North who make such loud professions of love and affection for them, and are so anxious to pass these bills. They know their nature; they know their wants; they know their habits; they have been brought up together; none of the prejudices and unkind feelings which many in the north would have toward them.

I do not credit all these stories about the general feeling of hostility in the South toward the negro. So far as I have heard opinions expressed upon the subject, and I have conversed with many persons from that section of the country, they do not blame the negro for anything that has happened. As a general thing, he was faithful to them and their interests, until the army reached the place and took him from them. He has supported their wives and children in the absence of the husbands and fathers in the armies of the South. He has done for them what no one else could have done. They recognize his general good feeling toward them, and are inclined to reciprocate that feeling toward him.

I believe that is the general feeling of the southern people to-day. The cases of ill-treatment are exceptional cases. They are like the cases which have occurred in the northern States where the unfortunate have been thrown upon our charity.

Take, for instance, the stories of the cruel treatment of the insane in the State of Massachusetts. They may have been barbarously confined in the

loathsome dens as stated in particular instances; but is that any evidence of the general ill-will of the people of the State of Massachusetts toward the insane? Is that any reason why the Federal arm should be extended to Massachusetts to control and protect the insane there?

It has also been said that certain paupers in certain States have been badly used, paupers, too, who were whites. Is that any reason why we should extend the arm of the Federal Government to those States to protect the poor who are thrown upon the charity of the people there?

Sir, we must yield to the altered state of things in this country. We must trust the people; it is our duty to do so; we cannot do otherwise. And the sooner we place ourselves in a position where we can win the confidence of our late enemies, where our counsels will be heeded, where our advice may be regarded, the sooner will the people of the whole country be fully reconciled to each other and their changed relationship; the sooner will all the inhabitants of our country be in the possession of all the rights and immunities essential to their prosperity and happiness.

Hon. A. K. McClure on What of the Republic?

Annual Address delivered before the Literary Societies of Dickinson College, June 26th, 1873.

GENTLEMEN OF THE LITERARY SOCIETIES:—What

of the Republic? The trials and triumphs of our free institutions are hackneyed themes. They are the star attractions of every political conflict. They furnish a perpetual well-spring of every grade of rhetoric for the hustings, and partisan organs proclaim with the regularity of the seasons, the annual perils of free government.

But a different occasion, with widely different opportunities and duties, has brought us together. The dissembling of the partisan would be unwelcome, but here truth may be manfully spoken of that which so profoundly concerns us all. I am called to address young men who are to rank among the scholars, the teachers, the statesmen, the scientists of their age. They will be of the class that must furnish a large proportion of the executives, legislators, ministers, and instructors of the generation now rapidly crowding us to the long halt that soon must come. Doubtless, here and there, some who have been less favored with opportunities, will surpass them in the race for distinction; but in our free government where education is proffered to all, and the largest freedom of conviction and action invites the humblest to honorable preferment, the learned must bear a conspicuous part in directing the destiny of the nation. Every one who moulds a thought or inspires a fresh resolve even in the remotest regions of the Continent, shapes, in some measure, the sovereign power of the Republic.

The time and the occasion are alike propitious for a dispassionate review of our political system, and of the political duties which none can reject and be blameless. Second only to the claims of religion are the claims of country. Especially should the Christian, whether teacher or hearer, discharge political duties with fidelity. I do not mean that the

harangue of the partisan should desecrate holy places, or that men should join in the brawls of pot-house politicians; but I do mean that a faithful discharge of our duty to free government is not only consistent with the most exemplary and religious life, but is a Christian as well as a civil obligation. The government that maintains liberty of conscience as one of its fundamental principles, and under which Christianity is recognized as the common law, has just claims upon the Christian citizen for the vigilant exercise of all political rights.

If it be true, as is so often confessed around us, that we have suffered a marked decline in political morality and in our political administration, let it not be assumed that the defect is in our system of government, or that the blame lies wholly with those who are faithless or incompetent. Here no citizen is voiceless, and none can claim exemption from just responsibility for evils in the body politic. Ours is, in fact as well as in theory, a government of the people; and its administration is neither better nor worse than the people themselves. It was devised by wise and patriotic men, who gave to it the highest measure of fidelity; and so perfectly and harmoniously is its framework fashioned, that the sovereign power can always exercise a salutary control over its own servants. An accidental mistake of popular judgment, or the perfidy of an executive, or the enactment of profligate or violent laws, are all held in such wholesome check by co-ordinate powers, as to enable the supreme authority of the nation to restrain or correct almost every conceivable evil.

Until the people as a whole are given over to debauchery the safety of our free institutions cannot be seriously endangered. True, such a result might be

possible without the demoralization of a majority of the people, if good citizens surrender their rights, and their duties, and their government to those who desire to rule in profligacy and oppression.

If reputable citizens refrain from active participation in our political conflicts, they voluntarily surrender the safety of their persons and property, and the good order and well-being of society, to those who are least fitted for the exercise of authority. When such results are visible in any of the various branches of our political system, turn to the true source and place the responsibility where it justly belongs. Do not blame the thief and the adventurer, for they are but plying their vocations, and they rob public rather than private treasure, because men guard the one and do not guard the other. Good men employ every proper precaution to protect their property from the lawless. When an injury is done to them individually they are swift to invoke the avenging arm of justice. They are faithful guardians of their own homes and treasures against the untitled spoiler, while they are criminally indifferent to the public wrongs done by those who, in the enactment and execution of the laws, directly affect their happiness and prosperity. Do not answer that politics have become disreputable. Such a declaration is a confession of guilt. He who utters it becomes his own accuser. If it be true that our politics, either generally or in any particular municipality or State, have become disreputable, who must answer for it? Who have made our politics disreputable? Surely not the disreputable citizens, for they are a small minority in every community and in every party. If they have obtained control of political organizations, and thereby secured their election to responsible trusts, it must have been with the active

or passive approval of the good citizens who hold the actual power in their own hands. There is not a disgraceful official shaming the people of this country to-day, who does not owe his place to the silent assent or positive support of those who justly claim to be respectable citizens, and who habitually plead their own wrongs to escape plain and imperative duties. If dishonest or incompetent appointments have been made, in obedience to the demands of mere partisans, a just expression of the honest sentiments of better citizens, made with the manliness that would point to retribution for such wrongs, would promptly give us a sound practical civil service, and profligacy and dishonesty would end.

Our Presidents and Governors are not wholly or even mainly responsible for the low standard of our officials. If good men concede primary political control to those who wield it for selfish ends, by refraining from an active discharge of their political duties, and make the appointing powers dependent for both counsel and support upon the worst political elements, who is to blame when public sentiment is outraged by the selection of unworthy men to important public trusts? The fruits are but the natural, logical results of good citizens refusing to accept their political duties. There is not a blot on our body politic to-day that the better elements of the people could not remove whenever they resolved to do so,—and they will so resolve in good time, as they have always done in the past. There is not a defect or deformity in our political administration that they cannot, and will not correct, by the peaceful expression of their sober convictions, in the legitimate way pointed out by our free institutions.

You who are destined to be more or less

conspicuous among the teachers of men, should study well this reserved power so immediately connected with the preservation of our government. The virtue and intelligence of the people is the sure bulwark of safety for the Republic. It has been the source of safety in all times past, in peace and in war, and it is to-day, and will ever continue to be, the omnipotent power that forbids us to doubt the complete success of free government. It may, at times, be long suffering and slow to resent wrongs which grow gradually in strength and diffuse their poison throughout the land. It may invoke just censure for its forbearance in seasons of partisan strife. It may long seem lost as a ruling element of our political system, and may appear to be faithless to its high and sacred duties. It may be unfelt in its gentler influences, which should ever be active in maintaining the purity and dignity of society and government. But if for a season the better efforts of a free people are not evident to quicken and support public virtue, it must not be assumed that the source of good influences has been destroyed, or that public virtue cannot be restored to its just supremacy. When healthful influences do not come like the dew drops which glitter in the morning as they revive the harvest of the earth, they will most surely come in their terrible majesty, as the tempest comes to purify the atmosphere about us. The miasmas which arise from material corruption, poison the air we breathe and disease all physical life within their reach. The poison of political corruption is no less subtle and destructive in its influences upon communities and nations. But when either becomes general or apparently beyond the power of ordinary means of correction, the angry sweep of the hurricane must perform the work of regeneration. In our government

the mild, but effectual restraints of good men should be ceaseless in their beneficent offices, but when they fail to be felt in our public affairs, and evil control has widened and strengthened itself in departments of power, the storm and the thunderbolt have to be invoked for the public safety, and our convulsive but lawful revolutions attest the omnipotence of the reserved virtue of a faithful and intelligent people.

I am not before you to garner the scars and disjointed columns of free government. The Republic that has been reared by a century of patriotic labor and sacrifice, more than covers its wounds with the noblest achievements ever recorded in man's struggle for the rights of man. It is not perfect in its administration or in the exercise of its vast and responsible powers; but when was it so? when shall it be so? No human work is perfect. No government in all the past has been without its misshaped ends; and few, indeed, have survived three generations without revolution. We must have been more than mortals, if our history does not present much that we would be glad to efface. We should be unlike all great peoples of the earth, if we did not mark the ebb and flow of public virtue, and the consequent struggles between the good and evil elements of a society in which freedom is at times debased to license. We have had seasons of war and of peace. We have had tidal waves of passion, with their sweeping demoralization. We have enlisted the national pride in the perilous line of conquest, and vindicated it by the beneficent fruits of our civilization. We have had the tempest of aggression, and the profound calm that was the conservator of peace throughout the world. We have revolutionized the policy of the government through the bitter

conflicts of opposing opinions, and it has been strengthened by its trials. We have had the fruits of national struggles transferred to the vanquished, without a shade of violence; and the extreme power of impeachment has been invoked in the midst of intensest political strife, and its judgment patriotically obeyed. We have had fraternal war with its terrible bereavements and destruction. We have completed the circle of national perils, and the virtue and intelligence of the people have ever been the safety of the Republic.

At no previous period of our history have opportunity and duty so happily united to direct the people of this country to the triumphs and to the imperfections of our government. We have reached a healthy calm in our political struggles. The nation has a trusted ruler, just chosen by an overwhelming vote. The disappointments of conviction or of ambition have passed away, and all yield cordial obedience and respect to the lawful authority of the country. The long-lingering passions of civil war have, for the last time, embittered our political strife, and must now be consigned to forgetfulness. The nation is assured of peace. The embers of discord may convulse a State until justice shall be enthroned over mad partisanship, but peace and justice are the inexorable purposes of the people, and they will be obeyed. Sectional hatred, long fanned by political necessities, is henceforth effaced from our politics, and the unity of a sincere brotherhood will be the cherished faith of every citizen. We first conquered rebellion, and now have conquered the bitterness and estrangement of its discomfiture.

The Vice-President of the insurgent Confederacy is a Representative in our Congress. One who was first in the field and last in the Senate in support of

rebellion has just died while representing the government in a diplomatic position of the highest honor. Another who served the Confederacy in the field and in the forum, has been one of the constitutional advisers of the national administration. One of the most brilliant of Confederate warriors now serves in the United States Senate, and has presided over that body. The first Lieutenant of Lee was long since honored with responsible and lucrative official trust, and many of lesser note, lately our enemies, are discharging important public duties. The war and its issues are settled forever. Those who were arrayed against each other in deadly conflict are now friends. The appeal from the ballot to the sword has been made, and its arbitrament has been irrevocably ratified by the supreme power of the nation. Each has won from the other the respect that is ever awarded to brave men, and the affection that was clouded by the passion that made both rush to achieve an easy triumph, has returned chastened and strengthened by our common sacrifices. Our battle-fields will be memorable as the theatres of the conflicts of the noblest people the world had to offer to the god of carnage, and the monuments to our dead, North and South, will be pointed to by succeeding generations as the proud records of the heroism of the American people.

The overshadowing issues touching the war and its logical results are now no longer in controversy, and in vain will the unworthy invoke patriotism to give them unmerited distinction. No supreme danger can now confront the citizen who desires to correct errors or abuses of our political system. He who despairs of free institutions because evils have been tolerated, would have despaired of every administration the country has ever had, and of

every government the world has ever known. If corruption pervades our institutions to an alarming extent, let it not be forgotten that it is the natural order of history repeating itself. It is but the experience of every nation, and our own experience returning to us, to call into vigorous action the regenerating power of a patriotic people. We have a supreme tribunal that is most jealous of its high prerogatives, and that will wield its authority mercilessly when the opportune season arrives. We have just emerged from the most impassioned and convulsive strife of modern history. It called out the highest type of patriotism, and life and treasure were freely given with the holiest devotion to the cause of self-government. With it came those of mean ambition, and of venal purposes, and they could gain power while the unselfish were devoted to the country's cause. They could not be dethroned because there were grave issues which dare not be sacrificed. Such evils must be borne at times in all governments, rather than destroy the temple to punish the enemies of public virtue. To whatever extent these evils exist, they are not the legitimate creation of our free institutions. They are not the creation of maladministration, nor of any party. They are the monstrous barnacles spawned by unnatural war, which clogged the gallant ship of State in her extremity, and had to be borne into port with her. And now that the battle is ended, and the issues settled, do not distrust the reserved power of our free institutions. It will heal the scars of war and efface the stains of corruption, and present the great Republic to the world surpassing in grandeur, might and excellence, the sublimest conceptions ever cherished of human government.

As you come to assume the responsibilities which

must be accepted by the educated citizen, you will be profoundly impressed with the multiplied dangers which threaten the government. They will appear not only to be innumerable and likely to defy correction, but they will seem to be of modern creation. It is common to hear intelligent political leaders declaim against the moral and intellectual degeneracy of the times, and especially against the decline in public morality and statesmanship. They would make it appear that the people and the government in past times were models of purity and excellence, while we are unworthy sons of noble sires. Our rulers are pronounced imbecile, or wholly devoted to selfish ends.

Our law-makers are declared to be reeking with corruption or blinded by ambition, and greed and faithlessness are held up to the world as the chief characteristics of our officials. From this painful picture we turn to the history of those who ruled in the earlier and what we call the better days of the Republic, and the contrast sinks us deep in the slough of despair. I am not prepared to say that much of the complaint against the political degeneracy of the times, and the standard of our officials, is not just; but in the face of all that can be charged against the present, I regard it as the very best age this nation has ever known. The despairing accusations made against our public servants are not the peculiar creation of the times in which we live, and the allegation of wide spread demoralization in the body politic, was no more novel in any of the generations of the past than it is now. We say nothing of our rulers that was not said of those whose memory we so sacredly worship. License is one of the chief penalties, indeed the sole defect of liberty, and it has ever asserted its prerogatives with

tireless industry. It was as irreverent with Washington as it is with Grant. It racked Jefferson and Jackson, and it pained and scarred Lincoln and Chase, and their compatriots. It criticised the campaigns and the heroes of the revolutionary times, as we criticise the living heroes of our day. It belittled the statesmen of every epoch in our national progress, just as we belittle those who are now the guardians of our free institutions. Perhaps we have more provocation than they had; but if so, they were less charitable, for the tide of ungenerous criticism and distrust has known no cessation. I believe we have had seasons when our political system was more free from blemish than it is now, and that we have had periods when both government and people maintained a higher standard of excellence than we can boast of; but it is equally true that we have, in the past, sounded a depth in the decline of our political administration that the present age can never reach.

You must soon appear in the active struggles for the perpetuity of free government, and some of the sealed chapters of the past are most worthy of your careful study. I would not efface one good inspiration that you have gathered from the lives and deeds of our fathers, whose courage and patriotism have survived their infirmities. Whatever we have from them that is purifying or elevating, is but the truth of history; and when unborn generations shall have succeeded us, no age in all the long century of freedom in the New World, will furnish to them higher standards of heroism and statesmanship than the defamed and unappreciated times in which we live. And when the future statesmen shall turn to history for the most unselfish and enlightened devotion to the Republic, they will pause over the

records we have written, and esteem them the brightest in all the annals of man's best efforts for his race. We can judge of the true standard of our government and people only by a faithful comparison with the true standard of the men and events which have passed away. You find widespread distrust of the success of our political system. It is the favorite theme of every disappointed ambition, and the vanquished of every important struggle are tempted, in the bitterness of defeat, to despair of the government. Would you know whence comes this chronic or spasmodic political despair? If so, you must turn back over the graves of ages, for it is as old as free government. Glance at the better days of which we all have read, and to which modern campaign eloquence is so much indebted. Do not stop with the approved histories of the fathers of the Republic. They tell only of the transcendent wisdom and matchless perfections of those who gave us liberty and ordained government of the people. Go to the inner temple of truth. Seek that which was then hidden from the nation, but which in these days of newspapers and free schools, and steam and lightning, is an open record so that he who runs may read. Gather up the few public journals of a century ago, and the rare personal letters and sacred diaries of the good and wise men whose examples are so earnestly longed for in the degenerate present, and your despair will be softened and your indignation at current events will be tempered, as you learn that our history is steadily repeating itself, and that with all our many faults, we grow better as we progress.

Do you point to the unfaltering courage and countless sacrifices of those who gave us freedom, so deeply crimsoned with their blood? I join you in naming them with reverence, but I must point to

their sons, for whom we have not yet ceased to mourn, who equalled them in every manly and patriotic attribute. When wealth and luxury were about us to tempt our people to indifference and ease, the world has no records of heroism which dim the lustre of the achievements we have witnessed in the preservation of the liberty our fathers bequeathed to us. Have corruption and perfidy stained the triumphs of which we boast? So did corruption and perfidy stain the revolutionary “times that tried men’s souls.” Do we question the laurels with which our successful captains have been crowned by a grateful country? So did our forefathers question the just distinction of him who was first in war and first in peace, and he had not a lieutenant who escaped distrust, nor a council of war that was free from unworthy jealousies and strife. Do politicians and even statesmen teach the early destruction of our free institutions? It is the old, old story; “the babbling echo mocks itself.” It distracted the cabinets of Washington and the elder Adams. It was the tireless assailant of Jefferson and Madison. It made the Jackson administration tempestuous. It gave us foreign war under Polk. It was a teeming fountain of discord under Taylor, Pierce and Buchanan. It gave us deadly fraternal conflict under Lincoln. Its dying throes convulsed the nation under Johnson. The promise of peace, soberly accepted from Grant, was the crown of an unbroken column of triumphs over the distrust of every age, that was attacking free government. Do we complain of violent and profligate legislation? Hamilton, the favorite statesman of Washington, was the author of laws, enacted in time of peace, which could not have been enforced in our day even under the necessities and passions of war. And when the judgment of the

nation repealed them, he sought to overthrow the popular verdict, because he believed that the government was overthrown. Almost before order began after the political chaos of the revolution, the intensest struggles were made, and the most violent enactments urged, for mere partisan control. Jefferson, the chief apostle of government of the people, did not always cherish supreme faith in his own work. He trembled at the tendencies to monarchy, and feared because of "the dupery of which our countrymen have shown themselves susceptible." He rescued the infant Republic from the centralization that was the lingering dregs of despotism, and unconsciously sowed the seeds which ripened into States' rights and nullification under Jackson, and into rebellion under Lincoln. But for the desperate conflict of opposing convictions as to the corner-stone of the new structure, Jefferson would have been more wise and conservative. He was faithful to popular government in the broadest acceptation of the theory. He summed it up in his memorable utterance to his neighbors when he returned from France. He said:—"The will of the majority, the natural law of every society, is the only sure guardian of the rights of man. Perhaps even this may sometimes err, but its errors are honest solitary and short-lived." Politically speaking, with the patriots and statesmen of the "better days" of the Republic, their confidence in, or distrust of, the government, depended much upon whether Hamilton or Jefferson ruled. Dream of them as we may, they were but men, with the same ambition, the same love of power, the same infirmities, which we regard as the peculiar besetting sins of our times. If you would refresh your store of distrust of all political greatness, study Jefferson through Burr and

Hamilton, or Washington and Hamilton through Jefferson, or Jackson through Clay and the second Adams, or Clay and Adams through Jackson and Randolph, and you will think better of the enlightened and liberal age in which you live.

No error is so common among free people as the tendency to depreciate the present and all its agencies and achievements.

We all turn with boundless pride to the Senate of Clay, Webster and Calhoun. In the period of their great conflicts, it was the ablest legislative tribunal the world has ever furnished. Rome and Greece in the zenith of their greatness, never gathered such a galaxy of statesmen. But not until they had passed away did the nation learn to judge them justly. Like the towering oaks when the tempest sweeps over the forest, the storm of faction was fiercest among their crowns, and their struggles of mere ambition, and their infirmities, which have been kindly forgotten, often made the thoughtless or the unfaithful despair of our free institutions. Not one of them escaped detraction or popular reprobation. Not one was exempt from the grave accusation of shaping the destruction of our nationality, and yet not one meditated deliberate wrong to the country on which all reflected so much honor. Calhoun despaired of the Union, because of the irrepressible antagonism of sectional interests, but he cherished the sincerest faith in free institutions. But when the dispassionate historian of the future is brought to the task of recording the most memorable triumphs of our political system, he will pass over the great Senate of the last generation, and picture in their just proportions the grander achievements of the heroes and statesmen who have been created in our own time. If we could draw aside the veil that conceals

the future from us, and see how our children will judge the trials and triumphs of the last decade, we would be shamed at our distrust of ourselves and of the instruments we have employed to discharge the noblest duties. Our agents came up from among us. We knew them before they were great, and remembered well their common inheritance of human defects.—They are not greater than were men who had lived before them, but the nation has had none in all the past who could have written their names higher on the scroll of fame. We knew Lincoln as the uncouth Western campaigner and advocate; as a man of jest, untutored in the graces, and unschooled in statesmanship. We know him in the heat and strife of the political contests which made him our President, and our passions and prejudices survived his achievements. If his friends, we were brought face to face with his imperfections, and perhaps complained that he was unequal to impossibilities. If his enemies, we antagonized his policy and magnified his errors. We saw him wrestle with the greed of the place-man, with the ambitious warrior and with the disappointed statesman. We received his great act of Emancipation as a part of the mere political policy of his rule, and judged it by the light of prejudiced partisan convictions.

But how will those of the future judge him? When the hatreds which attached to his public acts have passed into forgetfulness; when his infirmities shall have been buried in oblivion, and when all his master monuments shall stand out in bold relief, made stainless by the generous offices of time, his name will be linked with devotion wherever liberty has a worshipper. And it will be measurably so of those who were his faithful co-laborers. It will be forgotten that they were at times weak, discordant,

irresolute men when they had to confront problems the solution of which had no precedents in the world's history. It will not be conspicuous in the future records of those great events, that the most learned and experienced member of his cabinet would have accepted peace by any supportable compromise, and that one of the most trusted of his constitutional advisers would have assented to peaceable dismemberment to escape internecine war. Few will ever know that our eminent Minister of War was one of those who was least hopeful of the preservation of the unity of the States, when armed secession made its first trial of strength with the administration. It will not be recorded how the surrender of Sumter was gravely discussed to postpone the presence of actual hostilities, and how the midsummer madness of rebellion made weakness and discord give way to might and harmony, by the first gun that sent its unprovoked messenger of death against the flag and defenders of the Union. It will not be remembered that faction ran riot in the highest places, and that the struggle for the throne embittered cabinet councils and estranged eminent statesmen, even when the artillery of the enemy thundered within sound of the Capital.

It will not be declared how great captains toyed with armies and decimated them upon the deadly altar of ambition, and how blighted hopes of preferment made jangled strife and fruitless campaigns. Nor will the insidious treason that wounded the cause of free government in the home of its friends, blot the future pages of our history in the just proportions in which the living felt and knew it. It will be told that in the hour of greatest peril, the administration was criticised, and the constitution and laws expounded, with supreme ability and

boldness, while the meaner struggles of the cowardly and faithless will be effaced with the passions of the times that created them. And it is best that these defects of greatness should slumber with mortality. Not only the heroes and rulers, but the philanthropists as well, of all nations and ages, have had no exemption from the frailties which are colossal when in actual view. That we have been no better than we have seen ourselves, does not prove that we are a degenerate people. On the contrary, it teaches how much of good and great achievement may be hoped for with all the imperfections we see about us. In our unexampled struggle, when faction, and corruption, and faithlessness had done their worst, a regenerated nationality, saved to perfected justice, liberty and law, was the rich fruits of the patriotic efforts of the people and their trusted but fallible leaders. There is the ineffaceable record we have written for history, and it will be pointed to as the sublimest tribute the world has given to the theory of self-government. The many grievous errors and bitter jealousies of the conflict which weakened and endangered the cause; the venality that grew in hideous strength, while higher and holier cares gave it safety; the incompetency that grasped place on the tidal waves of devotion to country, and the widespread political evils which still linger as sorrowful legacies among us, will in the fulness of time be healed and forgotten, and only the grand consummation will be memorable. This generous judgment of the virtue and intelligence of the people, that corrects the varying efforts and successes of political prostitution; that pardons the defects of those who are faithful in purpose, and without which the greatest deeds would go down to posterity scarred and deformed, is the glass through which all

must read of the noblest triumphs of men.

Our Republic stands alone in the whole records of civil government. In its theory, in its complete organization, and in its administration, it is wholly exceptional. We talk thoughtlessly of the overthrow of the old Republics, and the weak or disappointed turn to history for the evidence of our destruction. It is true that Republics which have been mighty among the powers of the earth have crumbled into hopeless decay, and that the shifting sands of time have left desolate places where once were omnipotence and grandeur. Rome made her almost boundless conquests under the banner of the Republic, and a sister Republic was her rival in greatness and splendor. They are traced obscurely on the pages of history as governments of the people. Rome became mistress of the world. Her triumphal arches of costliest art recorded her many victories. Her temples of surpassing elegance, her colossal and exquisite statues of her chieftains, her imposing columns dedicated to her invincible soldiery, and her apparently rapid progress toward a beneficent civilization, give the story of the devotion and heroism of her citizens. But Rome never was a free representative government. What is called her Republic was but a series of surging plebeian and patrician revolutions, of Tribunes, Consuls and Dictators, with seasons of marvelous prowess under the desperate lead of as marvelous ambition. The tranquillity, the safety, and the inspiration of a government of liberty and law, are not to be found in all the thousand years of Roman greatness. The lust of empire was the ruling passion in the ancient Republics. Hannibal reflected the supreme sentiment of Carthage when he bowed at the altar and swore eternal hostility to Rome; and Cato, the Censor, as

faithfully spoke for Rome when he declared to an approving Senate—"*Carthago delenda!*" Such was the mission of what history hands down to us as the great free governments of the ancients. Despotism was the forerunner of corruption, and the proudest eras they knew were but hastening them to inevitable destruction.

The imperial purple soon followed in Rome, as a debauched people were prepared to accept in form what they had long accepted with the mockery of freedom. Rulers and subjects, noble and ignoble, church and state, made common cause to precipitate her decay. At last the columns of the barbarian clouded her valleys. The rude hosts of Attila, the "Scourge of God," swarmed upon her, and their battle-axes smote the demoralized warriors of the tottering empire. The Goth and the Vandal jostled each other from the degraded sceptre they had conquered, and Rome was left widowed in her ruins. And Carthage!—she too had reared a great government by spoliation, and called it a Republic. It was the creation of ambition and conquest. Her great chieftain swept over the Pyrenees and the Alps with his victorious legions, and even made the gates of the Eternal City tremble before the impetuous advance of the Carthaginians. But Carthage never was free until the cormorant and the bittern possessed it, and the God of nations had "stretched out upon it the line of confusion and the stones of emptiness." Conqueror and conquered are blotted from the list of the nations of the earth. We read of the Grecian Republic; but it was a libel upon free government. Her so-called free institutions consisted of a loose, discordant confederation of independent States, where despotism ruled in the name of liberty. Sparta has made romance pale before the achievements of her

sons, but her triumphs were not of peace, nor were they for free government. Athens abolished royalty more than a thousand years before the Christian era, and made Athenian history most thrilling and instructive, but her citizens were strangers to freedom. The most sanguinary wars with sister States, domestic convulsions almost without cessation, and the grinding oppression of caste, were the chief offerings of the government to its subjects. Solon restored her laws to some measure of justice, only to be cast aside for the usurper. Greece yet has a name among the nations of the world, but her sceptre for which the mightiest once warred to enslave her people under the banner of the Republic, has long since been unfelt in shaping the destiny of mankind. Thus did Rome and Carthage and Greece fade from the zenith of distinction and power, before constitutional government of the people had been born among men. To-day there is not an established sister Republic that equals our single Commonwealth in population. Spain, France and Mexico have in turn worshiped Emperors, Kings, Dictators and popular Presidents. Yesterday they were reckoned Republics. What they have been made to-day, or what they will be made to-morrow, is uncertain and unimportant. They are not now, and never have been, Republics save in name, and never can be free governments until their people are transformed into law-creating and law-abiding communities. With them monarchy is a refuge from the license they miscall liberty, and despotism is peace. Switzerland is called a Republic. She points to her acknowledged independence four hundred years ago, but not until the middle of the present century did the Republic of the Alps find tranquillity in a constitutional government that inaugurated the liberty of law. Away on a rugged

mountain-top in Italy, is the only Republic that has maintained popular government among the States of Europe. For more than fourteen hundred years a handful of isolated people, the followers of a Dalmatian hermit priest, have given the world an example of unsullied freedom. Through all the mutations, and revolutions, and relinings of the maps of Europe, the little territory of San Marino has been sacredly respected. Her less than ten thousand people have prospered without interruption; and civil commotions and foreign disputes or conflicts have been unknown among them. She has had no wealth to tempt the spoiler; no commerce or teeming valleys to invite conquest; no wars to breed dictators; no surplus revenues to corrupt her officials; and in patient and frugal industry her citizens have enjoyed the national felicity of having no history. They have had no trials and no triumphs, and have made civilization better only by the banner of peace they have worshipped through all the convulsions and bloody strife of many centuries.

The world has but one Republic that has illustrated constitutional freedom in all its beneficence, power and grandeur, and that is our own priceless inheritance. As a government, our Republic has alone been capable of, and faithful to, representative free institutions, with equal rights, equal justice, and equal laws for every condition of our fellows. All the nations of the past furnish no history that can logically repeat itself in our advancement or decline. Created through the severest trials and sacrifices; maintained through foreign and civil war with unexampled devotion; faithful to law as the offspring and safety of liberty; progressive in all that ennobles our peaceful industry, and cherishing enlightened and liberal Christian civilization as the trust and

pride of our citizens, for our government of the people, none but itself can be its parallel.

In what are called free governments of antiquity, we search in vain for constitutional freedom, or that liberty that subordinates passion and license to law. The refuge from the constant perils of an unrestrained Democracy was always found in despotism, and when absolutism became intolerable, the tide of passion would surge back to Democracy. The people, in mass councils, would rule Consuls, Presidents and Generals, but it was fruitful only of chaos and revolution. The victorious chieftain and the illustrious philosopher would be honored with thanksgivings to the gods for their achievements, and their banishment or death would next be demanded by the same supreme tribunal. Grand temples and columns and triumphal arches would be erected to commemorate the victories of the dominant power, and the returning waves of revolution would decree the actors and their monuments to destruction. Ambitious demagogues prostituted such mockeries of government to the basest purposes. The Olympic games of Greece became the mere instruments of unscrupulous leaders to lure the people, in the name of freedom, to oppression and degradation, and the wealth of Rome was lavishly employed to corrupt the source of popular power, and spread demoralization throughout the Republic. The debauched citizens and soldiers were inflamed by cunning and corrupt devices, against the purest and most eminent of the sincere defenders of liberty; and the vengeance of the infuriated mob, usurping the supreme power of the State, would doom to exile or to death, honest Romans who struggled for Roman freedom. Cato, the younger, Tribune of the people, and faithful to his country, took his own life to escape the reprobation

of a polluted sovereignty. Cicero was Consul of the people, made so by his triumph over Cæsar. But the same people who worshipped him and to whose honor and prosperity he was devoted, banished him in disgrace, confiscated his wealth and devastated his home. Again he was recalled through a triumphal ovation, and again proscribed by the triumvirs and murdered by the soldiers of Antony. The Grecian Republic banished "Aristides the just," and Demosthenes, the first orator of the world, who withstood the temptations of Macedonian wealth, was fined, exiled and his death decreed. He saved his country the shame of his murder by suicide. Miltiades won the plaudits of Greece for his victories, only to die in prison of wounds received in fighting her battles. Themistocles, orator, statesman and chieftain, was banished and died in exile. Pericles, once master of Athens, and who gave the world the highest attainments in Grecian arts, was deposed from military and civil authority by the people he had honored. Socrates, immortal teacher of Grecian philosophy, soldier and senator, and one of the most shining examples of public virtue, was ostracised and condemned and drank the fatal hemlock. The Republic of Carthage gave the ancients their greatest general, and as chief magistrate, he was as wise in statesmanship as he was skillful in war; but in a strange land Hannibal closed his eyes to his country's woes by taking his own life. Nor need we confine our research to Pagan antiquity alone, for such stains upon what is called popular government. During the present century France has enthroned and banished the Bourbons, and worshiped and execrated the Bonapartes; and Spain and Mexico, and scores of States of lesser note, have welcomed and spurned the same rulers, and created and overthrew the same

dynasties.

For the matchless progress of enlightened rule during the last century, the world is indebted to England and America. Parent and child, though separated by violence and estranged in their sympathies even to the latest days, have been coworkers in the great cause of perfecting and strengthening liberal government. Each has been too prone to hope and labor for the decline or subordination of the other, but they both have thereby “builded wiser than they knew.” Their ceaseless rivalry for the approving judgment of civilization and for the development of the noblest attributes of a generous and enduring authority, have made them vastly better and wiser than either would have been without the other. We have inherited her supreme sanctity for law, and thus bounded our liberties by conservative restraints upon popular passions, until the sober judgment of the people can correct them. She has, however unwillingly, yielded to the inspiration of our enlarged freedom and advanced with hesitating steps toward the amelioration of her less favored classes. She maintains the form and splendor of royalty, but no monarch, no ministry, no House of Lords, can now defy the Commoners of the English people. The breath of disapproval coming from the popular branch of the government, dissolves a cabinet or compels an appeal to the country. A justly beloved Queen, unvexed by the cares of State, is the symbol of the majesty of English law, and there monarchy practically ends. We have reared a nobler structure, more delicate in its framework, more exquisite in its harmony, and more imposing in its progress. Its beneficence would be its weakness with any other people than our own. Solon summed up the history

of many peoples, when, in answer to the question whether he had given the Athenians the best of laws, he said: “The best they were capable of receiving!” Even England with her marked distinctions of rank, and widely divided and unsympathetic classes, could not entrust her administration to popular control, without inviting convulsive discord and probable disintegration. Here we confide the enactment and execution of our laws to the immediate representatives of the people; but executives, and judicial tribunals, and conservative legislative branches, are firmly established, to receive the occasional surges of popular error, as the rock-ribbed shore makes harmless the waves of the tempest. We have no antagonism of rank or caste; no patent of nobility save that of merit, and the Republic has no distinction that may not be won by the humblest of her citizens. Our illustrious patriots, statesmen, and chieftains are cherished as household gods. They have not in turn been applauded and condemned, unless they have betrayed public trust. They are the creation of our people under our exceptional system, that educates all and advances those who are most eminent and faithful; and they are, from generation to generation, the enduring monuments of the Republic. We need no triumphal arches, or towering columns, or magnificent temples to record our achievements. Every patriotic memory bears in perpetual freshness the inscriptions of our noblest deeds, and every devoted heart quickens its pulsations at the contemplation of the power and safety of government of the people. In every trial, in peace and in war, we have created our warriors, our pacificators and our great teachers of the country’s sublime duties and necessities. It is not always our most polished scholars, or our ripest statesmen who

have the true inspiration of the loyal leader. Ten years ago one of the most illustrious scholars and orators of our age, was called to dedicate the memorable battle-field of Gettysburg, as the resting place of our martyred dead. In studied grandeur he told the story of the heroism of the soldiers of the Republic, and in chaste and eloquent passages he plead the cause of the imperiled and bleeding Union. The renowned orator has passed away, and his oration is forgotten. There was present on that occasion, the chosen ruler and leader of the people. He was untutored in eloquence, and a stranger to the art of playing upon the hopes or grief of the nation. He was the sincere, the unfaltering guardian of the unity of the States, and his utterance, brief and unstudied, inspired and strengthened every patriotic impulse, and made a great people renew their great work with the holiest devotion. As he turned from the dead to the living, he gave the text of liberty for all time, when he declared: “It is rather for us to be here dedicated to the great task remaining before us, —that from these honored dead we take increased devotion to the cause for which they here gave the last full measure of devotion—that we here highly resolve that the dead shall not have died in vain; that the nation shall, under God, have a new birth of freedom, and that the government of the people, by the people, and for the people, shall not perish from the earth.”

Neither birth, nor circumstance, nor power, can command the devotion of our people. Our revolutions in enlightened sentiment, have been the creation of all the varied agencies of our free government, and the judgments of the nation have passed into history as marvels of justice. We have wreathed our military and civil heroes with the

greenest laurels. In the strife of ambition, some have felt keenly what they deemed the ingratitude of the Republic; but in their disappointment, they could not understand that the highest homage of a free people is not measured by place or titled honors. Clay was none the less beloved, and Webster none the less revered, because their chief ambition was not realized. Scott was not less the “Great Captain of the Age,” because he was smitten in his efforts to attain the highest civil distinction. But a few months ago two men of humblest opportunities and opposite characteristics, were before us as rival candidates for our first office. One had been a great teacher, who through patient years of honest and earnest effort, had made his impress upon the civilization of every clime. He was the defender of the oppressed, and the unswerving advocate of equal rights for all mankind. Gradually his labors ripened, but the fruits were to be gathered through the flame of battle, and he was unskilled in the sword. Another had to come with his brave reapers into the valley of death. He was unknown to fame, and the nation trusted others who wore its stars. But he transformed despair into hope, and defeat into victory. He rose through tribulation and malice, by his invincible courage and matchless command, until the fruition of his rival’s teachings had been realized in their own, and their country’s grandest achievement. In the race for civil trust, partisan detraction swept mercilessly over both, and two men who had written the proudest records of their age, in their respective spheres of public duty, were assailed as incompetent and unworthy. Both taught peace. One dared more for hastened reconciliation, forgiveness and brotherhood. The other triumphed, and vindicated his rival and himself by calling the insurgent to share the honors of the

Republic. Soon after the strife was ended, they met at the gates of the "City of the Silent," and the victor, as chief of the nation, paid the nation's sincere homage to its untitled, but most beloved and lamented citizen. Had the victor been the vanquished, the lustre of his crown would have been undimmed in the judgment of our people or of history. Our rulers are but our agents, chosen in obedience to the convictions which govern the policy of the selection, and mere political success is no enduring constituent of greatness. The public servant, and the private citizen, will alike be honored or condemned, as they are faithful or unfaithful to their responsible duties.

When we search for the agencies of the great epochs in our national progress, we look not to the accidents of place. Unlike all other governments, ours is guided supremely by intelligent and educated public convictions, and those who are clothed with authority, are but the exponents of the popular will. Herein is the source of safety and advancement of our free institutions. On every hand, in the ranks of people, are the tireless teachers of our destiny. Away in the forefront of every struggle, are to be found the masters who brave passion and prejudice and interest, in the perfection of our nationality.

Our free press reaching into almost every hamlet of the land; our colleges now reared in every section; our schools with open doors to all; our churches teaching every faith, with the protection of the law; our citizens endowed with the sacred right of freedom of speech and action; our railroads spanning the continent, climbing our mountains, and stretching into our valleys; our telegraphs making every community the centre of the world's daily records—these are the agencies which are

omnipotent in the expression of our national purposes and duties. Thus directed and maintained, our free government has braved foreign and domestic war, and been purified and strengthened in the crucible of conflict. It has grown from a few feeble States east of the Ohio wilderness, to a vast continent of commonwealths, and forty millions of population. It has made freedom as universal as its authority within its vast possessions. The laws of inequality and caste are blotted from its statutes. It reaches the golden slopes of the Pacific with its beneficence, and makes beauty and plenty in the valleys of the mountains on the sunset side of the Father of Waters. From the cool lakes of the north, to the sunny gulfs of the South, and from the eastern seas to the waters that wash the lands of the Pagan, a homogeneous people obey one constitution, and are devoted to one country. Nor have its agencies and influences been limited to our own boundaries. The whole accessible world has felt its power, and paid tribute to its excellence. Europe has been convulsed from centre to circumference by the resistless throbbings of oppressed peoples for the liberty they cannot know and could not maintain. The proud Briton has imitated his wayward but resolute child, and now rules his own throne. France has sung the *Marseillaise*, her anthem of freedom, and waded through blood in ill-directed struggles for her disenthralment. The scattered tribes of the Fatherland now worship at the altar of German unity, with a liberalized Empire. The sad song of the serf is no longer heard from the children of the Czar. Italy, dismembered and tempest tossed through centuries, again ordains her laws in the Eternal City, under a monarch of her choice. The throne of Ferdinand and Isabella has now no kingly ruler, and

the inspiration of freedom has unsettled the title of despotism to the Spanish sceptre. The trained lightning flashes the lessons of our civilization to the home of the Pyramids; the land of the Heathen has our teachers in its desolate places, and the God of Day sets not upon the boundless triumphs of our government of the people.

Robert G. Ingersoll, of Illinois,

In the National Republican Convention at Cincinnati, June, 1876, in nominating James G. Blaine for the Presidency.

"Massachusetts may be satisfied with the loyalty of Benjamin H. Bristow; so am I; but if any man nominated by this convention cannot carry the State of Massachusetts, I am not satisfied with the loyalty of that State. If the nominee of this convention cannot carry the grand old Commonwealth of Massachusetts by seventy-five thousand majority, I would advise them to sell out Faneuil Hall as a Democratic headquarters. I would advise them to take from Bunker Hill that old monument of glory.

"The Republicans of the United States demand as their leader in the great contest of 1876 a man of intelligence, a man of integrity, a man of well-known and approved political opinions. They demand a reformer after as well as before the election. They demand a politician in the highest, broadest and best sense—a man of superb moral courage. They demand a man acquainted with public affairs, with the wants of the people; with not only the requirements of the hour, but with the demands of the future. They demand a man broad enough to comprehend the relations of this government to the other nations of the earth. They demand a man well versed in the powers, duties, and prerogatives of each and every department of this Government. They demand a man who will sacredly preserve the financial honor of the United States; one who knows enough to know that the national debt must be paid through the prosperity of this people; one who knows enough to know that all the financial theories in the world cannot redeem a single dollar; one who knows

enough to know that all the money must be made, not by law, but by labor; one who knows enough to know that the people of the United States have the industry to make the money and the honor to pay it over just as fast as they make it.

"The Republicans of the United States demand a man who knows that prosperity and resumption, when they come must come together; that when they come, they will come hand in hand through the golden harvest fields; hand in hand by the whirling spindles and the turning wheels; hand in hand past the open furnace doors; hand in hand by the flaming forges; hand in hand by the chimneys filled with eager fire—greeted and grasped by the countless sons of toil.

"This money has to be dug out of the earth. You cannot make it by passing resolutions in a political convention.

"The Republicans of the United States want a man who knows that this Government should protect every citizen, at home and abroad; who knows that any government that will not defend its defenders, and protect its protectors, is a disgrace to the map of the world. They demand a man who believes in the eternal separation and divorcement of Church and School. They demand a man whose political reputation is spotless as a star; but they do not demand that their candidate shall have a certificate of moral character signed by a Confederate Congress. The man who has, in full, heaped and rounded measure, all these splendid qualifications, is the present grand and gallant leader of the Republican party—James G. Blaine.

"Our country, crowned with the vast and marvelous achievements of its first century, asks for

a man worthy of the past and prophetic of her future; asks for a man who has the audacity of genius; asks for a man who is the grandest combination of heart, conscience and brain beneath her flag. Such a man is James G. Blaine.

"For the Republican host, led by this intrepid man, there can be no defeat.

"This is a grand year—a year filled with the recollections of the Revolution; filled with proud and tender memories of the past; with the sacred legends of liberty; a year in which the sons of freedom will drink from the fountains of enthusiasm; a year in which the people call for a man who has preserved in Congress what our soldiers won upon the field; a year in which they call for the man who has torn from the throat of treason the tongue of slander; for the man who has snatched the mask of Democracy from the hideous face of rebellion; for the man who, like an intellectual athlete, has stood in the arena of debate and challenged all comers, and who is still a total stranger to defeat.

"Like an armed warrior, like a plumed knight, James G. Blaine marched down the halls of the American Congress, and threw his shining lance full and fair against the brazen foreheads of the defamers of his country and the maligners of his honor.

"For the Republican party to desert this gallant leader now, is as though an army should desert their general upon the field of battle.

"James G. Blaine is now and has been for years the bearer of the sacred standard of the Republican party. I call it sacred, because no human being can stand beneath its folds without becoming and without remaining free.

"Gentlemen of the convention, in the name of the

great Republic, the only Republic that ever existed upon this earth; in the name of all her defenders and of all her supporters; in the name of all her soldiers living; in the name of all her soldiers dead upon the field of battle, and in the name of those who perished in the skeleton clutch of famine at Andersonville and Libby, whose sufferings he so vividly remembers, Illinois—Illinois nominates for the next President of this country, that prince of parliamentarians—that leader of leaders—James G. Blaine."

Roscoe Conkling, of New York,

In the National Republican Convention at Chicago, June, 1880, nominating Ulysses S. Grant for the Presidency.

"And when asked what State he hails from,
Our sole reply shall be,
He hails from Appomattox
And the famous Apple tree."

Obeying instructions I should never dare to disregard, I rise in behalf of the State of New York to propose a nomination with which the country and the Republican party can grandly win. The election before us will be the Austerlitz of American politics. It will decide whether for years to come the country will be 'Republican or Cossack.' The need of the hour is a candidate who can carry doubtful States, North and South; and believing that he more surely than any other can carry New York against any opponent, and carry not only the North, but several States of

the South, New York is for Ulysses S. Grant. He alone of living Republicans has carried New York as a Presidential candidate. Once he carried it even according to a Democratic count, and twice he carried it by the people's vote, and he is stronger now. The Republican party with its standard in his hand, is stronger now than in 1868 or 1872. Never defeated in war or in peace, his name is the most illustrious borne by any living man; his services attest his greatness, and the country knows them by heart. His fame was born not alone of things written and said, but of the arduous greatness of things done, and dangers and emergencies will search in vain in the future, as they have searched in vain in the past, for any other on whom the nation leans with such confidence and trust. Standing on the highest eminence of human distinction, and having filled all lands with his renown, modest, firm, simple and self-poised, he has seen not only the titled but the poor and the lowly in the utmost ends of the world rise and uncover before him. He has studied the needs and defects of many systems of government, and he comes back a better American than ever, with a wealth of knowledge and experience added to the hard common sense which so conspicuously distinguished him in all the fierce light that beat upon him throughout the most eventful, trying and perilous sixteen years of the nation's history.

"Never having had 'a policy to enforce against the will of the people,' he never betrayed a cause or a friend, and the people will never betray or desert him. Vilified and reviled, truthlessly aspersed by numberless presses, not in other lands, but in his own, the assaults upon him have strengthened and seasoned his hold upon the public heart. The ammunition of calumny has all been exploded; the

powder has all been burned once, its force is spent, and General Grant's name will glitter as a bright and imperishable star in the diadem of the Republic when those who have tried to tarnish it will have mouldered in forgotten graves and their memories and epitaphs have vanished utterly.

"Never elated by success, never depressed by adversity, he has ever in peace, as in war, shown the very genius of common sense. The terms he prescribed for Lee's surrender foreshadowed the wisest principles and prophecies of true reconstruction.

"Victor in the greatest of modern wars, he quickly signalized his aversion to war and his love of peace by an arbitration of international disputes which stands as the wisest and most majestic example of its kind in the world's diplomacy. When inflation, at the height of its popularity and frenzy, had swept both houses of Congress, it was the veto of Grant which, single and alone, overthrew expansion and cleared the way for specie resumption. To him, immeasurably more than to any other man, is due the fact that every paper dollar is as good as gold. With him as our leader we shall have no defensive campaign, no apologies or explanations to make. The shafts and arrows have all been aimed at him and lie broken and harmless at his feet. Life, liberty and property will find safeguard in him. When he said of the black man in Florida, 'Wherever I am they may come also,' he meant that, had he the power to help it, the poor dwellers in the cabins of the South should not be driven in terror from the homes of their childhood and the graves of their murdered dead. When he refused to receive Denis Kearney he meant that lawlessness and communism, although it should dictate laws to a whole city, would

everywhere meet a foe in him, and, popular or unpopular, he will hew to the line of right, let the chips fly where they may.

"His integrity, his common sense, his courage and his unequaled experience are the qualities offered to his country. The only argument against accepting them would amaze Solomon. He thought there could be nothing new under the sun. Having tried Grant twice and found him faithful, we are told we must not, even after an interval of years, trust him again. What stultification does not such a fallacy involve! The American people exclude Jefferson Davis from public trust. Why? Because he was the arch traitor and would be a destroyer. And now the same people are asked to ostracize Grant and not trust him. Why? Because he was the arch preserver of his country; because, not only in war, but afterward, twice as a civic magistrate, he gave his highest, noblest efforts to the Republic. Is such absurdity an electioneering jugglery or hypocrisy's masquerade?

"There is no field of human activity, responsibility or reason in which rational beings object to Grant because he has been weighed in the balance and not found wanting, and because he has had unequaled experience, making him exceptionally competent and fit. From the man who shoes your horse to the lawyer who pleads your case, the officers who manage your railway, the doctor into whose hands you give your life, or the minister who seeks to save your souls, what now do you reject because you have tried him and by his works have known him? What makes the Presidential office an exception to all things else in the common sense to be applied to selecting its incumbent? Who dares to put fetters on the free choice and judgment which is the birthright of the American people? Can it be said that Grant

has used official power to perpetuate his plan? He has no place. No official power has been used for him. Without patronage or power, without telegraph wires running from his house to the convention, without electioneering contrivances, without effort on his part, his name is on his country's lips, and he is struck at by the whole Democratic party because his nomination will be the death-blow to Democratic success. He is struck at by others who find offense and disqualification in the very service he has rendered and in the very experience he has gained. Show me a better man. Name one and I am answered. But do not point, as a disqualification, to the very facts which make this man fit beyond all others. Let not experience disqualify or excellence impeach him. There is no third term in the case, and the pretense will die with the political dog-days which engendered it. Nobody is really worried about a third term except those hopelessly longing for a first term and the dupes they have made. Without bureaus, committees, officials or emissaries to manufacture sentiment in his favor, without intrigue or effort on his part, Grant is the candidate whose supporters have never threatened to bolt. As they say, he is a Republican who never wavers. He and his friends stood by the creed and the candidates of the Republican party, holding the right of a majority as the very essence of their faith, and meaning to uphold that faith against the common enemy and the charlatans and guerrillas who from time to time deploy between the lines and forage on one side or the other.

"The Democratic party is a standing protest against progress. Its purposes are spoils. Its hope and very existence is a solid South. Its success is a menace to prosperity and order.

"This convention is master of a supreme opportunity, can name the next President of the United States and make sure of his election and his peaceful inauguration. It can break the power which dominates and mildews the South. It can speed the nation in a career of grandeur eclipsing all past achievements. We have only to listen above the din and look beyond the dust of an hour to behold the Republican party advancing to victory, with its greatest marshal at its head."

James A. Garfield, of Ohio,

In the National Republican Convention at Chicago, June, 1880, nominating John Sherman for the Presidency.

"I have witnessed the extraordinary scenes of this convention with deep solicitude. No emotion touches my heart more quickly than a sentiment in honor of a great and noble character. But as I sat on these seats and witnessed these demonstrations, it seemed to me you were a human ocean in a tempest. I have seen the sea lashed into a fury and tossed into a spray, and its grandeur moves the soul of the dullest man. But I remember that it is not the billows, but the calm level of the sea from which all heights and depths are measured. When the storm has passed and the hour of calm settles on the ocean, when sunlight bathes its smooth surface, then the astronomer and surveyor takes the level from which he measures all terrestrial heights and depths. Gentlemen of the convention, your present temper may not mark the healthful pulse of our people. When our enthusiasm

has passed, when the emotions of this hour have subsided, we shall find the calm level of public opinion below the storm from which the thoughts of a mighty people are to be measured, and by which their final action will be determined. Not here, in this brilliant circle where fifteen thousand men and women are assembled, is the destiny of the Republic to be decreed; not here, where I see the enthusiastic faces of seven hundred and fifty-six delegates waiting to cast their votes into the urn and determine the choice of their party; but by four million Republican firesides, where the thoughtful fathers, with wives and children about them, with the calm thoughts inspired by love of home and love of country, with the history of the past, the hopes of the future, and the knowledge of the great men who have adorned and blessed our nation in days gone by—there God prepares the verdict that shall determine the wisdom of our work to-night. Not in Chicago in the heat of June, but in the sober quiet that comes between now and the melancholy days of November, in the silence of deliberate judgment will this great question be settled. Let us aid them to-night.

"But now, gentlemen of the convention, what do we want? Bear with me a moment. Hear me for this cause, and for a moment be silent, that you may hear. Twenty-five years ago this Republic was wearing a triple chain of bondage. Long familiarity with traffic in the bodies and souls of men had paralyzed the conscience of a majority of our people. The baleful doctrine of State Sovereignty had shocked and weakened the noblest and most beneficent powers of the National Government, and the grasping power of slavery was seizing the virgin territory of the West and dragging them into the den of eternal bondage. At that crisis the Republican

party was born. It drew its first inspiration from that fire of liberty which God has lighted in every man's heart, and which all the powers of ignorance and tyranny can never wholly extinguish. The Republican party came to deliver and save the Republic. It entered the arena when the beleaguered and assailed territories were struggling for freedom, and drew around them the sacred circle of liberty which the demon of slavery has never dared to cross. It made them free forever. Strengthened by its victory on the frontier, the young party, under the leadership of that great man who, on this spot, twenty years ago, was made its leader, entered the national capital and assumed the high duties of the Government. The light which shone from its banner dispelled the darkness in which slavery had enshrouded the capital, and melted the shackles of every slave, and consumed, in the fire of liberty, every slave-pen within the shadow of the Capitol. Our national industries, by an impoverishing policy, were themselves prostrated, and the streams of revenue flowed in such feeble currents that the Treasury itself was well nigh empty. The money of the people was the wretched notes of two thousand uncontrolled and irresponsible State banking corporations, which was filling the country with a circulation that poisoned rather than sustained the life of business. The Republican party changed all this. It abolished the babel of confusion, and gave the country a currency as national as its flag, based upon the sacred faith of the people. It threw its protecting arm around our great industries, and they stood erect as with new life. It filled with the spirit of true nationality all the great functions of the Government. It confronted a rebellion of unexampled magnitude, with slavery behind it, and, under God, fought the final battle of

liberty until victory was won. Then, after the storms of battle, were heard the sweet, calm words of peace uttered by the conquering nation, and saying to the conquered foe that lay prostrate at its feet: 'This is our only revenge, that you join us in lifting to the serene firmament of the Constitution, to shine like stars for ever and ever, the immortal principles of truth and justice, that all men, white or black, shall be free and stand equal before the law.'

"Then came the question of reconstruction, the public debt, and the public faith. In the settlement of the questions the Republican party has completed its twenty-five years of glorious existence, and it has sent us here to prepare it for another lustrum of duty and of victory. How shall we do this great work? We cannot do it, my friends, by assailing our Republican brethren. God forbid that I should say one word to cast a shadow upon any name on the roll of our heroes. This coming fight is our Thermopylæ. We are standing upon a narrow isthmus. If our Spartan hosts are united, we can withstand all the Persians that the Xerxes of Democracy can bring against us. Let us hold our ground this one year, for the stars in their courses fight for us in the future. The census taken this year will bring reinforcements and continued power. But in order to win this victory now, we want the vote of every Republican, of every Grant Republican and every anti-Grant Republican in America, of every Blaine man and every anti-Blaine man. The vote of every follower of every candidate is needed to make our success certain; therefore I say, gentlemen and brethren, we are here to take calm counsel together, and inquire what we shall do. We want a man whose life and opinions embody all the achievements of which I have spoken. We want a man who, standing on a mountain height, sees all the

achievements of our past history, and carries in his heart the memory of all its glorious deeds, and who, looking forward, prepares to meet the labor and the dangers to come. We want one who will act in no spirit of unkindness toward those we lately met in battle. The Republican party offers to our brethren of the South the olive branch of peace, and wishes them to return to brotherhood, on this supreme condition, that it shall be admitted forever and forevermore, that, in the war for the Union, we were right and they were wrong. On that supreme condition we meet them as brethren, and on no other. We ask them to share with us the blessings and honors of this great Republic.

"Now, gentlemen, not to weary you, I am about to present a name for your consideration—the name of a man who was the comrade and associate and friend of nearly all those noble dead whose faces look down upon us from these walls to-night; a man who began his career of public service twenty-five years ago, whose first duty was courageously done in the days of peril on the plains of Kansas, when the first red drops of that bloody shower began to fall which finally swelled into the deluge of war. He bravely stood by young Kansas then, and, returning to his duty in the National Legislature, through all subsequent time, his pathway has been marked by labors performed in every department of legislation. You ask for his monuments. I point you to twenty-five years of national statutes. Not one great beneficent statute has been placed in our statute books without his intelligent and powerful aid. He aided these men to formulate the laws that raised our great armies and carried us through the war. His hand was seen in the workmanship of those statutes that restored and brought back the unity and married

calm of the States. His hand was in all that great legislation that created the war currency, and in a still greater work that redeemed the promises of the Government, and made the currency equal to gold. And when at last called from the halls of legislation into a high executive office he displayed that experience, intelligence, firmness and poise of character which has carried us through a stormy period of three years. With one-half the public press crying 'crucify him,' and a hostile Congress seeking to prevent success, in all this he remained unmoved until victory crowned him. The great fiscal affairs of the nation, and the great business interests of the country, he has guarded and preserved, while executing the law of resumption and effecting its object without a jar and against the false prophecies of one-half of the press and all the Democracy of this continent. He has shown himself able to meet with calmness the great emergencies of the Government for twenty-five years. He has trodden the perilous heights of public duty, and against all the shafts of malice has borne his breast unharmed. He has stood in the blaze of 'that fierce light that beats against the throne,' but its fiercest ray has found no flaw in his armor, no stain on his shield. I do not present him as a better Republican or as a better man than thousands of others we honor, but I present him for your deliberate consideration. I nominate John Sherman, of Ohio."

Daniel Dougherty, of Pennsylvania,

In the Democratic National Convention at Cincinnati, June 1880, nominating Winfield Scott Hancock for the Presidency.

"I propose to present to the thoughtful consideration of the convention the name of one who, on the field of battle, was styled 'The Superb,' yet won the still nobler renown as a military governor whose first act when in command of Louisiana and Texas was to salute the Constitution by proclaiming that the military rule shall ever be subservient to the civil power. The plighted word of a soldier was proved by the acts of a statesman. I nominate one whose name will suppress all factions, will be alike acceptable to the North and to the South—a name that will thrill the Republic, a name, if nominated, of a man that will crush the last embers of sectional strife, and whose name will be hailed as the dawning of the day of perpetual brotherhood. With him we can fling away our shields and wage an aggressive war. We can appeal to the supreme tribunal of the American people against the corruption of the Republican party and their untold violations of constitutional liberty. With him as our chieftain the bloody banner of the Republicans will fall from their palsied grasp. Oh, my countrymen, in this supreme moment the destinies of the Republic are at stake, and the liberties of the people are imperiled. The people hang breathless on your deliberation. Take heed! Make no mis-step! I nominate one who can carry every Southern State, and who can carry Pennsylvania, Indiana, Connecticut, New Jersey and New York—the soldier-statesman, with a record as stainless as his sword—Winfield Scott Hancock, of Pennsylvania. If elected, he will take his seat."

George Gray, of Delaware,

In the Democratic National Convention at Cincinnati, June, 1880, nominating Thomas F. Bayard for the Presidency.

"I am instructed by the Delaware delegation to make in their behalf a nomination for the Presidency of the United States. Small in territory and population, Delaware is proud of her history and of her position in the sisterhood of States. Always devoted to the principles of that great party which maintains the equality and rights of the States, as well as of the individual citizen, she is here to-day in grand council to do all that in her lies for the advancement of our common cause. Who will best lead the Democratic hosts in the impending struggle for the restoration of honest government and the constitutional rights of the States and of their people, is the important question that we must decide. Delaware is not blinded by her affections when she presents to this convention, as a candidate for this great trust, the name of her gallant son, Thomas Francis Bayard. He is no carpet knight rashly put forth to flash a maiden sword in this great contest. He is a veteran covered with the scars of many hard-fought battles, when the principles of constitutional liberty have been at stake in an arena where the giants of radicalism were his foes, and his bruised arms, not 'hung up,' but still burnished brightly, are monuments of his prowess. Thomas F. Bayard is a statesman who will need no introduction to the American people. His name and his record are known wherever our flag floats—aye, wherever the English tongue is spoken. His is no sectional fame. With sympathies as broad as the continent, a private

character as spotless as the snow from heaven, a judgment as clear as the sunlight, an intellect keen and bright as a flashing sabre, a courage that none dare question, honest in thought and deed, the people all know him by heart, and, as I said before, they need not be told who and what he is. But you, gentlemen of the convention, who must keep in view the success so important to be achieved in November, pray consider the elements of his strength. Who more than he will as a candidate appeal to the best traditions of our party and our country? In whom more than he will the business interests of the country, now re-awakening to new life and hope, confide for that economy and repose which shall send capital and labor forth like twin brothers hand in hand to the great work of building up the country's prosperity and advancing its civilization? Who better than he will represent the heart and intellect of our great party, or give expression to its noblest inspirations? Who will draw so largely upon the honest and reflecting independent voters as he, whose very name is a synonym for honest and fearless opposition to corruption every where and in every form, and who has dared to follow in what he thought the path of duty with a chivalrous devotion that never counted personal gains or losses? Who has contributed more than Thomas Francis Bayard to the commanding strength that the Democratic party possesses to-day? Blot out him and his influence, and who would not feel and mourn his loss? Pardon Delaware if she says too much; she speaks in no disparagement of the distinguished Democrats whose names sparkle like stars in the political firmament. She honors them all. But she knows her son, and her heart will speak. Nominate him and success is assured. His very name

will be a platform. It will fire every Democratic heart with a new zeal and put a sword in the hand of every honest man with which to drive from place and power the reckless men who have for four years held both against the expressed will of the American people. Don't tell us that you admire and love him, but that he is unavailable. Tell the country that the sneer of our Republican enemies is a lie, and that such a man as Thomas F. Bayard is not too good a man to receive the nomination of the Democratic party. Take the whole people into your confidence, and tell them that an honest and patriotic party is to be led by as honest and pure a man as God ever made; that a brave party is to be led by a brave man whose courage will never falter, be the danger or emergency what it may. Tell them that our party has the courage of its convictions, and that statesmanship, ability and honesty are to be realized once more in the government of these United States, and the nomination of Thomas F. Bayard will fall like a benediction on the land, and will be the presage of a victory that will sweep like a whirlwind from the lakes to the Gulf and from ocean to ocean."

Frye Nominating Blaine.

In the Chicago Convention, 1880.

"I once saw a storm at sea in the nighttime; an old ship battling for its life with the fury of the tempest; darkness everywhere; the winds raging and howling; the huge waves beating on the sides of the ship, and making her shiver from stem to stern. The lightning

was flashing, the thunders rolling; there was danger everywhere. I saw at the helm, a bold, courageous, immovable, commanding man. In the tempest, calm; in the commotion, quiet; in the danger, hopeful. I saw him take that old ship and bring her into her harbor, into still waters, into safety. That man was a hero. [Applause.] I saw the good old ship of State, the State of Maine, within the last year, fighting her way through the same waves, against the dangers. She was freighted with all that is precious in the principles of our republic; with the rights of the American citizenship, with all that is guaranteed to the American citizen by our Constitution. The eyes of the whole nation were on her, and intense anxiety filled every American heart lest the grand old ship, the "State of Maine," might go down beneath the waves forever, carrying her precious freight with her. But there was a man at the helm, calm, deliberate, commanding, sagacious; he made even the foolish man wise; courageous, he inspired the timid with courage; hopeful, he gave heart to the dismayed, and he brought that good old ship safely into harbor, into safety; and she floats to-day greater, purer, stronger for her baptism of danger. That man too, was heroic, and his name was James G. Blaine. [Loud cheers.]

"Maine sent us to this magnificent Convention with a memory of her own salvation from impending peril fresh upon her. To you representatives of 50,000,000 of the American people, who have met here to counsel how the Republic can be saved, she says, "Representatives of the people, take the man, the true man, the staunch man, for your leader, who has just saved me, and he will bring you to safety and certain victory.""

Senator Hill's Denunciation of Senator Mahone.

In Extra Session of the Senate, March 14, 1881.

Very well; the records of the country must settle that with the Senator. The Senator will say who was elected as a republican from any of the States to which I allude. I say what the whole world knows, that there are thirty-eight men on this floor elected as democrats, declaring themselves to be democrats, who supported Hancock, and who have supported the democratic ticket in every election that has occurred, and who were elected, moreover, by democratic Legislatures, elected by Legislatures which were largely democratic; and the Senator from New York will not deny it. One other Senator who was elected, not as a democrat, but as an independent, has announced his purpose to vote with us on this question. That makes thirty-nine, unless some man of the thirty-eight who was elected by a democratic Legislature proves false to his trust. Now, the Senator from New York does not say that somebody has been bought. No; I have not said that. He does not say somebody has been taken and carried away. No; I have not said that. But the Senator has said, and here is his language, and I hope he will not find it necessary to correct it:

It may be said, very likely I shall be found to say despite some criticism that I may make upon so saying in advance, that notwithstanding the words "during the present session," day after to-morrow or the day after that, if the majority then present in the Chamber changes, that majority may overthrow all this proceeding, obliterate it, and set up an organization of the Senate in conformity with and

not in contradiction of the edict of the election.

The presidential election he was referring to—

If an apology is needed for the objection which I feel to that, it will be found I think in the circumstance that a majority, a constitutional majority of the Senate, is against that resolution, is against the formation of committees democratic in inspiration and persuasion, to which are to go for this session all executive matters.

The Senator has announced to-day that the majority on this side of the Chamber was only temporary. He has announced over and over that it was to be a temporary majority. I meet him on the fact. I say there are thirty-eight members sitting in this Hall to-day who were elected by democratic Legislatures, and as democrats, and one distinguished Senator who was not elected as a democrat, but by democratic votes, the distinguished Senator from Illinois, [Mr. DAVIS,] has announced his purpose to vote with these thirty-eight democrats. Where, then, have I misrepresented? If that be true, and if those who were elected as democrats are not faithless to the constituency that elected them, you will not have the majority when the Senate is full.

Again, so far from charging the Senator from New York with being a personal party to this arrangement, I acquitted him boldly and fearlessly, for I undertake to say what I stated before, and I repeat it, to his credit, he is no party to an arrangement by which any man chosen by a democratic Legislature and as a democrat is not going to vote for the party that sent him here. Sir, I know too well what frowns would gather with lightning fierceness upon the brow of the Senator from New York if I were to intimate or any other

man were to intimate that he, elected as a republican, because he happened to have a controlling vote was going to vote with the democrats on the organization. What would be insulting to him he cannot, he will not respect in another.

Now, sir, I say the Senator has been unjust in the conclusion which he has drawn, because it necessarily makes somebody who was chosen as a democrat ally himself with the republicans, not on great questions of policy, but on a question of organization, on a question of mere political organization. I assume that that has not been done. No man can charge that I have come forward and assumed that his fidelity was in question. I have assumed that the Senator from New York was wrong in his statement. Why? Because if any gentleman who was chosen to this body as a democrat has concluded not to vote with the democrats on the organization, he has not given us notice, and I take it for granted that when a gentleman changes his opinions, as every Senator has a right to change his opinions, his first duty is to give notice of that change to those with whom he has been associated. He has not given that notice; no democrat of the thirty-eight has given that notice to this side of the House. I therefore assume that no such change has occurred.

But there is another obligation. While I concede the right of any gentleman to change his opinions and change his party affiliations, yet I say that when he has arrived at the conclusion that duty requires him to make that change he must give notice to the constituency that sent him here. I have heard of no such notice. If the people of any of these democratic States, who through democratic Legislatures have

sent thirty-eight democrats to this body and one more by democratic votes, have received notice of a change of party opinion or a change of party affiliations by any of those they sent here, I have not heard of it; the evidence of it has not been produced.

Sir, I concede the right of every man to change his opinions; I concede the right of every man to change his party affiliations; I concede the right of any man who was elected to the high place of a seat in this Senate as a democrat to change and become a republican; but I deny in the presence of this Senate, I deny in the hearing of this people, that any man has a right to accept a commission from one party and execute the trust confided to him in the interest of another party. Demoralized as this country has become, though every wind bears to us charges of fraud and bargain and corruption; though the highest positions in the land, we fear, have been degraded by being occupied by persons who procured them otherwise than by the popular will, yet I deny that the people of either party in this country have yet given any man a right to be faithless to a trust. They have given no man a right to accept a commission as a democrat and hold that commission and act with the republicans. Manhood, bravery, courage, fidelity, morality, respect for the opinions of mankind requires that whenever a man has arrived at the conclusion that he cannot carry out the trust which was confided to him, he should return the commission and tell his constituents, “I have changed my mind and therefore return you the commission you gave me.” Sir, I do not believe that a single one of the thirty-eight gentlemen who were elected as democrats and whose names are before me here, will hold in his pocket a commission conferred by democrats, conferred on him as a democrat, and

without giving notice to his constituency, without giving notice to his associates, will execute that commission in the interest of the adversary party and go and communicate his conclusion, first of all, and only, to the members of the adversary party.

Sir, who is it that has changed? Whom of these thirty-eight does the Senator rely upon to vote with the republicans? That one has not notified us; he has not notified his constituency. Therefore I say it is not true, and I cannot sit here quietly and allow a gentleman on the other side of the Chamber, however distinguished, to get up here and assume and asseverate over and over that somebody elected as a democrat is faithless to his trust, and not repel it. No, gentlemen, you are deceived; you will be disappointed. I vindicate the character of American citizenship, I vindicate the honor of human nature when I say you will be disappointed, and no man elected as a democrat is going to help you organize the committees of this Senate. I do not say so because I know. No, I have no personal information, but I will stand here and affirm that no man who has been deemed by any constituency in this country to be worthy of a place in this body will be guilty of that treachery. And how is the Senator's majority to come? How many are there? He has not told us. The papers said this morning that there were two or three, and they named my good friend from Tennessee, [Mr. HARRIS.] When I saw that I knew the whole thing was absurd. The idea that anybody in this world would ever believe that my friend from Tennessee could possibly be guilty of such a thing, and my colleague [Mr. BROWN] also was named—gentlemen who were born and reared in the school of fidelity to their party. How many? Have you one? If you have but one that was elected as a democrat

and who has concluded to go with the republicans, then you have only half, you have 38 to 38, and I suppose you count upon the vote of the Vice-President. Has that been arranged? Sir, I will not blame you if you vote for voting according to the sentiment that elected you, for voting according to the professions of your principles which you avowed when you were elected. I deny myself the right of the Vice-President to take part in the constitution and organization of this Senate; but I shall not make the question. If you have got one, the vote will be 38 to 38. Who is the one? Who is ambitious to do what no man in the history of this country has ever done, to be the first man to stand up in this high presence, after this country has reached fifty million people, and proclaim from this proud eminence that he disgraces the commission he holds. [Applause in the galleries.]

The VICE-PRESIDENT rapped to order.

Mr. HILL, of Georgia. Who is it? Who can he be? Do you receive him with affection? Do you receive him with respect? Is such a man worthy of your association? Such a man is not worthy to be a democrat. Is he worthy to be a republican? If my friend from Illinois, my friend from Kansas, or my friend from New York, were to come to me holding a republican commission in his pocket, sent here by a republican Legislature, and whisper to me "I will vote with the democrats on organization," I would tell him that if he so came he would be expelled with ignominy from the ranks of the party.

And why do you beg us to wait? If all who were elected as democrats are to remain democrats, what good will waiting do you? You will still be in a minority of two, the same minority you are in this morning.

Mr. President, I affirm that no man elected and sent here by a democratic Legislature as a democrat, whatever may have been local issues, whatever may have been the divisions of factions, and above all no man who professed to be a democrat when he was elected and who procured his election by professing to be a democrat, in the name of democracy and republicanism as well, in the name of American nature, I charge that no such man will prove false to his trust; and therefore why wait? Why delay the business of the country? Why should the nominations lie on the table unacted on? Why should we spend days and days here with the parties on the other side filibustering for time to get delay, to get a few days? Why should we do that when upon the assumption that the Senate is not to blush at an exhibition of treachery the result will be the same one week, two weeks, six months, two years from now that it is now?

Sir, I know that there is a great deal in this question. The American people have had much to humiliate them; all peoples have much to humiliate them. I know that the patronage of this Government has become very great. I know that the distinguished gentleman who presides at the other end of the Avenue holds in his hand millions and hundreds of millions of patronage. To our shame be it said it has been whispered a hundred times all through the country by the presses of both parties until it has become absolutely familiar to American ears that the patronage of the Federal Government has been used to buy votes and control elections to keep one party in power. It is a question that confronts every honest statesman whether something shall not be done to lessen that patronage. I respond to the sentiment of the President in his inaugural when I say there ought

to be a rule in even the civil service by which this patronage shall be placed where it cannot be used for such purposes. If it is not done, I do not know what humiliations are in store for us all.

But, Mr. President, here are facts that no man can escape. Gentlemen of the republican party of this Senate, you cannot organize the Senate unless you can get the vote of some man who was elected as a democrat. You cannot escape that. Have you gotten it? If so, how? If you have, nobody knows it but yourselves. How? There is no effect without a cause; there is no change without a purpose; there is no bargain without a consideration. What is the cause? If there has been a change, why a change? How does it happen that you know the change and we do not? What induced the change? I deny that there has been a change. I maintain that all the distinguished gentlemen who make up the thirty-eight democrats on this side of the Chamber are firm, firm to the principles that sent them here, firm to the professions that sent them here, and firm to the constituencies that sent them here. They were elected as democrats. Now on the question of organization, which is nothing in the world but a pure political question and a party question at that, they will act with the democratic party, and you, gentlemen, will be deceived if you calculate otherwise. Therefore, there is no necessity for you to enter into all this filibustering and producing this delay for the purpose of getting the organization.

Mr. President, as I said before, the Senate should be a place where there should be no masquerading; men should deal frankly with each other. If I were to charge any gentleman on the republican side of the Chamber who was elected as a republican, who professed to be a republican when he was elected,

with having made arrangements with the democrats to vote with them, I should insult him and he would resent it as an insult, and gentlemen excuse me for repelling the charge which if made against you, you would repel as an insult. I repel as an insult the charge made against any democrat that he would be false to his colors and is intending to vote with you on the organization.

Mr. HARRIS. Mr. President, I rise only to say that I regret that the honorable Senator from Georgia should have deemed it proper to dignify the miserable newspaper twaddle in respect to my political position——

Mr. HILL, of Georgia. I will say to my friend I did not intend——

Mr. HARRIS. I am quite sure the Senator did not intend anything unkind to me; yet, by mentioning the matter here, he gives a dignity to it that it never could have had otherwise, and one that it is not worthy of, especially in view of the fact, as I very well know, that there is not a democrat or a republican in America, who knows me, who has ever doubted, or doubts to-day, what my political position is. It is unworthy of further notice, and I will notice it no more.

Mr. MAHONE. Mr. President, I do not propose to detain you and the Senate more than a few minutes. The distinguished Senator from Georgia has manifestly engaged in an effort to disclose my position on this floor.

Mr. HILL, of Georgia. I do not know what your position is. How could I disclose it?

Mr. MAHONE. Sir, the Senator might be a little more direct as he might well have been in the course of his remarks in asking my position; and that I will

give him.

Now, Mr. President, the Senator has assumed not only to be the custodian here of the democratic party of this nation, but he has dared to assert his right to speak for a constituency that I have the privilege, the proud and honorable privilege on this floor, of representing [applause in the galleries] without his assent, without the assent of such democracy as that he speaks for. [Applause in the galleries.] I owe them, sir, I owe you [addressing Mr. HILL] and those for whom you undertake to speak nothing in this Chamber. [Applause in the galleries.] I came here, sir, as a Virginian to represent my people, not to represent that democracy for which you stand. [Applause in the galleries.] I come with as proud a claim to represent that people as you to represent the people of Georgia, won on fields where I have vied with Georgians whom I commanded and others in the cause of my people and of their section in the late unhappy contest; but thank God for the peace and the good of the country that contest is over, and as one of those who engaged in it, and who has neither here nor elsewhere any apology to make for the part taken, I am here by my humble efforts to bring peace to this whole country, peace and good will between the sections, not here as a partisan, not here to represent that Bourbonism which has done so much injury to my section of the country. [Applause in the galleries.]

Now, sir, the gentleman undertakes to say what constitutes a democrat. A democrat! I hold, sir, that to-day I am a better democrat than he, infinitely better—he who stands nominally committed to a full vote, a free ballot, and an honest count. I should like to know how he stands for these things where tissue ballots are fashionable. [Laughter, and applause in

the galleries.]

Now, sir, I serve notice on you that I intend to be here the custodian of my own democracy. I do not intend to be run by your caucus. I am in every sense a free man here. I trust I am able to protect my own rights and to defend those of the people whom I represent, and certainly to take care of my own. I do not intend that any Senator on this floor shall undertake to criticise my conduct by innuendoes, a method not becoming this body or a straightforward legitimate line of pursuit in argument.

I wish the Senator from Georgia to understand just here that we may get along in the future harmoniously, that the way to deal with me is to deal directly. We want no bills of discovery. Now, sir, you will find out how I am going to vote in a little while. [Applause.]

Mr. DAVIS, of West Virginia. Mr. President, during this temporary suspension——

Mr. MAHONE. I have not yielded the floor. I am waiting for a little order.

Mr. DAVIS, of West Virginia. I wish to call the attention of the Chair to the disorder in the Senate both when my friend from Georgia was speaking and now. I believe it has been some time since we have had as much disorder as we have had to-day in the galleries. I hope the Chair will enforce order.

Mr. TELLER. I should like to say that much of the disorder originated in the first place from the cheering on the democratic side of the Chamber.

The VICE-PRESIDENT. The Chair announces that order must be maintained in the galleries; otherwise the Sergeant-at-Arms will be directed to clear the galleries.

Mr. MAHONE. I promised not to detain the Senate,

and I regret that so early after my appearance here I should find it necessary to intrude any remarks whatsoever upon the attention of this body. I would prefer to be a little modest; I would prefer to listen and to learn; but I cannot feel content after what has passed in this presence, when the gentleman by all manner of methods, all manner of insinuations, direct and indirect, has sought to do that which would have been better done and more bravely pursued if he had gone directly to the question itself. He has sought to discover where the democrat was who should here choose to exercise his right to cast his vote as he pleased, who should here exercise the liberty of manhood to differ with his caucus. Why, sir, the gentleman seems to have forgotten that I refused positively to attend his little lovefeast; not only that, I refused to take part in a caucus which represents a party that has not only waged war upon me but upon those whom I represent on this floor. They have not only intruded within the boundaries of my own State, without provocation, to teach honesty and true democracy, but they would now pursue my people further by intruding their unsolicited advice and admonition to their representative in this Chamber. Yes, sir, you have been notified, duly notified that I would take no part or lot in any political machinery.

Further than that, you have been notified that I was supremely indifferent to what you did; that I had no wish to prefer, and was indifferent to your performances; that I should stand on this floor representing in part the people of the State of Virginia, for whom I have the right to speak (and not the Senator from Georgia) even of their democracy. The gentleman may not be advised that the Legislature which elected me did not require that I

should state either that I was a democrat or anything else. I suppose he could not get here from Georgia unless he was to say that he was a democrat, anyhow. [Laughter.] I come here without being required to state to my people what I am. They were willing to trust me, sir, and I was elected by the people, and not by a legislature, for it was an issue in the canvass. There was no man elected by the party with which I am identified that did not go to the Legislature instructed by the sovereigns to vote for me for the position I occupy on this floor. It required no oath of allegiance blindly given to stand by your democracy, such as is, [laughter,] that makes a platform and practices another thing. That is the democracy they have in some of the Southern States.

Now, I hope the gentleman will be relieved. He has been chassezing all around this Chamber to see if he could not find a partner somewhere; he has been looking around in every direction; occasionally he would refer to some other Senator to know exactly where the Senator was who stood here as a democrat that had the manhood and the boldness to assert his opinions in this Chamber free from the dictation of a mere caucus. Now, I want the gentleman to know henceforth and forever here is a man, sir, that dares stand up [applause] and speak for himself without regard to caucus in all matters. [Applause, long continued, in the galleries and on the floor.] Mr. President, pardon me; I have done.

Mr. HILL, of Georgia. Mr. President—

The VICE-PRESIDENT. The Senate will be in order. Gentlemen on the floor not members of the Senate will take seats.

Mr. HILL, of Georgia. Mr. President, I hope nobody imagines that I rise to make any particular reply to

the remarkable exhibition we have just seen. I rise to say a few things in justification of myself. I certainly did not say one word to justify the gentleman in the statement that I made an assault upon him, unless he was the one man who had been elected as a democrat and was not going to vote with his party. I never saw that gentleman before the other day. I have not the slightest unkind feeling for him. I never alluded to him by name; I never alluded to his State; and I cannot understand how the gentleman says that I alluded to him except upon the rule laid down by the distinguished Senator from New York, that a guilty conscience needs no accuser. [Applause and hisses in the galleries.] I did not mention the Senator. It had been stated here by the Senator from New York over and over that the other side would have a majority when that side was full. I showed it was impossible that they should have a majority unless they could get one democratic vote, with the vote of the Vice-President. I did not know who it was; I asked who it was; I begged to know who it was; and to my utter astonishment the gentleman from Virginia comes out and says he is the man.

The Senator from Virginia makes a very strange announcement. He charged me not only with attacking him, but with attacking the people of Virginia? Did I say a word of the people of Virginia? I said that the people of no portion of this country would tolerate treachery. Was that attacking the people of Virginia? I said that thirty-eight men had been elected to this body as democrats. Does the Senator deny that? Does he say he was elected here not as a democrat? He says he was not required to declare that he was a democrat, and in the next breath he says he is a truer, better democrat than I am. Then I commend him to you. Take good care of

him, my friends. Nurse him well. How do you like to have a worse democrat than I am?

Mr. CONKLING and others. A better democrat.

Mr. HILL, of Georgia. Oh, a better! Then my friend from New York is a better democrat than I am. You have all turned democrats; and we have in the United States Senate such an exhibition as that of a gentleman showing his democracy by going over to the Republicans!

Sir, I will not defend Virginia. She needs no defense. Virginia has given this country and the world and humanity some of the brightest names of history. She holds in her bosom to-day the ashes of some of the noblest and greatest men that ever illustrated the glories of any country. I say to the Senator from Virginia that neither Jefferson, nor Madison, nor Henry, nor Washington, nor Leigh, nor Tucker, nor any of the long list of great men that Virginia has produced ever accepted a commission to represent one party and came here and represented another. [Applause on the floor and in the galleries.]

Mr. COCKRELL. I trust that those at least who are enjoying the privilege of the floor of the Senate Chamber will be prohibited from cheering.

The VICE-PRESIDENT. The Chair will state that the violation of the rules does not appear to be in the galleries, but by persons who have been admitted to the privilege of the floor. The Chair regrets to clear the floor, but if the manifestation is continued he will be obliged to do so. It is a violation of the rules of the Senate.

Mr. MAHONE rose.

Mr. HILL, of Georgia. Does the Senator from Virginia wish to interrupt me?

Mr. MAHONE. I do wish to interrupt you.

The VICE-PRESIDENT. Does the Senator from Georgia yield?

Mr. HILL, of Georgia. Certainly.

Mr. MAHONE. I understand you to say that I accepted a commission from one party and came here to represent another. Do I understand you correctly?

Mr. HILL, of Georgia. I understood that you were elected as a democrat.

Mr. MAHONE. Never mind; answer the question.

Mr. HILL, of Georgia. Yes, I say you accepted a commission, having been elected as a democrat. That is my information.

Mr. MAHONE. I ask you the question: Did you say that I had accepted a commission from one party and came here to represent another? That is the question.

Mr. HILL, of Georgia. Oh, I said that will be the case if you vote with the republicans. You have not done it yet, and I say you will not do it.

Mr. MAHONE. If not out of order in this place, I say to the gentleman that if he undertakes to make that statement it is unwarranted and untrue.

Mr. HILL, of Georgia. I should like to ask the gentleman a question: Was he not acting with the democratic party, and was he not elected as a democrat to this body? Answer that question.

Mr. MAHONE. Quickly, sir. I was elected as a readjuster. Do you know what they are? [Laughter and applause.]

The VICE-PRESIDENT rapped with his gavel.

Mr. HILL, of Georgia. I understand there are in Virginia what are called readjuster democrats and debt-paying democrats, or something of that kind, but as I understand they are all democrats. We have

nothing to do with that issue. We are not to settle the debt of Virginia in the Senate Chamber; but I ask the Senator again, was he not elected to this body as a member of the national democratic party?

Mr. MAHONE. I will answer you, sir. No. You have got the answer now.

Mr. HILL, of Georgia. Then I conceive that the gentleman spoke truly when he said that I do not know what he is. What is he? Everybody has understood that he voted with the democrats. Did he not support Hancock for the Presidency? Did not the Senator support Hancock for the Presidency, I ask him? [A pause] Dumb! Did he not act with the democratic party in the national election, and was not the Senator from Virginia himself a democrat? That is the question. Why attempt to evade? Gentlemen, I commend him to you. Is there a man on that side of the Chamber who doubts that the Senator was sent to this body as a democrat? Is there a man in this whole body who doubts it? Is there a man in Virginia who doubts it? The gentleman will not deny it. Up to this very hour it was not known on this side of the Chamber or in the country how he would vote in this case, or whether he was still a democrat or not. I maintain that he is. The Senator from New York seemed to have information that somebody who was elected as a democrat was not, and I went to work to find out who it was. It seems I have uncovered him. For months the papers of the country have been discussing and debating how the Senator would vote. Nobody could know, nobody could tell, nobody could guess. I have been a truer friend to the Senator than he has been to himself. I have maintained always that when it came to the test the Senator would be true to his commission; that the Senator would be true to the democratic

professions he made when he was elected. He will not rise in this presence and say he could have been elected to the Senate as a republican. He will not rise in the Senate and say he could have been elected to the Senate if he had given notice that on the organization of this body he would vote with the republicans. He will not say it.

The gentleman makes some remarks about the caucus. I have no objection to a gentleman remaining out of a caucus. That is not the question. I have no objection to a gentleman being independent. That is not the question. I have no objection to a gentleman being a readjuster in local politics. That is not the question. I have no objection to a man dodging from one side to another on such a question. With that I have nothing to do. That is a matter of taste with him; but I do object to any man coming into this high council, sent here by one sentiment, commissioned by one party, professing to be a democrat, and after he gets here acting with the other party. If the gentleman wants to be what he so proudly said, a man, when he changes opinions, as he had a right to do, when he changes party affiliations as he had a right to do, he should have gone to the people of Virginia and said, “You believed me to be a democrat when you gave me this commission; while I differed with many of you on the local question of the debt, I was with you cordially in national politics; I belonged to the national democratic party; but I feel that it is my duty now to co-operate with the republican party, and I return you the commission which you gave to me.” If the gentleman had done that and then gone before the people of Virginia and asked them to renew his commission upon his change of opinion, he would have been entitled to the eulogy of

manhood he pronounced upon himself here in such theatrical style. I like manhood.

I say once more, it is very far from me to desire to do the Senator injury. I have nothing but the kindest feelings for him. He is very much mistaken if he supposes I had any personal enmity against him. I have not the slightest. As I said before, I never spoke to the gentleman in my life until I met him a few days ago; but I have done what the newspapers could not do, both sides having been engaged in the effort for months; I have done what both parties could not do, what the whole country could not do—I have brought out the Senator from Virginia.

But now, in the kindest spirit, knowing the country from which the honorable Senator comes, identified as I am with its fame and its character, loving as I do every line in its history, revering as I do its long list of great names, I perform the friendly office unasked of making a last appeal to the honorable Senator, whatever other fates befall him, to be true to the trust which the proud people of Virginia gave him, and whoever else may be disappointed, whoever else may be deceived, whoever else may be offended at the organization of the Senate, I appeal to the gentleman to be true to the people, to the sentiment, to the party which he knows commissioned him to a seat in this body.

Mr. LOGAN. Mr. President, I have but a word to say. I have listened to a very extraordinary speech. The Senate of the United States is a body where each Senator has a right to have a free voice. I have never known before a Senator, especially a new Senator, to be arraigned in the manner in which the Senator from Virginia has been, and his conduct criticised before he had performed any official act, save one, so far as voting is concerned. He needs no defense at

my hands; he is able to take care of himself; but I tell the Senator from Georgia when he says to this country that no man has a right to come here unless he fulfills that office which was dictated to him by a party, he says that which does not belong to American independence. Sir, it takes more nerve, more manhood, to strike the party shackles from your limbs and give free thought its scope than any other act that man can perform. The Senator from Georgia himself, in times gone by, has changed his opinions. If the records of this country are true (and he knows whether they are or not) he, when elected to a convention as a Union man, voted for secession. [Applause in the galleries.]

The VICE-PRESIDENT rapped with his gavel.

Mr. HOAR. If my friend will pardon me a moment, I desire to call the attention of the Chair to the fact that there has been more disorder in this Chamber during this brief session of the Senate than in all the aggregate of many years before. I take occasion when a gentleman with whose opinions I perfectly agree myself in speaking to say that I shall move the Chair to clear any portion of the gallery from which expressions of applause or dissent shall come if they occur again.

Mr. LOGAN. What I have said in reference to this record I do not say by way of casting at the Senator, but merely to call attention to the fact that men are not always criticised so severely for changing their opinions. The Senator from Georgia spoke well of my colleague. Well he may. He is an honorable man and a man deserving well of all the people of this country. He was elected not as a democrat but by democratic votes. He votes with you. He never was a democrat in his life; he is not to-day. You applaud him and why? Because he votes with you. You want

his vote; that is all. You criticise another man who was elected by republican votes and democratic votes, readjusters as they are called, and say that he has no right to his opinions in this Chamber. The criticism is not well. Do you say that a man shall not change his political opinions?

The Senator from Georgia in days gone by, in my boyhood days, I heard of, not as a democrat. To-day he sits here as a democrat. No one wishes to criticise him because he has changed his political opinions. He had a right to do so. I was a democrat once, too, and I had a right to change my opinions and I did change them. The man who will not change his opinions when he is honestly convinced that he was in error is a man who is not entitled to the respect of men. I say this to the Senator from Georgia. The Senator says to us, "take him," referring to the Senator from Virginia. Yes, sir, we will take him if he will come with us, and we will take every other honest man who will come. We will take every honest man in the South who wants to come and join the republican party, and give him the right hand of fellowship, be he black or white. Will you do as much?

Mr. HILL of Georgia. We have got them already.

Mr. LOGAN. Yes, and if a man happens to differ with you the tyranny of political opinion in your section of country is such that you undertake to lash him upon the world and try to expose him to the gaze of the public as a man unfaithful to his trust. We have no such tyranny of opinion in the country where I live; and it will be better for your section when such notions are driven to the shades and retired from the action of your people.

I do not know that the gentleman from Virginia

intends to vote as a republican. I have never heard him say so. I know only what he has said here to-day; but I respect him for stating to the Senate and the country that he is tired of the Bourbon democracy; and if more men were tired of it the country would be better off. The people are getting tired of it even down in your country, every where. The sooner we have a division down there the better it will be for both sides, for the people of the whole country.

I did not rise to make any defense of the Senator from Virginia, for he is able, as I said, to defend himself, but merely to say to the Senator from Georgia that the criticism made upon that Senator without any just cause is something I never witnessed before in this Chamber or in any other deliberative body, and in my judgment it was not justified in any way whatever.

Mr. HILL, of Georgia. I desire to say once more, what everybody in the audience knows is true, that I did not arraign the Senator from Virginia. In the first speech I never alluded to Virginia or to the Senator from Virginia.

Mr. LOGAN. Every one in the Chamber knew to whom the Senator alluded.

Mr. HILL, of Georgia. I alluded to somebody who was elected as a democrat, and who was going to vote as a republican.

Mr. TELLER. He was not elected as a democrat.

Mr. HILL, of Georgia. Then I did not allude to the Senator from Virginia.

Mr. TELLER. The Senator said that thirty-eight members of the Senate were elected as democrats.

Mr. HILL, of Georgia. Certainly they were.

Mr. TELLER. That is a mistake.

Mr. HILL, of Georgia. Certainly they were, and the record shows it.

Mr. CONKLING. May I ask the Senator a question?

Mr. HILL, of Georgia. Let me go on and then you can follow me. I again say it is strange that the Senator from Virginia should say I arraigned him, and his valiant defender, the Senator from Illinois, comes to defend him from an arraignment that was never made.

Mr. LOGAN. Did not the Senator from Georgia ask the Senator from Virginia in his seat if he was not elected as a Democrat? Did not the Senator charge that a man was acting treacherously to his constituents? Did the Senator not make the most severe arraignment of him that he could possibly make?

Mr. HILL, of Georgia. If the Senator will allow me, I did that only after the Senator from Virginia had arraigned himself. The Senator from Virginia insisted that I alluded to him when I had not called his name, and I had not alluded to his State and when I had arraigned nobody.

Mr. LOGAN. Will the Senator allow me to ask him this question: Did he not have in his mind distinctly the Senator from Virginia when he made his insinuations?

Mr. HILL, of Georgia. I will answer the gentleman's question fairly. I did believe that the gentlemen on the other side who were counting upon a democratic vote were counting upon the Senator from Virginia, but I equally believed that they would be disappointed. I did not believe that the Senator from Virginia was guilty, and I in perfect sincerity and good faith, so far from arraigning him, intended to

defend him from the foul suspicion, and my honest repulsion of the insinuation, which was necessary in consequence of what they expected, was regarded by the Senator himself as an arraignment. There is an anecdote told in the life of the great minister, Whitefield. When he was speaking one day in the country to an audience, he described the enormity of sin and the characteristics of sin; he did it with wonderful power. When he came out he was assailed by a gentleman for having made a personal assault on him. “Why,” said Whitefield, “I never heard of you before; I did not intend any assault upon you.” He replied, “Well, sir, you told me everything I have been doing all my life.” I frankly confess I am not a man to dodge. The papers have justified me in believing, Senators have justified me in believing, that you are calculating to get the democratic vote of the Senator from Virginia, whom the whole country has treated as having been elected as a democrat. I believed you would be disappointed; I believed that because you would be disappointed it was wholly unnecessary to delay this organization. I did not believe the Senator would vote with you, and in vindication of that Senator I will not believe it yet. He has not said so. He has made the mistake, because of what the papers say, of assuming that I alluded to him; but I vindicate him yet. He said if I asserted that he was elected as a democrat and would be false to his commission, I said what was not warranted and what was untrue. I am glad he said so. I did not say he would; but I say you expected it, I say your papers expected it, and I say it has been calculated on. I vindicate the Senator from Virginia, and I hope he will vindicate himself by not doing what you expect him to do. The Senator from Illinois charges me again with criticising a man for

changing his opinion. I distinctly said that every man in this country has a right to change his opinion. The distinguished Senator from Illinois has changed his opinion. He says the country is tired of Bourbon democracy. He ought to know, for he used to be one of the worst Bourbon democrats this country ever saw.

Mr. LOGAN. That was when you belonged to the other side.

Mr. HILL, of Georgia. The first time I ever heard of that Senator was when I was battling in the South for the good old whig principles and he was an outrageous Bourbon democrat. That amounts to nothing. You had a right to change, if you have changed; I do not say you have.

Mr. LOGAN. I will only say, if the Senator will allow me, that when I saw the light I changed for the right. The Senator saw the darkness and changed for the wrong.

Mr. HILL, of Georgia. Ah, that is not argument.

Mr. LOGAN. It is true, however, just the same.

Mr. HILL, of Georgia. I hope the Senator will see more light and change again.

Mr. LOGAN. I do not think I shall.

Mr. HILL, of Georgia. He needs a great deal of light.

Mr. LOGAN. No doubt of that. I do not expect to get it, however, from that side.

Mr. HILL, of Georgia. I object to this style of interruption; it is unworthy of the Senate. I am not here to indulge in such remarks. The Senator has a right to change; I have arraigned nobody for changing his opinion. If the Senator from Virginia has changed his opinions he has a right to change

them; I have not said he has not. I do not deny his right. I admit that a man has a right also to change his party affiliations if he is convinced he has been wrong; but a man has no right to hold a commission which was given him while he was a democrat and because he was a democrat and given to him as a democrat, and change his opinions and act with the adversary party. It is his duty to return that commission to the people who gave it and ask them to renew it upon his change of opinion. That is all I ask.

Mr. LOGAN. Will the Senator allow me to ask him what right has he as a Senator to undertake to dictate to the Senator from Virginia as to what shall be required in his State?

Mr. HILL, of Georgia. That is incorrect again. I have not undertaken to dictate to the Senator from Virginia. The Senator from Virginia can do just as he pleases; but when the Senator from Virginia acts as a public man I have a right to my opinion of his public acts, and I have a right to speak of all public acts and their character. I will not deny his right; I am not dictating to him—far from it. There is not in my heart now an unkind feeling for the Senator from Virginia. I would if I could rescue him from the infamy into which others are trying to precipitate him. That is what I want to do. I am not assailing him; I am not arraigning him; I am not dictating to him. I know the proud nature of the Senator from New York. I know if that Senator was elected to this body as a republican, although he might have been a readjuster at the time, and if he should come to this body and the democrats should begin to intimate in this Hall and the democratic papers should intimate over the country that he was going to vote with the democrats on the organization, he would feel

insulted just as my friend from Tennessee (Mr. Harris) justly felt by the allusions to him in the newspapers. So with any other man on that side. If the Senator from Virginia was elected as a democrat I am right; but if as a republican I have nothing more to say.

Mr. LOGAN. Will the Senator allow me right there? Is it not true that the democracy of the Virginia Legislature that elected the Senator now in his seat from Virginia did nominate Mr. Withers as their candidate and supported him, and was not this senator elected by the opponents of the democrats of that Legislature? Is not that true? I ask the Senator from Virginia.

Mr. MAHONE. Substantially so.

Mr. LOGAN. Then if that be true, why say that he came here as the representative of the democracy of Virginia?

Mr. HILL, of Georgia. My understanding is that the democracy of Virginia is very much like the democracy of other States, as Tennessee. We are divided down there in several States on local questions that have nothing to do with national politics. In Virginia the democracy was divided between what are called readjuster democrats and debt-paying democrats, but all democrats.

What was called the republican party it was said, although I must vindicate many of the republicans in the State from the charge, coalesced with what are called the readjuster democrats. The late Senator from Virginia was nominated by what are called the debt-paying democrats, and the present Senator from Virginia, as I understand it, was run against him as a readjuster democrat.

Mr. LOGAN. And the republicans all supported

him.

Mr. HILL, of Georgia. Certainly, because they always support a candidate who is running against the regular nominee. I suppose the republicans always go for men who are not in favor of paying debts! I had thought that republicans professed to affiliate with those who would pay debts. But I have nothing to do with that question; it does not come in here. What I say and what will not be denied, and I am ashamed that there is an attempt to deny it, is, and it is the worst feature of this whole thing, that anybody should get up here and attempt to deny that the Senator from Virginia was elected to the Senate as a democrat; should attempt to evade the fact that he was a Hancock democrat last year; that he has acted with the national democracy all the time; and that whatever might have been the local differences in Virginia, he has been a national democrat every hour, held out to the country as such. I say I am ashamed that anybody should attempt to make a question of that fact. He was not only a democrat, a national democrat, and voted for Hancock, but I remember the historical fact that he had what he called his own ticket in the field for Hancock and voted for it. He is just as much a democrat, sent here as a readjuster democrat, as the other candidate, the debt-paying democrat, would have been if he had been elected.

Mr. LOGAN. The difference is, if the Senator will allow me, if the other had been elected, he would have been in full accord with the democracy here. This gentleman does not happen to be, and therefore the criticism of the Senator from Georgia.

Mr. HILL, of Georgia. I do not wish to do the republicans of Virginia injustice; I do not wish to do any body injustice. There are some republicans of

Virginia for whom I confess, if reports be true, I have a profound respect. When a portion of the democrats, under the cry of readjusterism, sought to get the support of the republicans of Virginia, there were manly republicans who refused to go into a coalition that would compromise the character of the State on the question of its debt. I am told there are republicans now in Virginia who say that if republicanism here means the Senator from Virginia, and you accept him as a republican, you must give them up as republicans. I do not know how true it is. But this is unworthy of the Senate.

I repeat, the worst feature of this whole transaction is that anybody should get up here and attempt to make an impression that there was a doubt as to the democracy of the Senator from Virginia heretofore. That is an evasion unworthy of the issue, unworthy of the place, unworthy of the occasion, unworthy of Virginia, unworthy of the Senator, unworthy of his defenders. Admit the fact that he was a democrat, and then claim that he exercised the inalienable right of changing his opinions and his party affiliations, but do not claim that he had a right to do it in the manner you say he has done it.

Once more let me say, the Senator from Virginia ought to know that by all the memories of the past there is not a man in this body whose whole soul goes out more in earnest to protect his honor than my own. I would rather lose the organization of the Senate by the democratic party and never again have a democratic committee in this body than have Virginia soiled with dishonor. I do not say that the Senator is going to do it, but I see the precipice yawning before him. I see whither potential influences are leading him. I know the danger just

ahead. I would rescue him if I could. He may say it is enmity; he may say it is an unfriendly spirit; he will live to know the force of the words I am uttering. Men in this country have a right to be democrats; men in this country have a right to be republicans; men in this country have a right to divide on national issues and local issues; but no man has a right to be false to a trust, I repeat it, and whether the Senator from Virginia shall be guilty or not is not for me to judge and I will not judge. I say if he votes as you want him to vote God save him or he is gone. If he comes here to illustrate his democracy by going over to that side of the House and voting with that side of the House, he will be beyond my rescue. No, gentlemen, I honor you. I like a proud republican as well as I do a proud democrat. I am conscious of the fact that some of the best personal friends I have in this body sit on that side of the Chamber, men whose high character I would trust anywhere and everywhere. Gentlemen, you know your hearts respond to every word I am uttering when I say you despise treachery, and you honor me to-day for making an effort to rescue a gentleman, not from treachery, but from the charge of it. If the Senator shall vote as you desire him to vote, he cannot escape the charge.

Mr. MAHONE. Mr. President, I want to interrupt the Senator from Georgia.

The VICE-PRESIDENT. Does the Senator from Georgia yield?

Mr. HILL, of Georgia. Certainly.

Mr. MAHONE. I cannot allow you to make any such insinuation.

Mr. HILL, of Georgia. I make no insinuation.

Mr. MAHONE. You did emphatically, and it was

unmanly. Now it must stop. Let us understand that.

Mr. HILL, of Georgia. I repeat, I do not know how the Senator is going to vote. I believe he is not going to vote as you expect. I believe he is not going to be guilty of being false to his commission. I will not charge that he will; I will not insinuate that he will. I have not insinuated it. The gentleman must be his own keeper; the gentleman must solve his own questions; but I repeat, I repeat as a friend, I repeat as a friend whose friendship will be appreciated some day, that the Senator is in danger of bringing upon himself a charge which he will never have the power to explain.

Mr. MAHONE. I cannot allow you or any other man to make that charge without a proper answer.

Mr. HILL, of Georgia. Oh, well.

Senator Mahone's Reply to Senator Hill

in Extra Senate Session, March 28th, 1881.

Mr. MAHONE. Mr. President, my profound respect for the wisdom and experience of my seniors in this Chamber compels me to renew expression of the reluctance with which I so soon intrude upon its deliberations. Senators and the country will concede that to this seeming forwardness I have been provoked.

If I do not challenge generous consideration from those who would appear to have found pleasure in their unjustifiable assaults, I do not doubt that I shall command the respect of the brave and independent

here, as I know I shall command that of my own people. I shall not complain of the intolerance and indirection which have characterized the allusions of some Senators to myself. Doubtless they comport entirely with their own sense of manly deportment and senatorial dignity, however little they do with mine. Virginia is accustomed to meet occasions where the independent spirit of the Anglo-Saxon is required to assert itself; Virginia has ever met, with fortitude and dignity, every duty that destiny has imposed, always, however, with much contempt for small party tactics where principles were involved to which her faith and her honor were committed.

With absolute confidence in my loyalty to her and my devotion to every interest of her people, I shall not relax my purpose to repel every impeachment of the constituency which sent me here with clearly defined duties which they and I comprehend. I was elected to the *Senate* of the United States to do *their* will, not to a *caucus* to do *its* petty bidding. Virginia earned her title of the Old Dominion by the proud and independent action of her own people, by the loyalty of her sons to the instincts of independence, without help at the hands of those who would now interfere with her affairs.

However feebly I may assert that spirit against the gratuitous and hypocritical concern for her of strangers to her trials, her sacrifices, and her will, I feel that the spirit of my people inspires me when I scornfully repel for them and for myself ungracious attempts to instruct a Virginia Senator as to his duty to them and to himself. Senators should learn to deal with *their* constituencies, while I answer to *mine*.

To him who would insinuate that my action in respect to the organization of the committees of this body and the proposed election of its officers has

been governed or controlled by impure considerations—and I am loth to believe that any honorable Senator has so intended—in the language of another, I say:

> If thou saidst I am not peer
> To any lord in Scotland here,
> Lowland or highland, far or near,
> Lord Angus, thou hast lied!

And now, Mr. President, permit me to say that Senators can no more realize my regret than they can measure my amazement that my colleague should have felt it incumbent upon him to join the assaulting column in this Chamber. He first introduces the consideration of my political consistency, and he next introduces me, with the eighty-odd thousand of his fellow-citizens who sent me here, to this honorable body as a repudiator of public obligations. The sense of justice of fellow Senators renders it unnecessary for me to apologize for noticing my colleague's criticisms on the one hand and his perversions on the other. However much he and his friends may endeavor, by the chop-logic of the attorney, to demonstrate what I ought to be, I know by my convictions and by my sense of duty what I am. In this particular I have largely the advantage of my colleague; for if I take him by his record, diminutive as it is, he neither knows what he was, what he is, or what duty he came here to perform. A very brief recital of Virginia political history, covering but a decade, will give a clear view of the Virginia situation as it is represented on this floor. My colleague gave the first page, and then, like the lazy, truant school-boy, skipped many pages, or, like the shifty lawyer, read only so much of the authority as suited his case. I am duly grateful to him

for the small meed of praise he would deal out to me for the humble part I bore in the great liberal movement of 1869, which was undertaken to return our State to her normal condition in the Union.

I am the more grateful because the organs of the faction he represents here have recently published columns to prove that I was breathed into political existence subsequently to that momentous period. Not being sworn, my colleague thought it was sufficient for him to tell the truth without the usual obligation to tell the *whole* truth. It is now my privilege, as well as duty, to supply all deficiencies. The views I entertained then I still adhere to, and though, as far as my information goes, we had no material assistance from him in that severe and trying ordeal of 1869, I do know that after his election to this body he confessed himself in entire accord with all that had been done by Virginia as a condition precedent to her restoration, and with the zeal of a new convert expressed the hope that other States of the Union without the same propelling cause should do likewise. In a letter addressed to the then governor of Virginia (Walker) he wrote as follows:

JOHNSTON TO GOVERNOR WALKER IN 1869.

Believing fully not only that we in Virginia could not prosper, but that our continued exclusion from the Union interfered with the business of the whole country, I have been anxious for an early compliance with the reconstruction laws, and that the State should itself inaugurate some movement similar to that which resulted in your election for the purpose, and not wait, like Micawber, “for something to turn up.”

The fifteenth amendment, which I trust will soon be adopted by States enough to make it a part of the Constitution of the United States, will end a question which has agitated the country for half a century. I entirely approve of the principles of that amendment, and as we have invested the freedman with the right to vote, let us give him a fair opportunity to vote understandingly. He has civil rights, and it is our interest he should know their value.

That we are apparently so near to the consummation of reconstruction we are greatly indebted to President Grant's kind offices. The State was in a dilemma; it wanted a constitution; but the one made for it has at least two very objectionable features. We felt that we were suffering in all our material interests by staying out of the Union, and yet to go in under the constitution with all its provisions would have been worse.

The Gordian knot was happily cut by the President's first message to Congress and the prompt response of that body. Up to this time the conduct of the administration has been liberal, and if the same policy is pursued hereafter it ought to have the hearty support of this State. If we cast dead issues behind us and look only to that line of conduct which shall restore quiet and confidence, and encourage enterprise and industry, we shall even see the country richer and more prosperous than it has ever been.

This movement in 1869 accomplished the restoration of our State under the expurgated constitution and gave us representation here in the persons of my colleague and ex-Senator Lewis. We were relieved of military government, became rehabilitated in our sovereignty, with entire control of our local autonomy. Thus, for a period, Virginia seemed to be enjoying the full freedom of her long-deferred hope for peace.

In the curious panoramic exhibition of my colleague I next appear as a candidate for governor in 1877. To be a candidate in Virginia is a privilege which every qualified voter may constitutionally exercise, and in that year there

were three prominent candidates other than those named by the Senator. Two of them had been major-generals and one a brigadier-general. What an omission! Shades of departed glory defend us! when a United States Senator of the Bourbon persuasion can omit imposing titles in detailing events with which they were intimately associated. 'Tis true I was not nominated, lacking forty votes of a certain majority of a convention composed of over fourteen hundred delegates against a combination of five candidates, one of whom my colleague preferred, that preference perhaps being based upon motives as unselfish as are usual in veteran politicians and office-holders.

Mr. President, I can scarcely hope, in the presence of this body, where my colleague has served for many years, and where the altitude of his statesmanship frowns contemptuously down upon all who would aspire to reach its summit, to attain the awful diffidence with which I should undertake to correct any of his statements. He is one of the conscript fathers of the Senate, old in all its ways and usages; and long absence from his constituency and perpetual service to the national democratic party in helping to organize its numerous defeats make him forgetful of recent events in Virginia. Hence the necessity of my attempting to inform him as to certain matters of recent history at home.

"The next event," says my colleague, "was that the readjusters separated themselves from the *democratic* party;" and after treating this at some length he says, "This brings us down to what is called Mozart Hall convention," in which, he adds, "I spoke of the *conservative* party as though I belonged to it."

Mr. President, I confess my inability to understand all this curious mixture of the odds and ends of my colleague's scrap-book. He parades his facts in curiously-contrived array. He empties his ill-assorted jewels of information and "chunks of wisdom," and

seems to rely upon Senators to give them that consecutive arrangement as to fact and date which they have, possibly, in his own great mind. But, sir, the fact is there was no remarkable incident in Virginia politics between the election of 1877 and 1879, the month of February of the latter year being, the date of the assembling of the Mozart Hall convention. Certainly until February, 1879, there was no change in the status of parties in Virginia within that period. There was no organization of readjusters until February, 1879, and there was no *declared* democratic party until 1880.

This brings me, Mr. President, to a period when I propose to do more than follow my colleague in his half-way candid and nearly always inaccurate statement. It is at this juncture, he says, that Mr. Riddleberger and I are so much identified that he cannot separate us. It is at this point the organization of the readjusters begins; and it is at this point he appears to seek to make an impression wholly unwarranted by any act of the readjusters in Virginia. It is at this point, too, Mr. President, that I am constrained by a sense of duty to my people, my State, and myself to treat the question of our State debt as it presents itself in Virginia. In doing this, I wish it distinctly understood that I hold this to be a matter belonging exclusively to the State of Virginia, and I should repel any Federal interference with this as I would with any other question of mere State concern. I shall presume upon the indulgence of Senators because they have heard but one side, and that more than once, and I know they will be willing to hear a defense of Virginia against unjust attacks from those who ought to be her defenders.

Sir, there is not a fact upon which to base any one of the statements or arguments of my colleague.

Instead of the Mozart Hall convention being held to effect a repeal of an irrepealable contract, it was a body of people assembled on a call of members of the General Assembly opposed to what is known in Virginia as the "brokers' bill." They assembled before that bill had passed either House of the General Assembly, and, coming fresh from the people, expressed their unqualified disapproval of that measure. It was apparent the measure was to pass, and organized opposition began. But, Mr. President, this is neither the beginning nor the end of this question. It was in 1871 that the first funding bill was enacted, and this we know in Virginia as the first contract.

I will not go into the details of this measure, as I shall ask the clerk to read a review of all the Virginia funding acts before concluding my remarks. It is my purpose now only to notice the speeches of Senators, notably that of my colleague, in this Chamber. It will be news to Senators to hear to-day that the readjusters never repealed either of the funding contracts. That enacted and only partially executed in 1866–'67 was in effect repealed by the Assembly which passed it, and the work of repeal was consummated by the Legislature that enacted the more obnoxious measure of 1871. This in turn was repealed by the Assembly of 1872, the propounder of the repeal measure being the present lieutenant-governor of the State, subsequently in full fellowship with the alleged debt-payers. Indeed this measure was so obnoxious that Governor Walker, who was conceded to be its author, subsequently urged that the Federal Government should assume the debts of the Southern States.

Mr. President, I might pause to inquire if that is a part of the doctrine of my colleague and the Senators

who co-operate with him, when they stand here to represent the party for which Governor Walker then spoke, the pretended debt-payers of Virginia? It was this repeal bill which the Virginia court of appeals held to be unconstitutional, and here the matter rested until the State had accumulated interest arrears to over five million dollars, beside diverting one and a half million dollars which was dedicated by the constitution to the public free schools.

In 1877 what is known as the Barbour bill was proposed and passed, not a few of the latter-day self-styled debt-payers being among its most zealous supporters. Although this did not repeal in terms the original funding bill, it was nevertheless vetoed by the governor.

Such was our condition at the succeeding election —schools reduced 50 per cent., length of sessions abridged, asylums sustained by money borrowed from the banks—after exhausting every possible expedient even to a reduction of judicial salaries, that a Legislature was returned pledged to a resettlement of this debt.

That settlement came in the form of the brokers' bill, for which my colleague stands at home and here the champion, aided and abetted by distinguished gentlemen on this floor. I commend the virtuous democracy of this Chamber to read that bill, and then tell this Senate whether there ever was a more undemocratic measure than the bill propounded in Virginia by the party whose cause they espouse.

That settlement came in the form of the broker's bill, as I have said, and this was the last repeal of the original contract. Yet my colleague would say the readjusters of to-day disregard the court decisions. Surely he has not forgotten that he was upon the

hustings in Virginia advocating each of the successive measures repealing the "irrepealable" contract, while in every instance the readjusters proper opposed the new measure.

But here again I am called upon to answer the charge of personal inconsistency. My colleague cannot ascertain that I opposed the funding scheme of 1871—a measure which, I assert without the fear of contradiction, not only repudiated but forcibly repudiated what my colleague understands to be one-third of the debt of Virginia. I suggest to my fellow-Senators on the opposite side to take care of that contamination of which they have warned the country in respect to the readjusters of Virginia.

My colleague adverted to the Richmond Whig, and proclaimed it as my mouthpiece. Mr. President, nobody speaks for me; I speak for myself. Why not have ascertained from the same source how I stood on the funding bill of 1871? Senators will not find that I ever supported the measure of 1871.

Passing over what appears in my colleague's speech as extracts from newspapers, to whose misstatements he has contributed a full share, I come now to notice his animadversions on the Riddleberger bill. If his criticisms were based on fact and a proper understanding of that measure, they would be unanswerable. He says that "the 'Riddleberger bill' has been substantially pronounced unconstitutional by the Supreme Court of the United States." I ask him in what particular? Is it in this—that it does not recognize the interest that accrued during the war? If so, will my learned colleague inform me upon what principle of right he last summer sustained a measure which repudiated one-half of the interest that has accrued since the complete restoration of our State? Does he not know

that that measure of forcible readjustment absolutely repudiated one-half of the accrued and unfunded interest, while the Riddleberger bill provides for paying it dollar for dollar? The difference is simply this: that since 1871 we have denied the right of the creditor to exact war interest and proposed to pay him all else in full. Our adversaries would and did fund that war interest and proposed to repudiate one-half of that which we are in honor and in law bound to pay.

Is it unconstitutional in that it pays but 3 per cent.? The only measure ever passed by the Virginia Assembly to pay as much as 4 per cent. and the only one under which one-third of our creditors have received a penny of interest, was introduced and patronized by Mr. Riddleberger. The first time that our Legislature ever voiced 3 per cent. was when they passed the brokers' job, the pet scheme of my colleague, so ably re-enforced in his advocacy of it on this floor by distinguished gentlemen on the other side, the Legislature then themselves admitting and declaring in the preamble of their bill that this is all the State can pay for ten years "without destroying its industries;" and last winter every legislator of their party voted to run the 3 per cent. for the whole time.

Is it unconstitutional in that it does not exempt the bonds from taxation *forever*, as the brokers' bill attempted to do, a feature peculiar to that measure for paying the debt of Virginia which my colleague advocates here? If so, I would respectfully refer my colleague to his State constitution, which says that all property shall be taxed equally and uniformly; that no one species of property shall be taxed higher than another, and that only such property as is used for religious, educational, and charitable purposes

may be exempt from taxation. My learned colleague, who so unkindly characterized the patron of that bill as a county court lawyer, cites only Hartman *vs.* Greenhow as the case which holds this bill unconstitutional. That case decided no principle that this bill infringes. The Riddleberger bill imposes no tax upon bonds held either in or out of the State. It simply does not exempt any. By what authority, I would ask my colleague, can such a tax be made and collected? He must answer to the party which he undertakes to represent here for doing an unconstitutional act: to tax bonds of the State of Virginia held by a non-resident. The Riddleberger bill does not tax them. Whenever the General Assembly, carrying out the Riddleberger bill, shall endeavor to tax bonds held out of the State, it will be time for the Senator to renew the test in the Supreme Court of the United States and cite the precedent of Hartman *vs.* Greenhow.

Is it the much-discussed fourteenth section which is unconstitutional? If so I would remind my legal colleague that it is a verbatim copy of a statute passed by the State of Tennessee, adjudicated by the Supreme Court of the United States, and not only held by that high tribunal to be constitutional but proper legislation for the protection and maintenance of government. Is it unconstitutional in what is called its force feature? If so it has precedent in the bill of ’71, which forbade the payment of any interest to a creditor who did not accept a reduction of one-third. It has precedent in the brokers’ bill, which provided tax certificates to compete at a reduced price with the receivable coupon, and both of these measures found a hustings advocate in my colleague.

But he would imply that our debt was ascertained at a certain sum in pursuance of the State

Constitution, which he says was $29,667,304.76.

Mr. President, if there is any man in the party which my colleague represents who agrees with another member of that party in Virginia as to what the debt of that State is, we have yet to find the concurrence; it is with one leader this figure, with another leader another figure; by one report of their officers one sum, and then by another report of other officers a different sum. Grant that sum to be the true one; but let the Senator state that our constitution recognized no specific sum. It says there shall first be a settlement with West Virginia, which has not yet been had, and commands payment of what Virginia shall owe. That is the language, that is the instruction of the constitution of Virginia; that, after a settlement with West Virginia, covering one-third of old Virginia's territory, shall have been arrived at by an adjustment of their relative proportions of the public debt, Virginia will provide for her share. Now I would like the Senators from West Virginia in this cry against readjusters as repudiators to tell the country what answer they have made to their obligation for one-third of the debt contracted by the old Commonwealth of Virginia. Will they tell the country where they have ever made a proposition to pay one stiver of their share of the public debt of that State to maintain the honor and the dignity of their own Commonwealth? Let them answer.

It was the party of my colleague, that repudiated the settlement of 1871 by the passage of the brokers' bill in 1879, and in turn attempted to repudiate the latter by unanimously indorsing what is known as the "Ross Hamilton bill." I suppose it would not suit my colleague to tell this audience who Ross Hamilton is. Yet, I beg Senators to take notice that

the party of my colleague, after a winter spent in the vain effort to find a leader capable of devising means to overthrow the popular will, discovered such, as they supposed, in the person of Ross Hamilton, a colored republican member of the Legislature from the county of Mecklenburg, and blindly followed him to defeat. Hamilton's bill, which was thus unanimously supported by my colleague's party, not only in effect repealed their pet scheme, the brokers' bill, but all other acts in respect to the public debt of Virginia.

I come now to perform a duty—the most unpleasant in one sense and the most agreeable in another. It is to repel the charge flippantly, I hope inconsiderately, made on this floor that we are repudiators and our proposed measure dishonorable. To the first I reply that my colleague's party in eight years of administration of our State affairs paid 2 per cent. installments of interest on ten millions of our public debt just six times, or 12 per cent. in all; 6 times 8 would be 48 per cent. Instead of that they paid 12 per cent., and that is debt-paying!

Let this suffice. But when Senators apply the word dishonorable, they do not know either whom or what they characterize. Two things they have endeavored to demonstrate, and one is that I received a majority of the white conservative vote of both branches of the Virginia General Assembly. Proudly do I proclaim the truth of this. Every one of those who voted for me to come to this Chamber gave an unqualified vote for the Riddleberger bill. Are they dishonorable men? Scornfully do I repel the charge that any one of them is capable of dishonorable action.

Were it true, what a sad commentary it would be upon those honorable gentlemen whom it is said I am not representing here. Mr. President, my

colleague comes from what we call in Virginia the great Southwest, a noble and prosperous section of Virginia. Fifteen white Conservative counties compose his congressional district, and though the ablest of the orators of my colleague's party canvassed it thoroughly against me and the views set forth in this measure, but two delegates and no senator of the gentleman's party came to the Legislature. To a man they supported the Riddleberger bill. Every senator and every delegate from my colleague's own congressional district, save and except two delegates, supported me for the Senate and the Riddleberger bill as a measure for debt-paying. He would do well to spend a little more time with his constituents!

Whatever our differences on this question, it seems to me those people should have had a defender in him against such foul and slanderous accusations as have been made—that they are dishonorable men. O Shame! where is thy blush? Dishonorable in Virginia to beg the privilege of paying every dollar she borrowed—that is, her rightful share, instead of not only paying that but also the share of West Virginia —dishonorable to pay every dollar she borrowed, only abating the war interest! Dishonorable, too, in the opinion of the gentlemen who represent States on this floor and municipalities which have by arbitrary legislation reduced their indebtedness from $243,000,000 down to $84,000,000! Dishonorable in Virginia not only to assume her full share of her public obligations, as measured by her territory in this division of it, but offering to tax her people to an extent threatening the destruction of her industrial interests! Is that dishonorable in that people? If so, what have you to say of this tier of Southern States whose public indebtedness, whose plighted faith,

whose sacred obligations—as sacred as are those of my State of Virginia—have been reduced from $243,000,000 by one or another method of repudiation, upon one or another excuse, down to $84,000,000, with a reduced interest rate upon the curtailed principal, and only proposing to pay interest in some cases at 2 per cent. and in others 3 and in others 4 on the reduced principal? Is it dishonorable in Virginia to assume $20,000,000 of the debt of the old State and then to tax her industries within the verge of endurance to pay on that sum the highest rate of interest? Let Senators who assail unjustly the conduct of Virginia in this respect put their own houses in order. I want, Mr. President, the Secretary to read from the International Review the measures of readjustment in the Southern States that Senators may know how fashionable readjustment had been in that section of this great country on which northern democrats rely in a presidential election.

The Chief Clerk read as follows:

Fluctuation of the Debts of twelve Southern States since the year

States.	1842.	1852.	1860.	18
West Virginia				
Virginia	$6,994,307	$13,573,355	$31,779,062	$47,3
North Carolina	None.	977,000	9,699,000	29,9
South Carolina	5,691,234	3,144,931	4,046,540	7,6
Georgia	1,309,750	2,801,972	2,670,750	6,5
Florida	4,000,000	2,800	4,120,000	1,2
Alabama	15,400,060	8,500,000	6,700,000	8,4
Mississippi	7,000,000	7,271,707	None.	1,7

Louisiana	23,985,000	11,492,566	4,561,109	25,0
Texas		5,725,671	None.	5(
Arkansas	2,676,000	1,506,562	3,092,624	3,4
Tennessee	3,198,166	3,776,856	20,896,606	38,5
Kentucky	3,085,500	5,726,307	5,479,244	3,8
Totals	73,340,017	64,499,727	93,046,934	174,4

States.	Date after the war when debt reached highest.	1880.	Amount of debt repudiated bet. period wh. highest & June, 1880
West Virginia		No debt.	
Virginia	$47,390,839	$29,345,226	$18,045,613
North Carolina	29,900,045	3,629,511	26,270,534
South Carolina	24,782,906	7,175,454	17,607,452
Georgia	20,197,500	10,334,000	9,863,500
Florida	5,512,268	1,391,357	4,120,911
Alabama	31,952,000	11,613,670	20,338,830
Mississippi	3,226,847	379,485	2,847,362
Louisiana	40,416,734	12,635,810	27,780,924
Texas	5,782,887	5,782,887	
Arkansas	18,287,273	5,813,627	12,473,646
Tennessee	41,863,406	25,685,822	16,177,584
Kentucky	3,892,480	180,394	3,712,086
Totals	273,205,185	113,967,243	159,237,942

Mr. MAHONE. There is no mere readjustment there; I will not say it is repudiation. “Repudiation” is honorable, perhaps; “readjustment” dishonorable.

Oh, Virginia! It was for this you bared your bosom to soldier's tread and horse's hoof. It was for this you laid waste your fields. It was for this you displayed your noble virtues of fortitude and courage, your heroic suffering and sacrifice. It was for this you suffered the dismemberment of your territory and sent your sons to the field to return to the ruins where were once their homes. It was for this you so reluctantly abandoned your allegiance to a common country to be the last to make war and the last to surrender. O Ingratitude, thou basest and meanest of crimes!

And now, Mr. President, at the time of my election who constituted my opponents? Already, as you have been advised, another representing distinctly the Bourbon democracy of Virginia and the so-called democracy of this Chamber, another representing distinctly the republican party of Virginia—these were the candidates before the Legislature which elected me to this body. I received not only a majority of the so-called democratic readjusters but of the so-called republican readjusters. And now what were the efforts, known there if not here to gentlemen, to defeat me? Were not combinations sought to be made? It is known of all men there at the capital of my State, if not here, that every influence from whatsoever quarter it could be adduced, whether democratic or republican, was brought together at Richmond for the purpose by combination of defeating my election, of defeating the sovereign will of the people of that Commonwealth as expressed on the 4th of November, 1879.

There was a democracy which sought to secure the election of an orthodox, simon-pure, unadulterated republican, but of that kind called Bourbons in

Virginia—a democracy which was not only willing but ready and anxious to send here in the place I have the honor to hold a republican whom they would otherwise profess to despise. What for? For the consideration well known there, that they might elect certain county judges and control the State offices, and by that means prevent the disclosures which have subsequently followed since the readjusters have gotten possession of the capitol. That democracy which like Cæsar's wife would stand "above suspicion," were ready to trade a seat in the United States Senate so that a few county judges might be preserved, that the offices in the capitol at Richmond might be retained in their control; I say in order, perhaps, that the disclosures which have followed the advent of the party I represent might have been longer concealed; moreover that control of the ballot-box in the State might continue where it had been; so certainly I believe; and all this by those who professed to represent the party which had declared in national convention for a full vote, a free ballot, and an honest count.

Such were the considerations, such I say were the inducements which prompted that democracy to its efforts to send to this Chamber a republican beyond question since these many long and weary years. If that is the democracy that the gentlemen on that side love, I proclaim my inability to co-operate with them.

I supported neither of the candidates for Congress in my district, and emphatically declared that purpose on more than one public occasion, because one was a candidate of that party, the Bourbon reactionists, and the other a Bourbon republican with accommodating views on the debt question.

To obey the behests of the democratic caucus of

this body, whose leadership on this floor, whose representative national authority—the one here and the other elsewhere—have championed the cause of the Bourbon-funder party in Virginia, would be an obsequious surrender of our State policy and self-condemnation of our independent action.

The desire of our people for cordial relations with all sections of a common country and the people of all the States of the Union, their devotion to popular education, their efforts for the free enjoyment of a priceless suffrage and an honest count of ballots, their determination to make Virginia, in the public belief, a desirable home for all men, wherever their birthplace, whatever their opinions, and to open her fields and her mines to enterprise and capital, and to stay the retrograde movement of years, so as to bring her back from the fifteenth in grade to her original position among the first in the sisterhood of States, forbid that my action here should be controlled or influenced by a caucus whose party has waged war upon my constituency and where party success is held paramount to what I conceive to be the interests of Virginia and the welfare of the whole country.

The readjusters of Virginia have no feeling of hostility, no words of unkindness for the colored man. His freedom has come, and whether by purpose or by accident, thank God, that among other issues which so long distracted our country and restrained its growth, was concluded, and I trust forever, by the results of the sanguinary struggle between the sections.

I have faith, and it is my earnest hope, that the march of an enlightened civilization and the progress of human freedom will proceed until God’s great family shall everywhere enjoy the products of their own labor and the blessings of civil, political, and

religious liberty.

The colored man was loyal to Virginia in all the days of conflict and devastation which came of the heroic struggle in the war of sections that made her fields historic. By no act of his was either the clash of arms provoked or freedom secured. He did not solve his duty by consideration of self-interest.

Speech of Hon. Justin S. Morrill, of Vermont,

(*Author of the Tariff Bill of 1861*), *delivered in the Senate of the United Stales, December 8, 1881, on the Bill to Appoint a Tariff Commission.*

The Senate, being as in Committee of the Whole, and having under consideration the bill (S. No. 22) to provide for the appointment of a commission to investigate the question of the tariff and internal revenue laws—

Mr. MORRILL said: I have brought this subject to the early attention of the Senate because, if early legislative action on the tariff is to be had, obviously the measure proposed by Senator Eaton and passed at the last session of the Senate is a wise and indispensable preliminary, which cannot be started too soon. The essential information needed concerns important interests, vast in number and overspreading every nook and corner of our country; and when made available by the ingathering and collocation of all the related facts, will secure the earliest attention of Congress, as well as the trust and

confidence of the country, and save the appropriate committees of both Houses weeks and months of irksome labor—possibly save them also from some blunders and from final defeat.

An enlargement of the free list, essential reductions and readjustments of rates, are to be fully considered, and some errors of conflicting codifications corrected.

If a general revision of the Bible seems to have been called for, it is hardly to be wondered at that some revision of our revenue laws should be invited. But changes in the framework of a law that has had more of stability than any other of its kind in our history, and from which an unexampled growth of varied industries has risen up, should be made with much circumspection, after deliberate consideration, by just and friendly hands, and not by ill-informed and reckless revolutionists. When our recent great army was disbanded, war taxes were also largely dismissed, and we have now, and certainly shall have hereafter, no unlimited margin for slashing experiments.

THE TARIFF OF 1861.

The tariff act of 1861, which, by a nickname given by baffled opponents as an echo to a name so humble as my own, it was perhaps hoped to render odious, was yet approved by a democratic President and gave to Mr. Buchanan a much needed opportunity to perform at last one official act approved by the people.

If I refer to this measure, it will not be egotistically nor to shirk responsibility, but only in defense of those who aided its passage—such as the never-to-

be-forgotten Henry Winter Davis, Thad. Stevens, and, William A. Howard, and, let me add, the names of Fessenden and Crittenden—and, without the parliamentary skill of one (Mr. SHERMAN) now a member of this body, its success would not have been made certain.

And yet this so-called "Morrill tariff," hooted at as a "Chinese wall" that was to shut out both commerce and revenue, notwithstanding amendments subsequently piled and patched upon it at every fresh demand during the war, but retaining its vertebræ and all of its specific characteristics, has been as a financial measure an unprecedented success in spite of its supposed patronymical incumbrance. Transforming ad valorem duties into specific, then averaging but 25 per cent. upon the invoice values, imposing much higher rates upon luxuries than upon necessaries, and introducing compound duties[86] upon woolens, justly compensatory for the duties on wool, it has secured all the revenue anticipated, or $198,159,676 in 1881 against $53,187,511 in 1860, and our total trade, exports and imports, in 1860, of $687,192,176, appears to have expanded in 1880 to $1,613,770,633, with a grand excess of exports in our favor of $167,683,912, and an excess in 1881 of $259,726,254, while it was $20,040,062 against us in 1860. A great reduction of the public debt has followed, and the interest charged has fallen from $143,781,591 in 1867 to about $60,500,000 at the present time.

If such a result is not a practical demonstration of healthy intrinsic merits, when both revenue and commerce increase in a much greater ratio than population, what is it? Our imports in the past two years have been further brilliantly embellished by

$167,060,041 of gold and silver coin and bullion, while retaining in addition all of our own immense domestic productions; and it was this only which enabled us to resume and to maintain specie payments. Let the contrast of 1860 be also borne in mind, when the excess of our exports of gold and silver was $57,996,004.

As a protective measure this tariff, with all its increasing amendments, has proven more satisfactory to the people and to various industries of the country than any other on record. The jury of the country has so recorded its verdict. Agriculture has made immense strides forward. The recent exports of food products, though never larger, is not equal by twenty-fold to home consumption, and prices are every where more remunerative, agricultural products being higher and manufactures lower. Of wheat, corn, and oats there was produced 1,184,540,849 bushels in 1860, but in 1880 the crop had swelled to 2,622,200,039 bushels, or had much more than doubled. Since 1860 lands in many of the Western States have risen from 100 to 175 per cent. The production of rice, during the same time, rose from 11,000,000 pounds to 117,000,000. The fires of the tall chimneys have every where been lighted up; and while we made only 987,559 tons of pig iron in 1860, in 1880 we made 4,295,414 tons; and of railroad iron the increase was from 235,107 tons to 1,461,837 tons. In twenty years the production of salt rose from 12,717,200 bushels to 29,800,298 bushels. No previous crop of cotton equalled the 4,861,000 bales of 1860; but the crop of 1880 was larger, and that of 1881 is reported at 6,606,000 bales. The yield of cotton from 1865 to 1881 shows an increase over the fifteen years from 1845 to 1861 of 14,029,000 bales, or almost an average gain of a

million bales a year.

The giant water-wheels have revolved more briskly, showing the manufacture of 1,797,000 bales of cotton in 1880 against only 979,000 bales in 1860, and this brought up the price of raw cotton to higher figures than in 1860. Thirteen States and one Territory produced cotton, but its manufacture spreads over thirty States and one Territory. The census of cotton manufacture shows:

	1860.	1880.
Capital invested	$98,585,269	$207,781,868
Number of operatives	122,028	175,187
Wages paid	$23,940,108	$41,921,106
Value of productions	115,681,774	192,773,960

It will be found that a larger amount of capital has been invested in cotton mills than in woolen, and that the increase of productions has been large and healthy, a very handsome proportion of which is to be credited to Southern States. Goods of many descriptions have also been cheapened in price. Standard prints or calicoes which sold in 1860 for nine and one-half cents per yard now sell for six and one-half cents.

The census returns of woolen manufactures show the following astonishing results:

	Census of 1880.	Census of 1860.
Males employed	74,367	24,841
Females employed	65,261	16,519
Capital invested	$155,454,105	$30,862,654
Wages paid	47,115,614	9,808,254

Value raw material consumed	162,609,436	36,586,887
Value of annual product	265,684,796	61,895,217
Importations of woolens	33,613,897	37,876,945
Annual product'n of wool lbs	264,500,000	60,511,343

It thus appears, that while the number of hands employed is three times and a half larger than in 1860, the wages paid is about five times larger and the capital is five times greater. The annual productions have been more than quadrupled, and the aggregate importations have fallen off four millions. With these results in our front, protection on wool and woolens will be likely to withstand the hand-grenades of all free-trade besiegers.

In New England and some other States sheep husbandry has fallen off, and in some places it has been replaced by the dairy business; but in other States the wool-clip has largely increased, especially has the weight of the fleece increased. The number of sheep has increased about 80 per cent. and the weight of wool over 400 per cent. The discovery that the fine long merino wools, known as the American merino, are in fact the best of combing wools and now used in many styles of dress goods has added greatly to their demand and value. Many kinds of woolen goods can be had at a less price than twenty years ago. Cashmeres that then brought forty-six cents per yard brought only thirty-eight and one-fourth cents in 1880, and muslin de laines dropped from twenty cents to fifteen, showing that the tariff did not make them dearer, but that American competition caused a reduction of prices.

The length of our railroads has been trebled, rising from 31,185 miles in 1860 to 94,000 miles in 1881, and possibly to one-half of all in the world. For commercial purposes the wide area of our country has been compressed within narrow limits, and transportation in time and expense, from New York to Kansas, or from Chicago to Baltimore, is now less formidable than it was from Albany or Pittsburgh to Philadelphia prior to the era of railroads. The most distant States reach the same markets, and are no longer neighbors-in-law, but sister States. The cost of eastern or western bound freight is less than one-third of former rates. Workingmen, including every ship-load of emigrants, have found acceptable employment. Our aggregate wealth in 1860 was $19,089,156,289, but is estimated to have advanced in 1880 to over forty billions. Further examination will show that the United States are steadily increasing in wealth, and increasing, too, much more rapidly than free-trade England, notwithstanding all her early advantages of practical experience and her supremacy in accumulated capital. The increase of wealth in France is twice as rapid as in England, but in the United States it is more rapid than even in France.

These are monumental facts, and they can no more be blinked out of sight than the Alleghanies or the Rocky Mountains. They belong to our country, and sufficiently illustrate its progress and vindicate the tariff of 1861. If the facts cannot be denied, the argument remains irrefutable. If royal “cowboys” who attempted to whistle down American independence one hundred years ago ingloriously failed, so it may be hoped will fail royal trumpeters of free-trade who seem to take sides against the United States in all commercial contests for

industrial independence.

Among the branches of manufactures absolutely waked into life by the tariff of 1861, and which then had no place above zero, may be named crockery and china ware. The number of white-ware factories is now fifty-three, with forty decorating establishments; and the products, amounting to several millions, are sold at prices 25 to 50 per cent. below the prevailing prices of twenty years ago. Clay and kaolin equal to the best in China have been found east, west, and south in such abundance as to promise a large extension of American enterprise, not only in the ordinary but in the highest branches of ceramic art. Steel may also here claim its birth. No more of all sorts than 11,838 tons were made in 1860, but 1,397,015 tons were made in 1880. Those who objected to a duty on steel have found they were biting something more than a file. Silks in 1860, hardly unwound from the cocoon, were creeping along with only a small showing of sewing-silk and a few trimmings, but now this industry rises to national importance, furnishing apt employment to many thousand women as well as to men; and the annual products, sharply competing with even the Bonnét silks of Lyons, amount to the round sum of $34,500,000. Notwithstanding the exceptionally heavy duties, I am assured that silk goods in general are sold for 25 per cent. less than they were twenty years ago.

Plate-glass is another notable manufacture, requiring great scientific and mechanical skill and large capital, whose origin bears date since the tariff of 1861. It is made in Missouri and in Indiana, and to a small extent in Kentucky and Massachusetts; but in Indiana it is made of the purest and best quality by an establishment which, after surmounting many

perils, has now few equals in the magnitude or perfection of its productions, whether on this or the other side of the Atlantic, and richly merits not only the favor but the patronage of the Government itself. Copper is another industry upon which a specific duty was imposed in 1861, which has had a rapid growth, and now makes a large contribution to our mineral wealth. The amount produced in 1860 was less than one-fifth of the present production, and valued at $2,288,182; while in 1880 the production rose to the value of $8,849,961. The capital invested increased from $8,525,500 to $31,675,096. In 1860 the United States Mint paid from twenty-three and one-half to twenty-five cents per pound for copper; but has obtained it the present year under a protective tariff as low as seventeen cents. Like our mines of inexhaustible coal and iron, copper is found in many States, some of it superior to any in the world, and for special uses is constantly sought after by foreign governments.

Many American productions sustain the character they have won by being the best in the world. Our carpenters and joiners could not be hired to handle any other than American tools; and there are no foreign agricultural implements, from a spade to a reaper, that an American farmer would accept as a gift. There is no saddlery hardware nor house-furnishing, equal in quality and style to American. Watches and jewelry and the electric gold and silver plated ware of American workmanship as to quality have the foremost place in the marts of the world. The superiority of our staple cotton goods is indisputable, as is proven by the tribute of frequent counterfeits displayed abroad. The city of Philadelphia alone makes many better carpets and more in quantity than the whole of Great Britain.

These are noble achievements, which should neither be obscured nor lost by the sinister handling and industrious vituperation of free-trade monographists.

The vast array of important and useful inventions recorded in our Patent Office, and in use the world over, shows that it is hardly arrogance for us to accept the compliment of Mr. Cobden and claim that the natural mechanical genius of average Americans will soon appear as much superior to that of Englishmen as was that of Englishmen one hundred years ago to that of the Dutch.

THE TARIFF SHIELDED US IN 1873.

If we had been under the banner of free trade in 1873, when the widespread financial storm struck our sails, what would have been our fate? Is it not apparent that our people would have been stranded on a lee shore, and that the general over-production and excess of unsold merchandise everywhere abroad would have come without hindrance, with the swiftness of the winds, to find a market here at any price? As it was the gloom and suffering here were very great, but American workingmen found some shelter in their home markets, and their recovery from the shock was much earlier assured than that of those who in addition to their own calamities had also to bear the pressure of the hard times of other nations.

In six years, ending June 30, 1881, our exports of merchandise exceeded imports by over $1,175,000,000—a large sum in itself, largely increasing our stock of gold, filling the pockets of the people with more than two hundred and fifty millions not found in the Treasury or banks, making

the return to specie payments easy, and arresting the painful drain of interest so long paid abroad. It is also a very conclusive refutation of the wild free-trade chimeras that exports are dependent upon imports, and that comparatively high duties are invariably less productive of revenue than low duties. The pertinent question arises, Shall we not in the main hold fast to the blessings we have? As Americans we must reject free trade. To use some words of Burke upon another subject: “If it be a panacea we do not want it. We know the consequences of unnecessary physic. If it be a plague, it is such a plague that the precautions of the most severe quarantine ought to be established against it.”

FREE-TRADE PROSPERITY ON THE WANE.

It gives me no pleasure to notice retrograde steps in the prosperity of Great Britain; and, if some evidence of this sort is brought out, like that of the five thousand houses now marked “To let” in Sheffield and ten thousand in Birmingham, it will have no other purpose than to show that free trade has failed to secure the promised supremacy to English manufactures. The avowal of Mr. Gladstone that the additional penny to the income tax produces less revenue than formerly indicates a positive decrease of wealth; and the steady diminution of British exports since 1873, amounting in 1880 to one hundred and sixty million dollars, with a diminution in the total of exports and imports of two hundred and fifty million dollars, is more conclusive proof as well of British decadence as of the advancement of other nations.

COMMERCIAL PROTECTION.

The sum of our annual support bestowed upon the Navy, like that upon the Army, may be too close-fisted and disproportionate to our extended ocean boundaries, and to the value of American commerce afloat; yet whatever has been granted has been designed almost exclusively for the protection of our foreign commerce, and amounts in the aggregate to untold millions. Manufacturers do not complain that this is a needless and excessive favor to importers; and why, then, should importers object to some protection to a much larger amount of capital, and to far greater numbers embarked certainly in an equally laudable enterprise at home?

THE FREE-TRADE PROPAGANDISTS OF ENGLAND.

For the last thirty-five years England has been making extraordinary efforts, political, industrial, legislative, diplomatic, social, and literary, all combined, to persuade mankind to follow her example of reversing that policy of protection, supreme in her Augustan age, or from Queen Anne down throughout the Georgian era, and the policy maintained by Chatham, by the younger Pitt, and by Canning with an energy that created and sustained the most varied and extensive workshops of the world. Already mistress of the ocean and abounding in wealth, the sea-girt Island aspired to a world-wide monopoly of trade. Penetrated with this later free-trade ambition, and not infrequently accused of trying to make all England tributary to Manchester, and all the rest of the world tributary to England, the

eloquent Mr. Bright, who grandly rejected any idea of a new nation in America, resorts even to the infelicitous language of passion when he denounces his opponents, as he does, by declaring that any looking toward protective legislation anywhere in the world is proof either of "congenital depravity or defect of judgment." Let us be thankful it is no worse, for what would have happened if the wrathful Englishman had said "total depravity?"

The repeal of the corn laws was not for the benefit of foreign nations, but solely for the benefit of Englishmen.

FIRST. It was their belief that their skill and great capital gave them that superiority which would secure them against all competition except that arising from cheaper food.

SECOND. The cheaper-fed workmen of Germany, France, and America presented the only competition not to be resisted, and it had to be at once squarely met. Protection was abandoned, and abandoned possibly forever, but abandoned because the laboring British population had become too great and too hungry, with over a million and a half of paupers, when measured by the supply of home-grown food. Some of the little Benjamins must go to Egypt for corn. Starving men do little work, but occasionally do too much. The sole conditions to the continuance of the dense population and the grand scale of British manufactures in competition with modern nations appeared to be parsimony and privation, or lower-priced bread and lowest-priced labor. With these partially secured there came a season of temporary relief, but, unfortunately, with no increase of wages. It was barely success at the cost of an alliance with the discontent of underpaid workmen, with strikes and organized expatriation. Free trade, it is found,

grinds labor to the bone, and forces it to fly, with muscles and machinery, to more inviting fields.

British agriculture, long depressed and chronically exposed to bad harvests, is now threatened with ruin by foreign competition, and British manufactures also seem almost as destitute of sunshine as their agriculture, though still owning a reluctant allegiance to the laws of the universe and to the exact science of the garrulous Bonamy Price. Lord Derby, in a late speech to the Lancashire farmers, recommended that some of the farmers should emigrate—five millions, I believe, he proposed—and those who might remain, said he, will then be able to farm on better terms.

True enough; but what a cold, sunless, and desperate remedy is that! If not Roman decimation, at least a sentence of banishment, crushing out the sweetest affections planted in human hearts, their love for their birthplaces, the homes of their fathers! But if these ill-fated men have barely supported life by the pittances daily earned, by what means, at whose cost, can they be transported to better and more welcome homes? The advice of Lord Derby is like that of the children of Marie Antoinette when the populace of Paris were clamoring for bread. Said the children: “Why don’t they buy cake?” Equally “child-like and bland” is Lord Derby. It would seem, when over 40 per cent. of their yearly imports must be of food, that the British Islands are too small for the foundations of the empire. The grand pyramid stands upon its apex reversed.

English statesmen have not forgotten the reservation of Sir Robert Peel, the author of the free-trade bill in 1846: “I reserve to myself,” said he, “distinctly and unequivocally the right of adapting my conduct to the exigencies of the moment and to

the wants of the country;" and that is all protectionists ever claim to do.

Already Sir Stafford Northcote, the leader of the Tory opposition in the House of Commons, is on the fence, and only ventures to favor "universal free trade." That is surely a horse of another color, not Wellington's "Copenhagen," but more like Sancho Panza's "Dapple."

The recent reaction or change in many organs of British opinion shows that this right of adaptation to the exigencies of the moment is neither surrendered nor obsolete. Let me cite an extract from an influential paper, called the Observer:

There is no obligation upon us to incur industrial martyrdom for the sake of propagating free-trade principles, even supposing their truth to be as self-evident as we fondly imagined. Moreover, to speak the honest truth, we are beginning to doubt how far the creed to which we pinned our faith is so self-evident as we originally conceived. If we can persuade other nations to follow our example, then free trade is unquestionably the best thing for England. It does not follow, however, that it is the best thing for us, if we are to be left the sole adherents of free trade in the midst of a community of nations devoted to protection.

The Observer does not say, as will be seen, that it is best for other nations, but only, if they will follow her example, "unquestionably the best thing for England;" and that will not be disputed.

Other nations, however, seem to prefer to profit by the earlier English example, displayed for seventy years after Smith's Wealth of Nations appeared, and free trade, like the favorite English plum-pudding, is now called for by nobody but themselves, and is

getting so cold as to be unpalatable even at home. Yet it is proposed by the amateur statesmen of our urban free-trade clubs, guiltless of any drop of perspiration in the paths of industry, to arrest American development by copying this foreign example, and thus bring our home labor and all of its rewards down to the European and Asiatic level. Nevertheless, I have faith that we shall abide in the track of the principles and politics which elevate and give character to American citizens, surrounding them with the daily presence and beauty of the useful arts, which so largely add to the power and dignity of any people in the great family of nations. To limit the industrial forces of an active, inventive, and ingenious people to agriculture alone, excluding manufactures and the mechanic arts, would be little better than in time of war to restrict an army to infantry alone, to the exclusion of cavalry and artillery. Great battles are not often so won.

A diversity of pursuits makes a great nation possible in peace, and greater in war. General competence, habits of self-reliance, and higher culture are thus more surely obtained. The improvement in one occupation is contagious, and spreads to all others. Philosophy, politics, and liberty all go up higher, and the happiness and dignity of mankind are promoted.

It is an axiom of British free-trade economy that for any branch of manufactures to rest on safe foundations it is indispensable that both the raw material and the skilled labor required should be indigenous. This seems to be a rule intended to fence out of the field all nations where either the raw material or the skilled labor called for is not native and abundant; but, if applied where the raw material is not indigenous, the British Islands would be

stripped of a great share of their industry. Nor can any nation claim a class of men as born with a monopoly of skilled endowments; these, at any rate, are not “congenital,” and trades must be taught by long apprenticeships; but raw materials are usually planted by nature, and climate and soil fix and determine inflexible boundaries. Cotton is not indigenous in the British Islands, though their accomplished cotton manufactures have made it the leading article of commerce, leading their national policy. Hemp and silk, also, are the products of other lands. Having no timber or lumber good enough for ships, it is all brought, like their royal timber, from any place in the world but home. The steel used at Sheffield for cutlery is made from iron imported from Sweden and Norway; and no fine or merino wool consumed is of home growth. Not a little of the best machinery now alive in England had its birth on this side of the Atlantic, and must be credited to American genius.

The title of the British Islands to all the raw material, and to exclusive and hereditary mechanical skill among men, is widely contested, and the world will not fold its arms unresistingly to any such pretentious domination. The power of steam, though marvelously developed by English cleverness, is an auxiliary force belonging of right to the whole human race, as much as gravity or electricity, wherever its service may be called for, and its abode can no more be exclusively monopolized than that of the Promethean fire stolen from Heaven.

The first steam-engine is supposed to have been employed at Manchester in 1790, where there are now, it is stated, in daily use within a circuit of ten miles more than fifty thousand boilers, yielding a total force equal to the power of one million horses,

and the combined steam-power of Great Britain is represented to be equal to the manual labor of twice the number of males living on the globe. We greatly admire the prodigious enterprise of Great Britain, and it would be strange if, with our immensely greater coal-fields, it should let Americans sleep.

THE THEORY.

Free trade, as a theory, unembarrassed by contact with practical affairs, and divorced from any idea of supplying other equal and legitimate sources of revenue for the support of governments, appears wonderfully simple and seductive. Tearing down custom-houses, as a knock-down argument, is held to be scientific, but it is not conclusive. Some schoolmen, innocent of earning even a coat or a pair of shoes by the sweat of the brow, and sage without experience, adopt the theory because it is an article of faith—saving without works—with a ready-made catechism in imported text-books, and requires no comprehensive investigation of the multiform and ever-varying facts and exigencies in national affairs; but when the theory comes to be practically applied alike to all times, places and conditions of men, it obviously becomes political quackery, as untenable and preposterous as it would be to insist upon clothing all mankind in garments of the same material, in summer or winter, and of equal cut and dimensions, whether for big men or little, on the Danube or on the Mississippi. But however free trade comes to America, it comes as a strait-jacket, and whether new or second-hand, it is equally a misfit and unacceptable.

The affairs of communities are subject to endless

differences from age to age and year to year, and governments that do not recognize these differences are either stupid or tyrannical, and deserve to be superseded or overthrown. In 1816 the sound policy of England, as Lord Brougham declared, was to stifle "in the cradle those infant manufactures in the United States which the war had forced into existence." In 1824 the policy, according to Huskisson, was "an extension of the principle of reducing duties just so far as was consistent with complete protection of British industry." In 1846 duties upon most foreign manufactures had almost ceased to yield any revenue, and Sir Robert Peel was forced to listen to the cry for cheap bread, though he was teased almost to the fighting point by the fertile, bitter, and matchless sarcasms of Disraeli, who also said: "The time will come when the working classes of England will come to you on bended knees and pray you to undo your present legislation."

At this moment important changes of public opinion seem to be going on abroad, and the ponderous octavos of Malthus, Ricardo, McCulloch, and Mill may have some repose. What may have been found expedient yesterday may be fraught with mischief to-day, and he that has no distrust of an inflexible free-trade hobby will turn out to be, unwittingly perhaps, as has been well said, "a friend of every other country but his own," and find at last that he has rejected the solid school of experience only to get astride of an imported catch-word, vainly imagining he is bottomed on a scientific and universal principle. Daniel Webster declared, "I give up what is called the science of political economy. There is no such science. There are no rules on these subjects so fixed and invariable that their aggregate constitutes a science."

PRACTICE VERSUS THEORY.

But English free trade does not mean free trade in such articles as the poor require and must have, like tea and coffee, nor in tobacco, wines and spirituous liquors. These articles they reserve for merciless exactions, all specific, yielding a hundred millions of revenue, and at three times the rate we levy on spirits and more than five times the rate we levy on tobacco! This is the sly part of the entertainment to which we are invited by free-traders.

In 1880 Great Britain, upon tobacco and cigars, mainly from the United States, valued at $6,586,520, collected $43,955,670 duties, or nearly two-thirds as much as we collect from our entire importations of merchandise from Great Britain.

After all, is it not rather conspicuous hypocrisy for England to disclaim all protection, so long as she imposes twenty-nine cents per pound more upon manufactured tobacco than upon unmanufactured, and double the rate upon manufactured cocoa of that upon the raw? American locomotives are supposed to have great merit, and the foreign demand for them is not unknown, but the use of any save English locomotives upon English railroads is prohibited. Is there any higher protection than prohibition? And have not her sugar refiners lived upon the difference of the rates imposed upon raw and refined sugars? On this side of the Atlantic such legislation would be called protection.

WHAT THEY MEAN.

One of the cardinal principles of British free-traders is, “Buy where you can buy cheapest, and sell

where you can sell dearest," and that is precisely what they mean. They expect to buy of us cheapest and sell to us dearest. It is the only logical outcome of the whole policy. We are to be the victims of sharpers, whether we sell or buy. One-half of this resounding phrase, "buy where you can buy cheapest," often appears to touch the pocket nerve of those who, having nothing to sell, derive their income from capital, or from a fixed salary, and they forget that their capital or their salary might have been much smaller had it not been for the greater prosperity and compensation which protection has given to labor and to all business enterprises. Some part of this class are accustomed to make periodical journeys through foreign lands, and as they often bring home more or less of esthetic rarities, they feel aggrieved that such expensive luxuries, which, if cheap and common, would have had no attractions for them, often happen to be among the very tidbits upon which it is the fitting policy of a republican form of government to levy revenue. The tax falls upon those able to pay. No country on the globe sends out so many foreign travelers with a spendable surplus, as the United States, or that scatter their money more generously, not to say extravagantly. English reciprocity in pleasure travel, however, like their often proposed commercial reciprocity, is comparatively jug-handled. They come singly; we go in droves and caravans.

AMERICA VINDICATED BY THOSE WHO COME TO STAY.

But if foreign countries send comparatively an unequal number of visitors tending to reimburse the

abounding expenditures of Americans abroad, they do send us a far more numerous if not valuable company who come to stay, bringing both fortunes and affections, and adding, as they have added within the past two years, over a million and a quarter of brave hearts and willing hands to the productive forces of the country. Their tracks are all one way. None go back and none come here as drones, for such stay away to absorb honey already stored; but the "tenth legions," so to say, of all the conscripted armies of Europe, in health and fit for any service, are rushing to our shore on the "waves of the Atlantic, three thousand miles long," as volunteers for life. Were we to drop protection this western exodus would cease and the emigrants now here would be relegated to the same scale of wages from which they so anxiously attempted to escape.

These facts are pregnant arguments annually reproduced, upholding the American policy of protection, and show that those who expect to earn their living—tempted, it is true, by the highest rewards, and tempted by free schools for their children—know where to find the largest opportunities for the comforts of life, for happiness and intellectual progress; and know also that America is not and never intends to be a transatlantic Ireland nor an agricultural back lot of Europe.

COMMERCIAL RULES NOT A SCIENCE.

We have some worthy literary professors of free trade and some hacks who know their master's crib "of quick conception and easy delivery," as John Randolph would have described them, who, having determined that the sun shall hereafter rise in the

west, assume for their doctrines, like their English masters, the basis of absolute science, which they insist shall be everywhere accepted, regardless of all conditions, wants, or circumstances, as the latest revelation of economic truth; but free trade fails, shamefully fails, to stand the admitted tests of an exact science, as its results must ever be both an inconsistent quantity and incapable of prediction. It yields to the condition of nations and of the seasons, to war, to time, and constantly yields to facts. The blackboard compels universal assent to mathematics, and the laboratory offers the same service to chemistry; but any test or analysis of free trade yields nothing but polemical vagaries, and it may appropriately be consigned to the witches' cauldron with—

Eye of newt, and toe of frog,
Wool of bat, and tongue of dog.

. . . . .

Mingle, mingle, mingle,
You that mingle may.

Queerly enough some of the parties referred to, denounce the tariff men as but "half-educated," while, perhaps, properly demanding themselves exclusive copyright protection for all of their own literary productions, whether ephemeral or abiding. It is right, they seem to think, to protect brains—and of these they claim the monopoly—but monstrous to protect muscles; right to protect the pen, but not the hoe nor the hammer.

Free trade would almost seem to be an aristocratic disease from which workingmen are exempt, and those that catch it are as proud of it as they would be of the gout—another aristocratic distinction.

It might be more modest for these "nebulous professors" of political economy to agree among themselves how to define and locate the leading idea of their "dismal science" whether in the value in exchange or value in use, in profits of capital or wages, whether in the desire for wealth or aversion to labor, or in the creation, accumulation, distribution and consumption of wealth, and whether rent is the recompense for the work of nature or the consequence of a monopoly of property, before they ask a doubting world to accept the flickering and much disputed theory of free trade as an infallible truth about which they have themselves never ceased to wrangle. The weight of nations against it is as forty to one. It may be safe to say that when sea-

serpents, mermaids, and centaurs find a place in natural history, free trade will obtain recognition as a science; but till then it must go uncrowned, wearing no august title, and be content with the thick-and-thin championship of the "Cobden Club."

THE BRITISH POLICY EVERYWHERE REJECTED.

All of the principal British colonies from the rising to the setting of the sun—India alone possibly excepted—are in open and successful revolt against the application of the free-trade tyranny of their mother country, and European States not only refuse to copy the loudly-heralded example, but they are retreating from it as though it were charged with dynamite. Even the London Times, the great "thunderer" of public opinion in Great Britain, does not refrain from giving a stunning blow to free trade when it indicates that it has proved a blunder, and reminds the world that it predicted it would so prove at the start. The ceremony of free trade, with only one party responding solitary and alone, turns out as dull and disconsolate as that of a wedding without a bride. The honeymoon of buying cheap and selling dear appears indefinitely postponed.

There does not seem to be any party coming to rescue England from her isolated predicament. Bismarck, while aiming to take care of the interests of his own country, as do all ministers, on this question perhaps represents the attitude of the greater part of the far-sighted statesmen of Europe, and he, in one of his recent parliamentary speeches, declared:

Without being a passionate protectionist, I am as a financier, however, a passionate imposer of duties,

from the conviction that the taxes, the duties levied at the frontier, are almost exclusively borne by the foreigner, especially for manufactured articles, and that they have always an advantageous, retrospective, protectionist action.

Practically the nations of continental Europe acquiesce in this opinion, and are a unit in their flat refusal of British free trade. They prefer the example of America. Before self-confident men pronounce the whole world of tariff men, at home and abroad, "half-educated or half-witted," they would do well to see to it that the stupidity is not nearer home, or that they have not themselves cut adrift from the logic of their own brains, only to be wofully imposed upon by free-trade quackery, which treats man as a mere fact, no more important than any other fact, and ranks labor only as a commodity to be bought and sold in the cheapest or dearest markets.

So long as statesmen are expected to study the prosperity and advancement of the people for whose government and guidance they are made responsible, so long free-trade theories must be postponed to that Utopian era when the health, strength and skill, capital and labor of the whole human race shall be reduced or elevated to an entire equality, and when each individual shall dwell in an equal climate, upon an equal soil, freely pasture his herds and flocks where he pleases, and love his neighbor better than himself.

OUR FARMERS.

The test of profitable farming is the state of the account at the end of the year. Under free trade the evidence multiplies that the English farmer comes to

the end of the year with no surplus, often in debt, bare and discontented. Their laborers rarely know the luxury of meat, not over sixteen ounces per week,[87] and never expect to own a rood of the soil.

But under the protective policy the American farmer holds and cultivates his own land, has a surplus at the end of the year for permanent investments or improvements, and educates and brings up his sons and daughters with the advantages and comforts of good society. There are more American houses with carpets than in any other country of the world. I believe it will not be disputed that the down-trodden tillers of the soil in Great Britain are not well fed; that they are coarsely underclad, and that for lack of common-school culture they would hardly be regarded as fit associates here for Americans who drive their teams afield, or for the young men who start in life as laborers upon farms. The claim that free trade is the true policy of the American farmer would seem to be, therefore, a very courageous falsehood.

It is an unfortunate tendency of the age that nearly one-half of the population of the globe is concentrated in cities, often badly governed, and sharply exposed to extravagance, pauperism, immorality, and all the crimes and vices which overtake mankind reared in hot-beds. I would neither undervalue the men of brilliant parts, nor blot out the material splendor of cities, but regret to see the rural districts depopulated for their unhealthy aggrandizement. Free trade builds up a few of these custom-house cities, where gain from foreign trade is the chief object sought, where mechanics, greater in numbers than any other class, often hang their heads, though Crœsus rolls in Pactolian wealth, and Shylock wins his pound of

flesh; but protection assembles artisans and skilled workmen in tidy villages and towns, details many squadrons of industry to other and distant localities, puts idle and playful waterfalls at work, opens, builds up, and illumines, as with an electric light, the whole interior of the country; and the farmer of Texas or of New England, of Iowa or of Wisconsin, is benefited by such reinforcements of consumers, whether they are by his side or across the river, at Atlanta or South Bend, at Paterson or at Providence. The farmers own and occupy more than nineteen-twentieths of our whole territory, and their interest is in harmony with the even-handed growth and prosperity of the whole country.

There is not a State whose interests would not be jeopardized by free trade, and I should like to dwell upon the salient facts as to Missouri, Kansas, Indiana, Alabama, Illinois, and many other States, but I shall only refer to one. The State of Texas, surpassing empires in its vast domains, doubling its population within a decade, and expending over twenty million dollars within a year in the construction of additional railroads, with a promised expenditure within the next fifteen months of over twenty-seven millions more, has sent to market as raw material the past year 12,262,052 pounds of hides, 20,671,639 pounds of wool, and 1,260,247 bales of cotton. Her mineral resources, though known to be immense, are as yet untouched. Her bullocks, in countless herds on their way to market, annually crowd and crop the prairies from Denver to Chicago. But now possessed of a liberal system of railroads, how long will the dashing spirit of the Lone Star State—where precious memories still survive of Austin, of Houston, of Rusk, and of Schleicher—be content to send off unmanufactured her immense bulk of precious raw

materials, which should be doubled in value at home, and by the same process largely multiply her population? With half as many in number now as had the original thirteen, and soon to pass our largest States, wanting indefinite quantities of future manufactures at home, Texas should also prepare to supply the opening trade with Mexico, in all of its magnitude and variety, and far more worthy of ambition than in the golden days of Montezuma.

No State can run and maintain railroads unless the way-stations, active and growing settlements and towns, are numerous enough to offer a large, constant, and increasing support. The through business of long lines of railroads is of great importance to the termini, and gives the roads some prestige, but the prosperity and dividends mainly accrue from the local business of thrifty towns on the line of the roads. It is these, especially manufacturing towns, which make freight both ways, to and from, that free trade must ever fail to do, and while through freights, owing to inevitable competition, pay little or no profit, the local freights sustain the roads, and are and must be the basis of their chief future value. Without this efficient local support, cheap and rapid long transportation would be wholly impracticable.

The Southern States, in the production of cotton, have possibly already reached the maximum quantity that can be cultivated with greatest profit, unless the demand of the world expands. A short crop now often brings producers a larger sum than a full crop. The amount of the surplus sent abroad determines the price of the whole crop. Production appears likely soon to outrun the demand. Texas alone has latent power to overstock the world. Is it not time, therefore, to curtail the crop, or to stop any large

increase of it, while sure to obtain as much or more for it, and to turn unfruitful capital and labor into other and more profitable channels of industry? The untrodden fields, where capital and labor wait to be organized for the development of Southern manufactures and mining, offer unrivaled temptations to leaders among men in search of legitimate wealth.

The same facts are almost equally applicable to general agriculture, but more particularly to the great grain-growing regions of the West. A great harvest frequently tends to render the labor of the whole year almost profitless, whenever foreign countries are blessed with comparatively an equal abundance. The export of corn last year in October was 8,535,067 bushels, valued at $4,604,840, but the export of only 4,974,661 bushels this year brings $3,605,813. An equal difference appears in the increased value of exports of flour. A much larger share of crops must be consumed nearer home, if any sure and regular market is to be permanently secured. The foreign demand, fitful and uncertain as it is, rarely exceeds one-twentieth of even the present home requirements, and the losses from long transportation, incident to products of great bulk, can never be successfully avoided except by an adequate home demand.

Farmers do not look for a market for grain among farmers, but solely among non-producing consumers, and these it is greatly to their interest to multiply rather than to diminish by forcing them to join in producing or doubling crops for which there may be an insufficient demand. Every ship-load of wheat sent abroad tends to bring down foreign prices; and such far-off markets should be sought only when the surplus at home is excessive or when foreign prices

are extraordinarily remunerative.

The wheat regions of the West, superb as they undoubtedly are, it is to be feared, have too little staying character to be prodigally squandered, and their natural fertility noticeably vanishes in the rear unless retained by costly fertilizers almost as rapidly as new fields open in front. Some of the Middle States as well as the New England, though seeking fertilizers far and near, already look to the West for much of their corn and bread; and there is written all over Eastern fields, as Western visitors may read, the old epitaph, “As we are now so you may be.” It will take time for this threatened decadence, but not long in the life of nations. The wheat crop runs away from the Atlantic coast to the Pacific, and sinks in other localities as it looms up in Minnesota, Nebraska, and Dakota. Six years of cropping in California, it is said, reduces the yield per acre nearly one-half.

There was in 1880 devoted to wheat culture over thirty-five million acres, or nearly double the acreage of 1875. In twenty-five years a hundred million people will more than overtake any present or prospective surplus, and we may yet need all of our present magnificent wheat fields to give bread to our own people. Certainly we need not be in haste to slaughter and utterly exhaust the native fertility of our fields on the cheap terms now presented.

England, with all her faults, is great, but unfortunately has not room to support her greatness, and must have cheap food and be able to offer better wages or part with great numbers of her people. I most sincerely hope her statesmen—and she is never without those of eminence—will prove equal to their great trust and to any crisis; but we cannot surrender the welfare of our Republic to any foreign empire. Free trade may or may not be England’s necessity.

Certainly it is not our necessity; and it has not reached, and never will reach, the altitude of a science. An impost on corn there, it is clear, would now produce an exodus of her laboring population that would soon leave the banner of Victoria waving over a second-rate power.

Among the nations of the world the high position of the United States was never more universally and cordially admitted. Our rights are everywhere promptly conceded, and we ask nothing more. It is an age of industry, and we can only succeed by doing our best. Our citizens under a protective tariff are exceptionally prosperous and happy, and not strangers to noble deeds nor to private virtues. A popular government based on universal suffrage will be best and most certainly perpetuated by the elevation of laboring men through the more liberal rewards of diversified employments, which give scope to all grades of genius and intelligence and tend to secure to posterity the blessings of universal education and the better hope of personal independence.

Speech of Hon. J. D. Cameron, of Penna.

On the Reduction of Revenue as Affecting the Tariff. Delivered in the United States Senate January 16, 1882.

Mr. CAMERON, of Pennsylvania. I move to take up the resolution submitted by me in relation to internal-revenue taxes.

The motion was agreed to; and the Senate proceeded to consider the following resolution

submitted by Mr. CAMERON, of Pennsylvania, December 6, 1881:

Resolved, That in the opinion of the Senate it is expedient to reduce the revenue of the Government by abolishing all existing internal revenue taxes except those imposed upon high wines and distilled spirits.

Mr. CAMERON, of Pennsylvania. Mr. President, the surplus revenue of this Government applicable to the payment of the public debt for the year ending June 30, 1881, was $100,069,404.98.

The inference from these figures must be that if such surplus receipts are applied to the reduction of the debt it will be paid within ten or twelve years. The question then is: Should the people continue to be taxed as heavily as they now are to pay it off within so short a period? Is it wise or prudent?

No one will deny the wisdom of the legislators who inaugurated the system of reducing the debt, or the patriotism of the people who have endured a heavy load of taxation to pay the interest and reduce the principal of such indebtedness. Both have been causes of wonder to the world, and have shown the strength, honesty, and prudence attainable under a republican form of government in matters where it was thought to be weak. It is acknowledged that the course thus pursued by Congress, and supported by the people, has had several good results. The exercise of the power of the Government and the cheerful submission to the enacting nature of the laws by the people has had an undoubted tendency to elevate and strengthen the moral tone of the nation, giving the people more confidence in each other, and compelling the approval of the world. It has reduced the principal sum of our national indebtedness until

it is entirely within the ready control of the financial ability of the people either to pay off or to pay the interest thereon. It has established the credit of the country, and brought it up from a position where the 6 per cent. gold bonds of the United States before the war would not command par to a present premium of 17 per cent, on a 4 per cent. bond, and to the ready exchange of called 6 per cent. bonds into new ones bearing 3½ per cent. interest. It has demonstrated the ability of the country not only to carry on a most expensive internal war, but to pay off its cost in a time unknown to any other people; and further, that the ability of the country to furnish men and material of war and to meet increased financial demands is cumulative. The burden carried by this country from 1861 to the present day has been much greater than it would be if laid upon this nation and people from 1881 to 1900.

The burden, therefore, of the present debt would fall but lightly on the country if the payment thereof should be for a time delayed, or the rate at which it has been paid be decreased. It thus becomes a question of prudence with the Government whether they will continue the burden upon the people, or relieve them of part of it.

The burdens of general taxation borne by the people are very onerous. They have not only the General Government to sustain, on which devolves the expenses of legislation, of the Federal judiciary, of the representatives of our country in all the principal governments and cities of the world, of the management of such of our internal affairs and conveniences as belong to Congress, the keeping up of our Army and Navy, the erection of public buildings, the improvement of the rivers and harbors, and many other items that require large

annual expenditures. With the increase of population and the filling up of our unoccupied lands almost all these annual outlays and expenses will tend to increase in place of decreasing, and all such expenditures must be in some way met by the people of the country. They have also to sustain their State governments with the expenses and outlays incident to them, their legislatures, judiciaries, penitentiaries, places of reform, hospitals, and all means of aiding the afflicted, to sustain the common schools, to pay the cost of such improvements of rivers, of canals, of railways, or of roads as the States may undertake. They have also the heavy cost to meet of city governments, of county, town and borough governments; they must pay the inferior Legislatures, erect buildings, provide water, police, jails, poor-houses, and build roads and take care of them.

On the liberality of the people the country depends for the building of charitable institutions, universities, colleges, private schools of high grade, and every variety of relief to the poor and the afflicted. In addition to these burdens almost all the States, most of the large cities, and many of the counties and towns in the States still labor under the burdens of indebtedness incurred during the war to sustain the General Government, which indebtedness, incurred on the then value of paper currency, has now to be paid in gold. They have not had the means at command to pay off much of such indebtedness like the General Government, nor to refund it at a lower rate of interest. The superior credit of the General Government has been made partially at the expense of the local governments. I have stated these facts that Senators might keep in mind that the question should not be considered as merely one of our ability to reduce our indebtedness

by paying off annually one hundred millions of dollars and by continuing our present laws for raising revenues, as if it were but a small matter for the people to do, but it should be considered in connection with the total burden of taxation imposed by the revenue laws of the General Government, as well as by those of the State and the subordinate governments within their bounds.

There is, therefore, a strong argument to be found in these facts of the other burdens of taxation borne by the people in favor of reducing the amount of revenue applicable to the payment of the public debt when it can be done without injury to the credit of the Government and without risking in the least the ability of the Government either to pay such indebtedness as it matures or to interfere with the ability of the Government to fully provide for the wants of the country as they may be developed. A complete statement of the percentage of taxation borne by each male citizen of the United States over twenty-one years of age in the various ways stated would astound the Senate and the country. There is probably no country in the world where the taxation direct and indirect is so heavy, and only a people situated and circumstanced as the American people are could prosper under such a burden. If no other reason could be advanced in favor of a reduction of the amount of moneys derived from our internal-revenue laws than this one of reducing the burdens of the people, it would be amply sufficient, in my judgment, to warrant the proposed reduction. Yet I will say frankly that I have another object in wishing to have the internal revenue reduced, and I hope before long that every vestige of that system will cease to exist. That object is to prevent any material change being made in the tariff upon imports as it

now exists, for upon its existence depends the prosperity, the happiness, the improvement, the education of the laboring people of the country, although I do not object to a careful revision of it by a competent commission.

I want to say a word here about the arrears of pension act. This act never should be repealed, and in my judgment it never will or can be. It has lately been held up to contempt by that class of people who twenty years ago were engaged in exhorting these same pensioners to go to the front, and who now object to rewarding them; but their opinion is not shared by the people at large; in fact, no more essentially just law was ever placed upon the statute book. Its effect is simply and solely to prevent the Government from pleading the statute of limitation against its former defenders. It did not increase the rate of pensions in any way whatever, but merely said that a man entitled to a pension for physical injury received in Government service should not be debarred from receiving it because he was late in making his application. To the payment of these pensions every sentiment of honesty and gratitude should hold us firmly committed.

My friend the Senator from Kentucky [Mr. BECK] is very honest, is generally very astute, and has great capacity as a leader. My personal friendship makes me desire his success, and as an individual I want him to be the recipient of all the honors his party can bestow upon him, but I am very sure that he is now opposing a measure that is intended to promote the welfare of and is in accord with the wishes of the people of the country. He is leading his party astray, he is holding it back, he is tying it to the carcass of free trade.

Politically I am glad that he is; on his own account

I regret it. He is opposing the principle of protection, and, in my judgment, no man can do that and retain the support of the people. No party can to-day proclaim the doctrine of "a tariff for revenue only" and survive. Opposition to an earnest prosecution of the war for the suppression of the rebellion failed to destroy the Democratic party because of the recruits it received from the South, but opposition to the doctrine of protection to American productions, hostility to the elevation of American labor, no party in this enlightened day can advocate and live. I am astonished that the Democratic party does not learn by experience. The "tariff-for-a-revenue-only" plank in the Cincinnati platform lost it Indiana, lost it New York, and in 1884 it will lose it one-half of the Southern States.

The PRESIDENT *pro tempore*. The morning hour has expired. Is it the pleasure of the Senate that unanimous consent be given to the Senator from Pennsylvania to proceed with his remarks?

Mr. BECK. I move that unanimous consent be granted.

The PRESIDENT *pro tempore*. The Chair hears no objection, and the morning hour will be continued until the Senator from Pennsylvania closes his remarks.

Mr. CAMERON, of Pennsylvania. The great question of protection to American labor will be the question which will obliterate old dissensions and unite the States in one common brotherhood. The Democratic party has made its last great fight. It will struggle hard, and in its death throes will, with the aid of a few unsuccessful and disappointed Republicans, possibly have temporary local successes, but death has marked it for its victim, die it will, and on its

tomb will be inscribed, “Died because of opposition to the education, the elevation, the advancement of the people.”

The historic policy of this country has been to raise its revenues mainly from duties on imports and from the sale of the public lands. There are many reasons in favor of this policy. It is more just and equal in its burdens on the States and on the people; it is less inquisitorial, less expensive, less liable to corruption; it is free from many vexed questions which our experience of twenty years in collecting internal revenue has developed. The internal revenue brings the General Government in contact with the people in almost every thing they eat, wear, or use. The collection of revenue by duties on imports is so indirect as to remove much of the harshness felt when the citizen comes in direct contact with the iron grip of the law compelling him to affix a stamp to what he makes or uses. No one will question the fact that the collection of internal duties unfavorably affected the general morals of the nation.

The internal revenue laws were adopted by the Government as a war measure, as an extraordinary and unusual means of raising money for an emergency, and it is proper and in accordance with public opinion that with the end of the emergency such policy should cease. I cannot but think that every Senator will agree with me that the end of the emergency has been reached. The emergency embraced not only the time of the expenditures, but their continuation until the debt incurred during the emergency was so reduced as to be readily managed, if not exclusively by the ordinary revenues of the Government, yet with a greatly reduced system of internal revenues and for a limited time. But in determining wherein such reduction shall be made,

two great interests of the country are to be considered:

First, the system of duties on foreign goods, wares, &c.

Second, our national banking system.

It has been proposed to meet this question of reduction by lowering the rates of duty, and thus to continue in this country indefinitely the use of direct and indirect taxation, supposing that such reduction would require the prolonged continuation of internal taxation.

The first effect of this would be to increase the revenues, as lower duties would lead for awhile to increased importations; but ultimately these increased importations would destroy our manufactures and impoverish the people to the point of inability to buy largely abroad, and when that point would be reached, we should have no other source of revenue than internal taxes upon an impoverished people. At first we should have more revenue than we need, but in the end much less.

This statement of the effect of lower duties may at first seem anomalous and questionable, but that such would be the result is proven by the effect on the revenues of the country of the reduction in duties in the tariff of 1846 below that of 1842. This will be evident from the Treasury statistics of the years 1844, 1845, 1846, 1847, &c., which will show for the latter years a large increase of revenues. A reduction of duties which would affect the ability of our manufacturers to compete with foreign makers would cause a large importation of goods, with two objects: first, to find a market, the effect of which would be to keep the mills of England and other countries fully employed; and, second, a repetition of

the custom of English manufacturers to put goods on our markets at low and losing prices for the purpose of crippling and breaking down our operators. And the increase of out national revenues would continue until our fires were stopped, our mills and mines closed, our laborers starved, and our capital and skill, the work of many years, lost. This time would be marked, by a renewal of our vassalage to England. Then the tables would be turned, our revenues would fall off with our inability to purchase, our taxation would continue and become very onerous, and in place of a strong, reliant, and self-supporting people, exercising a healthful influence over the nations of the world, we would be owned and be the servants of Europe, tilling the ground for the benefit of its people; our laborers would be brought down to a level with the pauper labor of Europe.

Our form of government will not permit the employment of ignorant pauper labor. It is a government of the people, and to have it continue to grow and prosper the people must be paid such wages as will enable them to be educated sufficiently to realize and appreciate the benefits of its free institutions; and knowing these benefits, they will maintain them. If, on the other hand, it is desirable that the revenues from duties should be decreased, and thereby retain both kinds of taxation, the direct and the indirect, the best possible way to do this would be to largely increase the duties on imported goods, which would for a time decrease the imports, thereby decreasing the amount of duties received. This tendency would last until, through this policy, the wealth and purchasing power of the country would so largely increase that the revenues would again increase, both by reason of decreased cost in foreign countries and because of the purchase by us

of articles of special beauty, skill, and luxury. It may be said (and however paradoxical it may appear, the assertion is proven by the history of the tariff) that while the immediate tendency with free-trade duties is to increase imports and revenues, the ultimate result of such low duties is to decrease the imports and revenues, due to the decreasing ability of the country to purchase. The immediate tendency of protective tariffs is to decrease imports and revenues, but the final result is to increase the imports and duties, arising from the greater ability of the country to purchase. But my intention is not to discuss at this time the question of a tariff, but to show the effect of a change in the duties on imports upon the revenues of the country.

I clearly recognize that while the public mind is decidedly in favor of encouraging home manufacturers by levying what are called protective duties, yet the people are opposed to placing those duties so high that they become prohibitory and making thereby an exclusive market for our manufacturers at home. It seems very clear to my mind, in view of these statements as to the result of decreasing or increasing the duties on our imports, that no reduction of revenue is practicable by changes in our tariff.

The second great interest of the people, which will very shortly be directly affected by the large and increasing surplus revenues of the country, is the system of national banks, and this through the decrease of the public indebtedness by the application of the annual surplus to its payment. The large annual reduction of the public debt will very shortly begin to affect the confidence of the public in the continuation of the system. It will increase public anxieties and excite their fears as to a substitution of

any other system for this that has proven so acceptable and so valuable to the country. If the national banking system is to be worked out of existence, it will inevitably cause serious financial trouble.

Financial difficulties among a people like those of this country, however ill-based or slight, are always attended by disastrous consequences, because in times of prosperity the energies and hopefulness of the people are stretched to the utmost limits, and the shock of financial trouble has the effect of an almost total paralysis on the business of the country. It is certainly the part of statesmanship to avoid such a calamity whenever it is possible.

I unhesitatingly declare and believe that the value of our system of national banks is so great in the benefits the country derives therefrom and the dangers and losses its continuance will avoid that it were better to continue in existence an indebtedness equal to the wants of the banks which the country may from time to time require until some equally conservative plan may be offered that will enable us to dispense with the system.

It is also important in this connection for Senators to bear in mind that the increasing business of the country will annually require increased banking facilities, and consequently increased bonds as the basis on which they can be organized; and it should not be overlooked that a possible determination by Congress to pay off by retiring or by funding the greenbacks will create a great hiatus in the circulating medium of the country, which can only be replaced by additional national-bank notes based upon an equivalent amount of public indebtedness.

In view of the statements I have made, I cannot

but conclude that the wisest and most prudent course for Congress is to leave the question of changes in the tariff laws to be adjusted as they may from time to time require, and to make whatever reduction of the income of the Government that may be found desirable by reducing the changes in the internal-revenue laws.

The national revenue laws as they now are may be greatly and profitably changed. They are very burdensome to a heavily-taxed people, and such burdens should be relieved wherever it is possible. This can now be done with safety by providing that so much of the public debt may be paid off from time to time as may not be required to sustain the system of national banks.

I move that the resolution be referred to the Committee on Finance.

The motion was agreed to.

Extracts from Speech of Hon. Thomas H. Benton,

On Proposed Amendments of the Constitution in relation to the election of President and Vice-President, Delivered in the U. S. Senate Chamber, A. D. 1824.

He said:—The evil of a want of uniformity in the choice of Presidential electors, is not limited to its disfiguring effect upon the face of our government, but goes to endanger the rights of the people, by permitting sudden alterations on the eve of an

election, and to annihilate the rights of the small States, by enabling the large ones to combine, and to throw all their votes into the scale of a particular candidate. These obvious evils make it certain that *any uniform rule* would be preferable to the present state of things. But, in fixing on one, it is the duty of statesmen to select that which is calculated to give to every portion of the Union its due share in the choice of a chief magistrate, and to every individual citizen a fair opportunity of voting according to his will. This would be effected by adopting the *District System*. It would divide every State into districts equal to the whole number of votes to be given, and the people of each district would be governed by its own majority, and not by a majority existing in some remote part of the State. This would be agreeable to the *rights* of individuals: for in entering into society, and submitting to be bound by the decision of the majority, each individual retained the right of voting for himself wherever it was practicable, and of being governed by a majority of the vicinage, and not by majorities brought from remote sections to overwhelm him with their accumulated numbers. It would be agreeable to the *interests* of all parts of the States; for each State may have different interests in different parts; one part may be agricultural, another manufacturing, another commercial; and it would be unjust that the strongest should govern, or that two should combine and sacrifice the third. The district system would be agreeable to the *intention* of our present constitution, which, in giving to each elector a separate vote, instead of giving to each State a consolidated vote, composed of all its electoral suffrages, clearly intended that each mass of persons entitled to one elector, should have the right of giving one vote, according to their own sense of their

own interest.

The general ticket system now existing in ten States, was the offspring of policy, and not of any disposition to give fair play to the will of the people. It was adopted by the leading men of those States, to enable them to consolidate the vote of the State. It would be easy to prove this by referring to facts of historical notoriety. It contributes to give power and consequence to the leaders who manage the elections, but it is a departure from the intention of the constitution; violates the rights of the minorities, and is attended with many other evils.

The intention of the constitution is violated because it was the intention of that instrument to give to each mass of persons, entitled to one elector, the power of giving an electoral vote to any candidate they preferred. The rights of minorities are violated, because a majority of *one* will carry the vote of the whole State. The principle is the same, whether the elector is chosen by general ticket, or by legislative ballot; a majority of *one*, in either case, carries the vote of the whole State. In New York, thirty-six electors are chosen; nineteen is a majority, and the candidate receiving this majority is fairly entitled to receive nineteen votes; but he counts in reality thirty-six: because the minority of seventeen are added to the majority. These seventeen votes belong to seventeen masses of people, of 40,000 souls each, in all 680,000 people, whose votes are seized upon, taken away, and presented to whom the majority pleases. Extend the calculation to the seventeen States now choosing electors by general ticket or legislative ballot, and it will show that three millions of souls, a population equal to that which carried us through the Revolution, may have their votes taken from them in the same way. To *lose* their

votes is the fate of all minorities, and it is theirs only to submit; but this is not a case of votes *lost*, but of votes *taken away*, added to those of the majority, and given to a person to whom the minority was opposed.

He said, this objection (to the direct vote of the people) had a weight in the year 1787, to which it is not entitled in the year 1824. Our government was then young, schools and colleges were scarce, political science was then confined to few, and the means of diffusing intelligence were both inadequate and uncertain. The experiment of a popular government was just beginning; the people had been just released from subjection to an hereditary king, and were not yet practiced in the art of choosing a temporary chief for themselves. But thirty-six years have reversed this picture; thirty-six years, which have produced so many wonderful changes in America, have accomplished the work of many centuries upon the intelligence of its inhabitants. Within that period, schools, colleges, and universities have multiplied to an amazing extent. The means of diffusing intelligence have been wonderfully augmented by the establishment of six hundred newspapers, and upwards of five thousand post-offices. The whole course of an American's life, civil, social, and religious, has become one continued scene of intellectual and of moral improvement. Once in every week, more than eleven thousand men, eminent for learning and for piety, perform the double duty of amending the hearts, and enlightening the understandings, of more than eleven thousand congregations of people. Under the benign influence of a free government, both our public institutions and private pursuits, our juries, elections, courts of justice, the liberal professions, and the

mechanical arts, have each become a school of political science and of mental improvement. The federal legislature, in the annual message of the President, in reports of heads of departments, and committees of Congress, and speeches of members, pours forth a flood of intelligence which carries its waves to the remotest confines of the republic. In the different States, twenty-four State executives and State legislatures, are annually repeating the same process within a more limited sphere. The habit of universal travelling, and the practice of universal interchange of thought, are continually circulating the intelligence of the country, and augmenting its mass. The face of our country itself, its vast extent, its grand and varied features, contribute to expand the human intellect and magnify its power. Less than half a century of the enjoyment of liberty has given practical evidence of the great moral truth, that under a free government, the power of the intellect is the only power which rules the affairs of men; and virtue and intelligence the only durable passports to honor and preferment. The conviction of this great truth has created an universal taste for learning and for reading, and has convinced every parent that the endowments of the mind and the virtues of the heart, are the only imperishable, the only inestimable riches which he can leave to his posterity.

This objection (the danger of tumults and violence at the elections) is taken from the history of the ancient republics; and the tumultuary elections of Rome and Greece. But the justness of the example is denied. There is nothing in the laws of physiology which admits a parallel between the sanguinary Roman, the volatile Greek, and the phlegmatic American. There is nothing in the state of the respective countries, or in the manner of voting,

which makes one an example for the other. The Romans voted in a mass, at a single voting place, even when the qualified voters amounted to millions of persons.

They came to the polls armed, and divided into classes, and voted, not by heads, but by centuries.

In the Grecian republics all the voters were brought together in a great city, and decided the contest in one great struggle.

In such assemblages, both the inducement to violence, and the means of committing it, were prepared by the government itself. In the United States all this is different. The voters are assembled in small bodies, at innumerable voting places, distributed over a vast extent of country. They come to the polls without arms, without odious instructions, without any temptation to violence, and with every inducement to harmony.

If heated during the day of election, they cool off upon returning to their homes, and resuming their ordinary occupations.

But let us admit the truth of the objection. Let us admit that the American people would be as tumultuary at this presidential election as were the citizens of the ancient republics at the election of their chief magistrates. What then? Are we thence to infer the inferiority of the officers thus elected, and the consequent degradation of the countries over which they presided? I answer no. So far from it, that I assert the superiority of these officers over all others ever obtained for the same countries, either by hereditary succession, or the most select mode of election. I affirm those periods of history to be the most glorious in arms, the most renowned in arts, the most celebrated in letters, the most useful in

practice, and the most happy in the condition of the people, in which the whole body of the citizens voted direct for the chief officer of their country. Take the history of that commonwealth which yet shines as the leading star in the firmament of nations. Of the twenty-five centuries that the Roman state has existed, to what period do we look for the generals and statesmen, the poets and orators, the philosophers and historians, the sculptors, painters and architects, whose immortal works have fixed upon their country the admiring eyes of all succeeding ages? Is it to the reign of the seven first kings?—to the reigns of the emperors, proclaimed by the prætorian bands?—to the reigns of the Sovereign Pontiffs, chosen by a select body of electors in a conclave of most holy cardinals? No.—We look to none of these, but to that short interval of four centuries and a half which lies between the expulsion of the Tarquins, and the re-establishment of monarchy in the person of Octavius Cæsar. It is to this short period, during which the consuls, tribunes, and prætors, were annually elected by a direct vote of the people, to which we look ourselves, and to which we direct the infant minds of our children, for all the works and monuments of Roman greatness; for roads, bridges, and aqueducts, constructed; for victories gained, nations vanquished, commerce extended, treasure imported, libraries founded, learning encouraged, the arts flourishing, the city embellished, and the kings of the earth humbly suing to be admitted into the friendship, and taken under the protection of the Roman people. It was of this magnificent period that Cicero spoke, when he proclaimed the people of Rome to be the masters of kings, and the conquerors and commanders of all the nations of the earth. And, what is wonderful, during

this whole period, in a succession of four hundred and fifty annual elections, the people never once prepared a citizen to the consulship who did not carry the prosperity and glory of the Republic to a point beyond that at which he had found it.

It is the same with the Grecian Republics. Thirty centuries have elapsed since they were founded; yet it is to an ephemeral period of one hundred and fifty years only the period of popular elections which intervened between the dispersing of a cloud of petty tyrants, and the coming of a great one in the person of Philip, King of Macedon, that we are to look for that galaxy of names which shed so much lustre upon their country, and in which we are to find the first cause of that intense sympathy which now burns in our bosoms at the name of Greece.

These short and brilliant periods exhibit the great triumph of popular elections; often tumultuary, often stained with blood, but always ending gloriously for the country.

Then the right of suffrage was enjoyed; the sovereignty of the people was no fiction. Then a sublime spectacle was seen, when the Roman citizen advanced to the polls and proclaimed: "*I vote for Cato to be consul*;" the Athenian, "*I vote for Aristides to be Archon*;" the Hebran, "*I vote for Pelopidas to be Bœotrach*;" the Lacedemonian, "*I vote for Leonidas to be first of the Ephori*," and why not an American citizen the same? Why may he not go up to the poll and proclaim, "*I vote for Thomas Jefferson to be President of the United States*?" Why is he compelled to put his vote in the hands of another, and to incur all the hazards of an irresponsible agency, when he himself could immediately give his own vote for his own chosen candidate, without the slightest assistance from agents or managers?

But I have other objections to these intermediate electors. They are the peculiar and favorite institution of aristocratic republics, and elective monarchies. I refer the Senate to the late republics of Venice and Genoa; of France, and her litter; to the Kingdom of Poland; the empire of Germany, and the Pontificate of Rome. On the contrary, a direct vote by the people is the peculiar and favorite institution of democratic republics; as we have just seen in the governments of Rome, Athens, Thebes, and Sparta; to which may be added the principal cities of the Amphyctionic and Achaian leagues, and the renowned republic of Carthage when the rival of Rome.

I have now answered the objections which were brought forward in the year ’78. I ask for no judgment upon their validity of that day, but I affirm them to be without force or reason in the year 1824.

TIME and EXPERIENCE have so decided. Yes, *time* and *experience*, the only infallible tests of good or bad institutions, have now shown that the continuance of the electoral system will be both useless and dangerous to the liberties of the people, and that the only effectual mode of preserving our government from the corruptions which have undermined the liberties of so many nations, is, to confide the election of our chief magistrates to those who are farthest removed from the influence of his patronage; that is to say, to the whole body of American citizens.

The electors are not independent; they have no superior intelligence; they are not left to their own judgment in the choice of a President; they are not above the control of the people; on the contrary, every elector is pledged, before he is chosen, to give his vote according to the will of those who choose

him.

He is nothing but an agent, tied down to the execution of a precise trust. Every reason which induced the convention to institute electors has failed. They are no longer of any use, and may be dangerous to the liberties of the people. They are not useful, because they have no power over their own vote, and because the people can vote for a President as easily as they can vote for an elector. They are dangerous to the liberties of the people, because, in the *first* place, they introduce extraneous considerations into the election of President; and in the *second* place, they may sell the vote which is intrusted to their keeping. They introduce extraneous considerations, by bringing their own character and their own exertions into the presidential canvass. Every one sees this. Candidates for electors are now selected, not for the reasons mentioned in the Federalist, but for their devotion to a particular party, for their manners, and their talent at electioneering. The elector may betray the liberties of the people, by selling his vote. The operation is easy, because he votes by ballot; detection is impossible, because he does not sign his vote; the restraint is nothing but his own conscience, for there is no legal punishment for this breach of trust. If a swindler defrauds you out of a few dollars of property or money, he is whipped and pilloried, and rendered infamous in the eye of the law; but, if an elector should defraud 40,000 people of their vote, there is no remedy but to abuse him in newspapers, where the best men in the country may be abused, as Benedict Arnold or Judas Iscariot.

Every reason for instituting electors has failed, and every consideration of prudence requires them to be discontinued. They are nothing but agents, in a case

which requires no agent; and no prudent man would, or ought, to employ an agent to take care of his money, his property, or his liberty, when he is equally capable to take care of them himself.

But, if the plan of the constitution had not failed—if we were now deriving from electors all the advantages expected from their institution—I, for one, would still be in favor of getting rid of them.

I should esteem the incorruptibility of the people, their disinterested desire to get the best man for President, to be more than a counterpoise to all the advantages which might be derived from the superior intelligence of a more enlightened, but smaller, and therefore, more corruptible body. I should be opposed to the intervention of electors, because the double process of electing a man to elect a man, would paralyze the spirit of the people, and destroy the life of the election itself. Doubtless this machinery was introduced into our constitution for the purpose of softening the action of the democratic element; but it also softens the interest of the people in the result of the election itself. It places them at too great a distance from their first servant. It interposes a body of men between the people and the object of their choice, and gives a false direction to the gratitude of the President elected. He feels himself indebted to the electors who collected the votes of the people, and not to the people, who gave their votes to the electors.

It enables a few men to govern many, and, in time, it will transfer the whole power of the election into the hands of a few, leaving to the people the humble occupation of confirming what has been done by superior authority.

IN MEMORIAM.

Hon. James G. Blaine's Oration on President Garfield.

THE GRAND MORAL OF HIS CAREER.

An Elaborate, Polished and Scholarly Tribute by an Accomplished Orator, in the Hall of the House of Representatives, on Monday, Feb. 27, 1882.

At ten o'clock the doors of the House of Representatives were opened to holders of tickets for the memorial services, and in less than half an hour the galleries were filled, a large majority of the spectators being ladies, mostly in black. There were no signs of mourning in the hall, even the full-length portrait of the late President, James Abram Garfield, painted by E. F. Andrews, of Washington, being undraped. The three front rows of desks had been replaced by chairs to accommodate the invited guests, and the Marine Band was stationed in the lobby, back of the Speaker's desk.

Among the distinguished guests first to arrive were George Bancroft, W. W. Corcoran, Cyrus Field and Admiral Worden, who took seats directly in front of the clerk's desk. Among the guests who occupied seats upon the floor were General Schenck, Governor Hoyt, of Pennsylvania; Foster, of Ohio; Porter, of Indiana; Hamilton, of Maryland, and Bigelow, of Connecticut, and Adjutant-General Harmine, of Connecticut.

At 11.30 Generals Sherman, Sheridan, Hancock, Howard and Meigs, and Admirals Ammen and Rodgers entered at the north door of the chamber and were assigned seats to the left of the Speaker's desk, and a few moments later the members of the Diplomatic Corps, in full regalia, were ushered in,

headed by the Hawaiian Minister, as dean of the Corps. The Supreme Court of the District, headed by Marshal Henry, arrived next. Mrs. Blaine occupied a front seat in the gallery reserved for friends of the President. At twelve o'clock the House was called to order by Speaker Keifer, and prayer was offered by the Chaplain. The Speaker then announced that the House was assembled and ready to perform its part in the memorial services, and the resolutions to that effect were read by Clerk McPherson. At 12.10 the Senate was announced, and that body, headed by its officers, entered and took their assigned seats. The Chief Justice and Associate Justices of the Supreme Court, in their robes of office, came next, and were followed by President Arthur and his Cabinet. The President took the front seat on the right of the Presiding Officer's chair, next to that occupied by Cyrus W. Field.

Senator Sherman and Representative McKinley (Ohio) occupied seats at the desk on the right and left of the orator of the day. Mr. West, the British Minister, was the only member of the Diplomatic Corps who did not wear the court uniform.

A delegation of gentlemen from the Society of the Army of the Cumberland acted as ushers at the main entrance to the Rotunda and in the various corridors leading to the galleries.

At 12.30 the orator of the day was announced, and after a short prayer by the Chaplain of the House, F. D. Power, president Davis said: "This day is dedicated by Congress for memorial services of the late President of the United States, James A. Garfield. I present to you the Hon. James G. Blaine, who has been fitly chosen as the orator for this historical occasion."

Mr. Blaine then rose, and standing at the clerk's desk, immediately in front of the two presiding officers, proceeded, with impressiveness of manner and clearness of tone, to deliver his eulogy from manuscript, as follows:

Mr. Blaine's Oration.

Mr. President: For the second time in this generation the great departments of the Government of the United States are assembled in the Hall of Representatives to do honor to the memory of a murdered President. Lincoln fell at the close of a mighty struggle in which the passions of men had been deeply stirred. The tragical termination of his great life added but another to the lengthened succession of horrors which had marked so many lintels with the blood of the first born. Garfield was slain in a day of peace, when brother had been reconciled to brother, and when anger and hate had been banished from the land. "Whoever shall hereafter draw the portrait of murder, if he will show it as it has been exhibited where such example was last to have been looked for, let him not give it the grim visage of Moloch, the brow knitted by revenge, the face black with settled hate. Let him draw, rather, a decorous smooth-faced, bloodless demon; not so much an example of human nature in its depravity and in its paroxysms of crime, as an infernal being, a fiend in the ordinary display and development of his character."

GARFIELD'S ANCESTORS.

From the landing of the Pilgrims at Plymouth till the uprising against Charles First, about twenty thousand emigrants came from old England to New England. As they came in pursuit of intellectual freedom and ecclesiastical independence rather than for worldly honor and profit, the emigration naturally ceased when the contest for religious liberty began in earnest at home. The man who struck his most effective blow for freedom of conscience by sailing for the colonies in 1620 would have been accounted a deserter to leave after 1640. The opportunity had then come on the soil of England for that great contest which established the authority of Parliament, gave religious freedom to the people, sent Charles to the block, and committed to the hands of Oliver Cromwell the Supreme Executive authority of England. The English emigration was never renewed, and from these twenty thousand men with a small emigration from Scotland and from France are descended the vast numbers who have New England blood in their veins.

In 1685 the revocation of the edict of Nantes by Louis XIV. scattered to other countries four hundred thousand Protestants, who were among the most intelligent and enterprising of French subjects—merchants of capital, skilled manufacturers, and handicraftsmen superior at the time to all others in Europe. A considerable number of these Huguenot French came to America; a few landed in New England and became honorably prominent in its history. Their names have in large part become anglicised, or have disappeared, but their blood is traceable in many of the most reputable families, and

their fame is perpetuated in honorable memorials and useful institutions.

From these two sources, the English-Puritan and the French-Huguenot, came the late President—his father, Abram Garfield, being descended from the one, and his mother, Eliza Ballou, from the other.

It was good stock on both sides—none better, none braver, none truer. There was in it an inheritance of courage, of manliness, of imperishable love of liberty, of undying adherence to principle. Garfield was proud of his blood; and, with as much satisfaction as if he were a British nobleman reading his stately ancestral record in Burke's Peerage, he spoke of himself as ninth in descent from those who would not endure the oppression of the Stuarts, and seventh in descent from the brave French Protestants who refused to submit to tyranny even from the Grand Monarque.

General Garfield delighted to dwell on these traits, and during his only visit to England, he busied himself in discovering every trace of his forefathers in parish registries and on ancient army rolls. Sitting with a friend in the gallery of the House of Commons one night after a long day's labor in this field of research, he said with evident elation that in every war in which for three centuries patriots of English blood had struck sturdy blows for constitutional government and human liberty, his family had been represented. They were at Marston Moor, at Naseby and at Preston; they were at Bunker Hill, at Saratoga, and at Monmouth, and in his own person had battled for the same great cause in the war which preserved the Union of the States.

Losing his father before he was two years old, the early life of Garfield was one of privation, but its

poverty has been made indelicately and unjustly prominent. Thousands of readers have imagined him as the ragged, starving child, whose reality too often greets the eye in the squalid sections of our large cities. General Garfield's infancy and youth had none of their destitution, none of their pitiful features appealing to the tender heart and to the open hand of charity. He was a poor boy in the same sense in which Henry Clay was a poor boy; in which Andrew Jackson was a poor boy; in which Daniel Webster was a poor boy; in the sense in which a large majority of the eminent men of America in all generations have been poor boys. Before a great multitude of men, in a public speech, Mr. Webster bore this testimony:

HIS EARLY DAYS.

"It did not happen to me to be born in a log cabin, but my elder brothers and sisters were born in a log cabin raised amid the snow drifts of New Hampshire, at a period so early that when the smoke rose first from its rude chimney and curled over the frozen hills there was no similar evidence of a white man's habitation between it and the settlements on the rivers of Canada. Its remains still exist. I make to it an annual visit. I carry my children to it to teach them the hardships endured by the generations which have gone before them. I love to dwell on the tender recollections, the kindred ties, the early affections and the touching narratives and incidents which mingle with all I know of this primitive family abode."

With the requisite change of scene the same words would aptly portray the early days of Garfield. The poverty of the frontier, where all are engaged in a common struggle and where a common sympathy and hearty co-operation lighten the burdens of each, is a very different poverty, different in kind, different

in influence and effect from that conscious and humiliating indigence which is every day forced to contrast itself with neighboring wealth on which it feels a sense of grinding dependence. The poverty of the frontier is indeed no poverty. It is but the beginning of wealth, and has the boundless possibilities of the future always opening before it. No man ever grew up in the agricultural regions of the West, where a house-raising, or even a corn-husking, is a matter of common interest and helpfulness, with any other feeling than that of broad-minded, generous independence. This honorable independence marked the youth of Garfield as it marks the youth of millions of the best blood and brain now training for the future citizenship and future government of the republic. Garfield was born heir to land, to the title of freeholder which has been the patent and passport of self-respect with the Anglo-Saxon race ever since Hengist and Horsa landed on the shores of England. His adventure on the canal—an alternative between that and the deck of a Lake Erie schooner—was a farmer boy's device for earning money, just as the New England lad begins a possibly great career by sailing before the mast on a coasting vessel or on a merchantman bound to the farther India or to the China Seas.

No manly man feels anything of shame in looking back to early struggles with adverse circumstances, and no man feels a worthier pride than when he has conquered the obstacles to his progress. But no one of noble mould desires to be looked upon as having occupied a menial position, as having been repressed by a feeling of inferiority, or as having suffered the evils of poverty until relief was found at the hand of charity. General Garfield's youth presented no

hardships which family love and family energy did not overcome, subjected him to no privations which he did not cheerfully accept, and left no memories save those which were recalled with delight, and transmitted with profit and with pride.

Garfield's early opportunities for securing an education were extremely limited, and yet were sufficient to develop in him an intense desire to learn. He could read at three years of age, and each winter he had the advantage of the district school. He read all the books to be found within the circle of his acquaintance; some of them he got by heart. While yet in childhood he was a constant student of the Bible, and became familiar with its literature. The dignity and earnestness of his speech in his maturer life gave evidence of this early training. At eighteen years of age he was able to teach school, and thenceforward his ambition was to obtain a college education. To this end he bent all his efforts, working in the harvest field, at the carpenter's bench, and, in the winter season, teaching the common schools of the neighborhood. While thus laboriously occupied he found time to prosecute his studies and was so successful that at twenty-two years of age he was able to enter the junior class at Williams College, then under the presidency of the venerable and honored Mark Hopkins, who, in the fullness of his powers, survives the eminent pupil to whom he was of inestimable service.

The history of Garfield's life to this period presents no novel features. He had undoubtedly shown perseverance, self-reliance, self-sacrifice, and ambition—qualities which, be it said for the honor of our country, are everywhere to be found among the young men of America. But from his graduation at Williams onward, to the hour of his tragical death,

Garfield's career was eminent and exceptional. Slowly working through his educational period, receiving his diploma when twenty-four years of age, he seemed at one bound to spring into conspicuous and brilliant success. Within six years he was successively president of a college, State Senator of Ohio, Major General of the Army of the United States and Representative-elect to the National Congress. A combination of honors so varied, so elevated, within a period so brief and to a man so young, is without precedent or parallel in the history of the country.

IN THE ARMY.

Garfield's army life was begun with no other military knowledge than such as he had hastily gained from books in the few months preceding his march to the field. Stepping from civil life to the head of a regiment, the first order he received when ready to cross the Ohio was to assume command of a brigade, and to operate as an independent force in Eastern Kentucky. His immediate duty was to check the advance of Humphrey Marshall, who was marching down the Big Sandy with the intention of occupying in connection with other Confederate forces the entire territory of Kentucky, and of precipitating the State into secession. This was at the close of the year 1861. Seldom, if ever, has a young college professor been thrown into a more embarrassing and discouraging position. He knew just enough of military science, as he expressed it himself, to measure the extent of his ignorance, and with a handful of men he was marching, in rough winter weather, into a strange country, among a hostile population to confront a largely superior

force under the command of a distinguished graduate of West Point, who had seen active and important service in two preceding wars.

The result of the campaign is matter of history. The skill, the endurance, the extraordinary energy shown by Garfield, the courage imparted to his men, raw and untried as himself, the measures he adopted to increase his force and to create in the enemy's mind exaggerated estimates of his numbers, bore perfect fruit in the routing of Marshall, the capture of his camp, the dispersion of his force, and the emancipation of an important territory from the control of the rebellion. Coming at the close of a long series of disasters to the Union arms, Garfield's victory had an unusual and extraneous importance, and in the popular judgment elevated the young commander to the rank of a military hero. With less than two thousand men in his entire command, with a mobilized force of only eleven hundred, without cannon, he had met an army of five thousand and defeated them—driving Marshall's forces successively from two strongholds of their own selection, fortified with abundant artillery. Major-General Buell, commanding the Department of the Ohio, an experienced and able soldier of the regular army, published an order of thanks and congratulation on the brilliant result of the Big Sandy campaign which would have turned the head of a less cool and sensible man than Garfield. Buell declared that his services had called into action the highest qualities of a soldier, and President Lincoln supplemented these words of praise by the more substantial reward of a brigadier-general's commission, to bear date from the day of his decisive victory over Marshall.

The subsequent military career of Garfield fully

sustained its brilliant beginning. With his new commission he was assigned to the command of a brigade in the Army of the Ohio, and took part in the second and decisive day's fight in the great battle of Shiloh. The remainder of the year 1862 was not especially eventful to Garfield, as it was not to the armies with which he was serving. His practical sense was called into exercise in completing the task, assigned him by General Buell, of reconstructing bridges and re-establishing lines of railway communication for the army. His occupation in this useful but not brilliant field was varied by service on courts-martial of importance, in which department of duty he won a valuable reputation, attracting the notice and securing the approval of the able and eminent Judge-Advocate-General of the Army. That of itself was a warrant to honorable fame; for among the great men who in those trying days gave themselves, with entire devotion, to the service of their country, one who brought to that service the ripest learning, the most fervid eloquence, the most varied attainments, who labored with modesty and shunned applause, who in the day of triumph sat reserved and silent and grateful—as Francis Deak in the hour of Hungary's deliverance—was Joseph Holt, of Kentucky, who in his honorable retirement enjoys the respect and veneration of all who love the Union of the States.

Early in 1863 Garfield was assigned to the highly important and responsible post of chief of staff to General Rosecrans, then at the head of the Army of the Cumberland. Perhaps in a great military campaign no subordinate officer requires sounder judgment and quicker knowledge of men than the chief of staff to the commanding general. An indiscreet man in such a position can sow more

discord, breed more jealousy and disseminate more strife than any other officer in the entire organization. When General Garfield assumed his new duties he found various troubles already well developed and seriously affecting the value and efficiency of the Army of Cumberland. The energy, the impartiality and the tact with which he sought to allay these dissensions, and to discharge the duties of his new and trying position, will always remain one of the most striking proofs of his great versatility. His military duties closed on the memorable field of Chickamauga, a field which however disastrous to the Union arms gave to him the occasion of winning imperishable laurels. The very rare distinction was accorded him of great promotion for his bravery on a field that was lost. President Lincoln appointed him a Major-General in the Army of the United States for gallant and meritorious conduct in the battle of Chickamauga.

The Army of the Cumberland was reorganized under the command of General Thomas, who promptly offered Garfield one of its divisions. He was extremely desirous to accept the position, but was embarrassed by the fact that he had, a year before, been elected to Congress, and the time when he must take his seat was drawing near. He preferred to remain in the military service, and had within his own breast the largest confidence of success in the wider field which his new rank opened to him. Balancing the arguments on the one side and the other, anxious to determine what was for the best, desirous above all things to do his patriotic duty, he was decisively influenced by the advice of President Lincoln and Secretary Stanton, both of whom assured him that he could at that time, be of especial value in the House of Representatives. He resigned his

commission of Major-General on the 5th day of December, 1863, and took his seat in the House of Representatives on the 7th. He had served two years and four months in the army, and had just completed his thirty-second year.

IN CONGRESS.

The Thirty-eighth Congress is pre-eminently entitled in history to the designation of the War Congress. It was elected while the war was flagrant, and every member was chosen upon the issues involved in the continuance of the struggle. The Thirty-seventh Congress had, indeed, legislated to a large extent on war measures but it was chosen before any one believed that secession of the States would be actually attempted. The magnitude of the work which fell upon its successor was unprecedented, both in respect to the vast sums of money raised for the support of the Army and Navy, and of the new and extraordinary powers of legislation which it was forced to exercise. Only twenty-four States were represented, and one hundred and eighty-two members were upon its roll. Among these were many distinguished party leaders on both sides, veterans in the public service, with established reputations for ability, and with that skill which comes only from parliamentary experience. Into this assemblage of men Garfield entered without special preparation, and it might almost be said unexpectedly. The question of taking command of a division of troops under General Thomas, or taking his seat in Congress was kept open till the last moment so late, indeed, that the resignation of his military commission and his appearance in the House

were almost contemporaneous. He wore the uniform of a Major-General of the United States Army on Saturday, and on Monday in civilian's dress, he answered to the roll call as a Representative in Congress from the State of Ohio.

He was especially fortunate in the constituency which elected him. Descended almost entirely from New England stock, the men of the Ashtabula district were intensely radical on all questions relating to human rights. Well educated, thrifty, thoroughly intelligent in affairs, acutely discerning of character, not quick to bestow confidence, and slow to withdraw it, they were at once the most helpful and most exacting of supporters. Their tenacious trust in men in whom they have once confided is illustrated by the unparalleled fact that Elisha Whittlesey, Joshua R. Giddings, and James A. Garfield represented the district for fifty-four years.

There is no test of a man's ability in any department of public life more severe than service in the House of Representatives; there is no place where so little deference is paid to reputation previously acquired or to eminence won outside; no place where so little consideration is shown for the feelings or failures of beginners. What a man gains in the House he gains by sheer force of his own character, and if he loses and falls back he must expect no mercy and will receive no sympathy. It is a field in which the survival of the strongest is the recognized rule and where no pretense can deceive and no glamour can mislead. The real man is discovered, his worth is impartially weighed, his rank is irreversibly decreed.

With possibly a single exception Garfield was the youngest member in the House when he entered, and was but seven years from his college graduation. But he had not been in his seat sixty days before his

ability was recognized and his place conceded. He stepped to the front with the confidence of one who belonged there. The House was crowded with strong men of both parties; nineteen of them have since been transferred to the Senate, and many of them have served with distinction in the gubernatorial chairs of their respective States, and on foreign missions of great consequence; but among them all none grew so rapidly none so firmly as Garfield. As is said by Trevelyan of his parliamentary hero, Garfield succeeded "because all the world in concert could not have kept him in the background, and because when once in the front he played his part with a prompt intrepidity and a commanding ease that were but the outward symptoms of the immense reserves of energy, on which it was in his power to draw." Indeed the apparently reserved force which Garfield possessed was one of his great characteristics. He never did so well but that it seemed he could easily have done better. He never expended so much strength but that he seemed to be holding additional power at call. This is one of the happiest and rarest distinctions of an effective debater, and often counts for as much in persuading an assembly as the eloquent and elaborate argument.

The great measure of Garfield's fame was filled by his service in the House of Representatives. His military life, illustrated by honorable performance, and rich in promise, was, as he himself felt, prematurely terminated, and necessarily incomplete. Speculation as to what he might have done in a field, where the great prizes are so few, cannot be profitable. It is sufficient to say that as a soldier he did his duty bravely; he did it intelligently; he won an enviable fame, and he retired from the service without blot or breath against him. As a lawyer,

though admirably equipped for the profession, he can scarcely be said to have entered on its practice. The few efforts he made at the bar were distinguished by the same high order of talent which he exhibited on every field where he was put to the test, and if a man may be accepted as a competent judge of his own capacities and adaptations, the law was the profession to which Garfield should have devoted himself. But fate ordained otherwise, and his reputation in history will rest largely upon his service in the House of Representatives. That service was exceptionally long. He was nine times consecutively chosen to the House, an honor enjoyed by not more than six other Representatives of the more than five thousand who have been elected from the organization of the government to this hour.

ORATOR AND DEBATER.

As a parliamentary orator, as a debater on an issue squarely joined, where the position had been chosen and the ground laid out, Garfield must be assigned a very high rank. More, perhaps, than any man with whom he was associated in public life, he gave careful and systematic study to public questions, and he came to every discussion in which he took part with elaborate and complete preparation. He was a steady and indefatigable worker. Those that imagine that talent or genius can supply the place or achieve the results of labor will find no encouragement in Garfield's life. In preliminary work he was apt, rapid and skillful. He possessed in a high degree the power of readily absorbing ideas and facts, and, like Dr. Johnson, had the art of getting from a book all that was of value in it by a reading apparently so quick

and cursory that it seemed like a mere glance at the table of contents. He was a pre-eminently fair and candid man in debate, took no petty advantage, stooped to no unworthy methods, avoided personal allusions, rarely appealed to prejudice, did not seek to inflame passion. He had a quicker eye for the strong point of his adversary than for his weak point, and on his own side he so marshaled his weighty arguments as to make his hearers forget any possible lack in the complete strength of his position. He had a habit of stating his opponent's side with such amplitude of fairness and such liberality of concession that his followers often complained that he was giving his cases away. But never in his prolonged participation in the proceedings of the House did he give his case away, or fail in the judgment of competent and impartial listeners to gain the mastery.

These characteristics, which marked Garfield as a great debater, did not, however, make him a great parliamentary leader. A parliamentary leader, as that term is understood wherever free representative government exists, is necessarily and very strictly the organ of his party. An ardent American defined the instinctive warmth of patriotism when he offered the toast, "Our country always right, but right or wrong, our country." The parliamentary leader who has a body of followers that will do and dare and die for the cause, is one who believes his party always right, but right or wrong, is for his party. No more important or exacting duty devolves upon him than the selection of the field and the time for contest. He must know not merely how to strike, but where to strike and when to strike. He often skillfully avoids the strength of his opponent's position and scatters confusion in his ranks by attacking an exposed point

when really the righteousness of the cause and the strength of logical intrenchment are against him. He conquers often both against the right and the heavy battalions; as when young Chas. Fox, in the days of his Toryism, carried the House of Commons against justice, against its immemorial rights, against his own convictions, if, indeed, at that period Fox had convictions, and, in the interest of a corrupt administration, in obedience to a tyrannical sovereign, drove Wilkes from the seat to which the electors of Middlesex had chosen him and installed Luttrell in defiance, not merely of law, but of public decency. For an achievement of that kind Garfield was disqualified—disqualified by the texture of his mind, by the honesty of his heart, by his conscience, and by every instinct and aspiration of his nature.

The three most distinguished parliamentary leaders hitherto developed in this country are Mr. Clay, Mr. Douglas and Mr. Thaddeus Stevens. Each was a man of consummate ability, of great earnestness, of intense personality, differing widely each from the others, and yet with a signal trait in common—the power to command. In the give and take of daily discussion, in the art of controlling and consolidating reluctant and refractory followers; in the skill to overcome all forms of opposition, and to meet with competency and courage the varying phases of unlooked-for assault or unsuspected defection, it would be difficult to rank with these a fourth name in all our Congressional history. But of these Mr. Clay was the greatest. It would, perhaps, be impossible to find in the parliamentary annals of the world a parallel to Mr. Clay, in 1841, when at sixty-four years of age he took the control of the Whig party from the President who had received their suffrages, against the power of Webster in the

Cabinet, against the eloquence of Choate in the Senate, against the Herculean efforts of Caleb Cushing and Henry A. Wise in the House. In unshared leadership, in the pride and plenitude of power he hurled against John Tyler with deepest scorn the mass of that conquering column which had swept over the land in 1840, and drove his administration to seek shelter behind the lines of his political foes. Mr. Douglas achieved a victory scarcely less wonderful when, in 1854, against the secret desires of a strong administration, against the wise counsel of the older chiefs, against the conservative instincts and even the moral sense of the country, he forced a reluctant Congress into a repeal of the Missouri compromise. Mr. Thaddeus Stevens, in his contests from 1865 to 1868, actually advanced his parliamentary leadership until Congress tied the hands of the President and governed the country by its own will, leaving only perfunctory duties to be discharged by the Executive. With two hundred millions of patronage in his hands at the opening of the contest, aided by the active force of Steward in the Cabinet and the moral power of Chase on the Bench, Andrew Johnson could not command the support of one-third in either House against the Parliamentary uprising of which Thaddeus Stevens was the animating spirit and the unquestioned leader.

From these three great men Garfield differed radically, differed in the quality of his mind, in temperament, in the form and phase of ambition. He could not do what they did, but he could do what they could not, and in the breadth of his Congressional work he left that which will longer exert a potential influence among men, and which, measured by the severe test of posthumous criticism,

will secure a more enduring and more enviable fame.

GARFIELD'S INDUSTRY.

Those unfamiliar with Garfield's industry and ignorant of the details of his work may, in some degree, measure them by the annals of Congress. No one of the generation of public men to which he belonged has contributed so much that will be valuable for future reference. His speeches are numerous, many of them brilliant, all of them well studied, carefully phrased and exhaustive of the subject under consideration. Collected from the scattered pages of ninety royal octavo volumes of Congressional Record they would present an invaluable compendium of the political history of the most important era through which the national government has ever passed. When the history of this period shall be impartially written, when war legislation, measures of reconstruction, protection of human rights, amendments to the constitution, maintenance of public credit, steps toward specie resumption, true theories of revenue may be reviewed, unsurrounded by prejudice and disconnected from partisanism, the speeches of Garfield will be estimated at their true value, and will be found to comprise a vast magazine of fact and argument, of clear analysis and sound conclusion. Indeed, if no other authority were accessible, his speeches in the House of Representatives from December 1863, to June, 1880, would give a well connected history and complete defence of the important legislation of the seventeen eventful years that constitute his Parliamentary life. Far beyond that, his speeches would be found to forecast many

great measures, yet to be completed—measures which he knew were beyond the public opinion of the hour, but which he confidently believed would secure popular approval within the period of his own lifetime, and by the aid of his own efforts.

Differing, as Garfield does, from the brilliant parliamentary leaders, it is not easy to find his counterpart anywhere in the record of American public life. He perhaps more nearly resembles Mr. Seward in his supreme faith in the all-conquering power of a principle. He had the love of learning, and the patient industry of investigation, to which John Quincy Adams owes his prominence and his Presidency. He had some of those ponderous elements of mind which distinguished Mr. Webster, and which indeed, in all our public life, have left the great Massachusetts Senator without an intellectual peer.

In English parliamentary history, as in our own, the leaders in the House of Commons present points of essential difference from Garfield. But some of his methods recall the best features in the strong, independent course of Sir Robert Peel, and striking resemblances are discernible in that most promising of modern conservatives, who died too early for his country and his fame, the Lord George Bentinck. He had all of Burke's love for the sublime and the beautiful, with, possibly, something of his superabundance, and in his faith and his magnanimity, in his power of statement, in his subtle analysis, in his faultless logic, in his love of literature, in his wealth and world of illustration, one is reminded of that great English statesman of to-day, who, confronted with obstacles that would daunt any but the dauntless, reviled by those whom he would relieve as bitterly as by those whose supposed rights

he is forced to invade, still labors with serene courage for the amelioration of Ireland, and for the honor of the English name.

NOMINATION TO THE PRESIDENCY.

Garfield's nomination to the Presidency, while not predicted or anticipated, was not a surprise to the country. His prominence in Congress, his solid qualities, his wide reputation, strengthened by his then recent election as Senator from Ohio, kept him in the public eye as a man occupying the very highest rank among those entitled to be called statesmen. It was not mere chance that brought him this high honor. "We must," says Mr. Emerson, "reckon success a constitutional trait. If Eric is in robust health, and has slept well and is at the top of his condition, and thirty years old at his departure from Greenland, he will steer west and his ships will reach New Foundland. But take Eric out and put in a stronger and bolder man and the ships will sail six hundred, one thousand, fifteen hundred miles farther and reach Labrador and New England. There is no chance in results."

As a candidate, Garfield steadily grew in popular favor. He was met with a storm of detraction at the very hour of his nomination, and it continued with increasing volume and momentum until the close of his victorious campaign:

> No might nor greatness in mortality
> Can censure 'scape; back-wounding calumny
> The whitest virtue strikes. What king so strong
> Can tie the gall up in the slanderous tongue?

Under it all he was calm, and strong, and

confident; never lost his self-possession, did no unwise act, spoke no hasty or ill-considered word. Indeed nothing in his whole life is more remarkable or more creditable than his bearing through those five full months of vituperation—a prolonged agony of trial to a sensitive man, a constant and cruel draft upon the powers of moral endurance. The great mass of these unjust imputations passed unnoticed, and, with the general *debris* of the campaign, fell into oblivion. But in a few instances the iron entered his soul and he died with the injury unforgotten if not unforgiven.

One aspect of Garfield's candidacy was unprecedented. Never before in the history of partisan contests in this country had a successful Presidential candidate spoken freely on passing events and current issues. To attempt anything of the kind seemed novel, rash, and even desperate. The older class of voters recalled the unfortunate Alabama letter, in which Mr. Clay was supposed to have signed his political death-warrant. They remembered also the hot-tempered effusion by which General Scott lost a large share of his popularity before his nomination, and the unfortunate speeches which rapidly consumed the remainder. The younger voters had seen Mr. Greeley in a series of vigorous and original addresses, preparing the pathway for his own defeat. Unmindful of these warnings, unheeding the advice of friends, Garfield spoke to large crowds as he journeyed to and from New York in August, to a great multitude in that city, to delegations and deputations of every kind that called at Mentor during the summer and autumn. With innumerable critics, watchful and eager to catch a phrase that might be turned into odium or ridicule, or a sentence that might be distorted to his own or his party's

injury, Garfield did not trip or halt in any one of his seventy speeches. This seems all the more remarkable when it is remembered that he did not write what he said, and yet spoke with such logical consecutiveness of thought and such admirable precision of phrase as to defy the accident of misreport and the malignity of misrepresentation.

AS PRESIDENT.

In the beginning of his Presidential life Garfield's experience did not yield him pleasure or satisfaction. The duties that engross so large a portion of the President's time were distasteful to him, and were unfavorably contrasted with his legislative work. "I have been dealing all these years with ideas," he impatiently exclaimed one day, "and here I am dealing only with persons. I have been heretofore treating of the fundamental principles of government, and here I am considering all day whether A or B shall be appointed to this or that office." He was earnestly seeking some practical way of correcting the evils arising from the distribution of overgrown and unwieldy patronage—evils always appreciated and often discussed by him, but whose magnitude had been more deeply impressed upon his mind since his accession to the Presidency. Had he lived, a comprehensive improvement in the mode of appointment and in the tenure of office would have been proposed by him, and with the aid of Congress no doubt perfected.

But, while many of the Executive duties were not grateful to him, he was assiduous and conscientious in their discharge. From the very outset he exhibited administrative talent of a high order. He grasped the

helm of office with the hand of a master. In this respect, indeed, he constantly surprised many who were most intimately associated with him in the government, and especially those who had feared that he might be lacking in the executive faculty. His disposition of business was orderly and rapid. His power of analysis, and his skill in classification, enabled him to despatch a vast mass of detail with singular promptness and ease. His Cabinet meetings were admirably conducted. His clear presentation of official subjects, his well-considered suggestion of topics on which discussion was invited, his quick decision when all had been heard, combined to show a thoroughness of mental training as rare as his natural ability and his facile adaptation to a new and enlarged field of labor.

With perfect comprehension of all the inheritances of the war, with a cool calculation of the obstacles in his way, impelled always by a generous enthusiasm, Garfield conceived that much might be done by his administration towards restoring harmony between the different sections of the Union. He was anxious to go South and speak to the people. As early as April he had ineffectually endeavored to arrange for a trip to Nashville, whither he had been cordially invited, and he was again disappointed a few weeks later to find that he could not go to South Carolina to attend the centennial celebration of the victory of the Cowpens. But for the autumn he definitely counted on being present at three memorable assemblies in the South, the celebration at Yorktown, the opening of the Cotton Exposition at Atlanta, and the meeting of the Army of the Cumberland at Chattanooga. He was already turning over in his mind his address for each occasion, and the three taken together, he said to a friend, gave him the exact scope and verge

which he needed. At Yorktown he would have before him the associations of a hundred years that bound the South and the North in the sacred memory of a common danger and a common victory. At Atlanta he would present the material interests and the industrial development which appealed to the thrift and independence of every household, and which should unite the two sections by the instinct of self-interest and self-defence. At Chattanooga he would revive memories of the war only to show that after all its disaster and all its suffering, the country was stronger and greater, the Union rendered indissoluble, and the future, through the agony and blood of one generation, made brighter and better for all.

Garfield's ambition for the success of his administration was high. With strong caution and conservatism in his nature, he was in no danger of attempting rash experiments or of resorting to the empiricism of statesmanship. But he believed that renewed and closer attention should be given to questions affecting the material interests and commercial prospects of fifty millions of people. He believed that our continental relations, extensive and undeveloped as they are, involved responsibility, and could be cultivated into profitable friendship or be abandoned to harmful indifference or lasting enmity. He believed with equal confidence that an essential forerunner to a new era of national progress must be a feeling of contentment in every section of the Union, and a generous belief that the benefits and burdens of government would be common to all. Himself a conspicuous illustration of what ability and ambition may do under republican institutions, he loved his country with a passion of patriotic devotion, and every waking thought was given to her

advancement. He was an American in all his aspirations, and he looked to the destiny and influence of the United States with the philosophic composure of Jefferson and the demonstrative confidence of John Adams.

THE POLITICAL CONTROVERSY.

The political events which disturbed the President's serenity for many weeks before that fatal day in July form an important chapter in his career, and, in his own judgment, involved questions of principle and of right which are vitally essential to the constitutional administration of the Federal Government. It would be out of place here and now to speak the language of controversy, but the events referred to, however they may continue to be source of contention with others, have become, so far as Garfield is concerned, as much a matter of history as his heroism at Chickamauga or his illustrious service in the House. Detail is not needful, and personal antagonism shall not be rekindled by any word uttered to-day. The motives of those opposing him are not to be here adversely interpreted nor their course harshly characterized. But of the dead President this is to be said, and said because his own speech is forever silenced and he can be no more heard except through the fidelity and the love of surviving friends. From the beginning to the end of the controversy he so much deplored, the President was never for one moment actuated by any motive of gain to himself or of loss to others. Least of all men did he harbor revenge, rarely did he even show resentment, and malice was not in his nature. He was congenially employed only in the exchange of good

offices and the doing of kindly deeds.

There was not an hour, from the beginning of the trouble till the fatal shot entered his body, when the President would not gladly, for the sake of restoring harmony, have retraced any step he had taken if such retracing had merely involved consequences personal to himself. The pride of consistency, or any supposed sense of humiliation that might result from surrendering his position, had not a feather's weight with him. No man was ever less subject to such influences from within or from without. But after the most anxious deliberation and the coolest survey of all the circumstances, he solemnly believed that the true prerogatives of the Executive were involved in the issue which had been raised, and that he would be unfaithful to his supreme obligation if he failed to maintain, in all their vigor, the constitutional rights and dignities of his great office. He believed this in all the convictions of conscience when in sound and vigorous health, and he believed it in his suffering and prostration in the last conscious thought which his wearied mind bestowed on the transitory struggles of life.

More than this need not be said. Less than this could not be said. Justice to the dead, the highest obligation that devolves upon the living, demands the declaration that in all the bearings of the subject, actual or possible, the President was content in his mind, justified in his conscience, immovable in his conclusions.

GARFIELD'S RELIGION.

The religious element in Garfield's character was deep and earnest. In his early youth he espoused the

faith of the Disciples, a sect of that great Baptist Communion which in different ecclesiastical establishments is so numerous and so influential throughout all parts of the United States. But the broadening tendency of his mind and his active spirit of inquiry were early apparent and carried him beyond the dogmas of sect and the restraints of association. In selecting a college in which to continue his education he rejected Bethany, though presided over by Alexander Campbell, the greatest preacher of his church. His reasons were characteristic: first, that Bethany leaned too heavily toward slavery; and, second, that being himself a Disciple and the son of Disciple parents, he had little acquaintance with people of other beliefs, and he thought it would make him more liberal, quoting his own words, both in his religious and general views, to go into a new circle and be under new influences.

The liberal tendency which he had anticipated as the result of wider culture was fully realized. He was emancipated from mere sectarian belief, and with eager interest pushed his investigations in the direction of modern progressive thought. He followed with quickening step in the paths of exploration and speculation so fearlessly trodden by Darwin, by Huxley, by Tyndall, and by other living scientists of the radical and advanced type. His own church, binding its disciples by no formulated creed, but accepting the Old and New Testaments as the word of God, with unbiased liberality of private interpretation, favored, if it did not stimulate, the spirit of investigation. Its members profess with sincerity, and profess only, to be of one mind and one faith with those who immediately followed the Master, and who were first called Christians at Antioch.

But however high Garfield reasoned of “fixed fate, free will, foreknowledge absolute,” he was never separated from the Church of the Disciples in his affections and in his associations. For him it held the ark of the covenant. To him it was the gate of Heaven. The world of religious belief is full of solecisms and contradictions. A philosophic observer declares that men by the thousand will die in defence of a creed whose doctrines they do not comprehend and whose tenets they habitually violate. It is equally true that men by the thousand will cling to church organizations with instinctive and undenying fidelity when their belief in maturer years is radically different from that which inspired them as neophytes.

But after this range of speculation, and this latitude of doubt, Garfield came back always with freshness and delight to the simpler instincts of religious faith, which, earliest implanted, longest survive. Not many weeks before his assassination, walking on the banks of the Potomac with a friend, and conversing on these topics of personal religion, concerning which noble natures have an unconquerable reserve, he said that he found the Lord’s Prayer and the simple petitions learned in infancy infinitely restful to him, not merely in their stated repetition, but in their casual and frequent recall as he went about the daily duties of life. Certain texts of scripture had a very strong hold on his memory and his heart. He heard, while in Edinburgh some years ago, an eminent Scotch preacher who prefaced his sermon with reading the eighth chapter of the Epistle to the Romans, which book had been the subject of careful study with Garfield during his religious life. He was greatly impressed by the elocution of the preacher and

declared that it had imparted a new and deeper meaning to the majestic utterances of Saint Paul. He referred often in after years to that memorable service, and dwelt with exaltation of feeling upon the radiant promise and the assured hope with which the great apostle of the Gentiles was "persuaded that neither death, nor life, nor principalities, nor powers nor things present, nor things to come, nor height, nor depth, nor any other creature, shall be able to separate us from the love of God, which is in Christ Jesus our Lord."

The crowning characteristic of General Garfield's religious opinions, as, indeed, of all his opinions, was his liberality. In all things he had charity. Tolerance was of his nature. He respected in others the qualities which he possessed himself—sincerity of conviction and frankness of expression. With him the inquiry was not so much what a man believes, but does he believe it? The lines of his friendship and his confidence encircled men of every creed, and men of no creed, and to the end of his life, on his ever lengthening list of friends, were to be found the names of a pious Catholic priest and of an honest-minded and generous-hearted free-thinker.

THE ASSASSIN'S BULLET.

On the morning of Saturday, July 2d, the President was a contented and happy man—not in an ordinary degree, but joyfully, almost boyishly happy. On his way to the railroad station to which he drove slowly, in conscious enjoyment of the beautiful morning, with an unwonted sense of leisure, and a keen anticipation of pleasure, his talk was all in the grateful and gratulatory vein. He felt that after four

months of trial his administration was strong in its grasp of affairs, strong in popular favor and destined to grow stronger; that grave difficulties confronting him at his inauguration had been safely passed; that troubles lay behind him and not before him; that he was soon to meet the wife whom he loved, now recovering from an illness which had but lately disquieted and at times almost unnerved him; that he was going to his Alma Mater to renew the most cherished associations of his young manhood, and to exchange greetings with those whose deepening interest had followed every step of his upward progress from the day he entered upon his college course until he had attained the loftiest elevation in the gift of his countrymen.

Surely, if happiness can ever come from the honors or triumphs of this world, on that quiet July morning James A. Garfield may well have been a happy man. No foreboding of evil haunted him; no slightest premonition of danger clouded his sky. His terrible fate was upon him in an instant. One moment he stood erect, strong, confident, in the years stretching peacefully out before him. The next he lay wounded, bleeding, helpless, doomed to weary weeks of torture, to silence and the grave.

Great in life, he was surpassingly great in death. For no cause, in the very frenzy of wantonness and wickedness by the red hand of murder, he was thrust from the full tide of this world's interest, from its hopes, its aspirations, its victories, into the visible presence of death—and he did not quail. Not alone for one short moment in which, stunned and dazed, he could give up life, hardly aware of its relinquishment, but through days of deadly languor, through weeks of agony, that was not less agony because silently borne, with clear sight and calm

courage, he looked into his open grave. What blight and ruin met his anguished eyes, whose lips may tell —what brilliant, broken plans, what baffled, high ambitions, what sundering of strong, warm, manhood's friendship, what bitter rending of sweet household ties! Behind him a proud, expectant nation, a great host of sustaining friends, a cherished and happy mother, wearing the full, rich honors of her early toil and tears; the wife of his youth, whose whole life lay in his; the little boys not yet emerged from childhood's day of frolic; the fair, young daughter; the sturdy sons just springing into closest companionship, claiming every day and every day rewarding a father's love and care; and in his heart the eager, rejoicing power to meet all demand. Before him, desolation and great darkness! And his soul was not shaken. His countrymen were thrilled with instant, profound, and universal sympathy. Masterful in his mortal weakness, he became the centre of a nation's love, enshrined in the prayers of a world. But all the love and all the sympathy could not share with him his suffering. He trod the wine-press alone. With unfaltering front he faced death. With unfailing tenderness he took leave of life. Above the demoniac hiss of the assassin's bullet he heard the voice of God. With simple resignation he bowed to the Divine decree.

As the end drew near, his early craving for the sea returned. The stately mansion of power had been to him the wearisome hospital of pain, and he begged to be taken from his prison walls, from its oppressive, stifling air, from its homelessness and its hopelessness. Gently, silently, the love of a great people bore the pale sufferer to the longed-for healing of the sea, to live or to die, as God should will, within sight of its heaving billows, within sound

of its manifold voices. With wan, fevered face tenderly lifted to the cooling breeze, he looked out wistfully upon the ocean's changing wonders; on its far sails, whitening in the morning light; on its restless waves, rolling shoreward to break and die beneath the noonday sun; on the red clouds of evening, arching low to the horizon; on the serene and shining pathway of the stars. Let us think that his dying eyes read a mystic meaning which only the rapt and parting soul may know. Let us believe that in the silence of the receding world he heard the great waves breaking on a further shore and felt already upon his wasted brow the breath of the eternal morning.

AFTER THE ORATION.

The eulogy was concluded at 1.50, having taken just an hour and a half in its delivery. As Mr. Blaine gave utterance to the last solemn words the spectators broke into a storm of applause, which was not hushed for some moments. The address was listened to with an intense interest and in solemn silence, unbroken by any sound except by a sigh of relief (such as arises from a large audience when a strong tension is removed from their minds) when the orator passed from his allusion to differences existing in the Republican party last spring. Benediction was then offered by the Rev. Dr. Bullock, Chaplain of the Senate. The Marine Band played the "Garfield Dead March" as the invited guests filed out of the Chamber in the same order in which they had entered it. The Senate was the last to leave, and then the House was called to order by the Speaker.

Mr. McKinley, of Ohio, offered the following

resolution:

Resolved, The Senate concurring, that the thanks of Congress are hereby presented to the Hon. James G. Blaine for the appropriate memorial address delivered by him on the life and services of James A. Garfield, late President of the United States, in the Representative Hall, before both houses of Congress and their invited guests, on the 27th of February, 1882, and that he be requested to furnish a copy for publication.

Resolved, That the Chairman of the Joint Committee appointed to make the necessary arrangements to carry into effect the resolution of Congress in relation to the memorial exercises in honor of James A. Garfield be requested to communicate to Mr. Blaine the foregoing resolution, receive his answer thereto and present the same to both Houses of Congress. The resolution was adopted unanimously.

Mr. McKinley then offered the following:

Resolved, That as a further mark of respect to the memory of the deceased President of the United States the House do now adjourn.

The resolution was unanimously adopted, and in accordance therewith the Speaker at 1.55 declared the House adjourned until to-morrow.

CIVIL SERVICE.

Improvement of the Subordinate Civil Service.

Speech of Hon. George H. Pendleton, of Ohio, in the Senate of the United States, Tuesday, December 12, 1882.

On the bill (S. 133) to regulate and improve the civil service of the United States.

MR. PENDLETON said:

MR. PRESIDENT: When I assented yesterday that this bill should be informally laid aside without losing its place, I had no set speech to deliver, nor had I the intention of preparing a speech for to-day. I did not intend to hold up the bill here as an obstruction to any business before the Senate, or as an aid in passing any measure that might receive my approbation, as my good Friend, the Senator from Kansas [Mr. PLUMB], so politely intimated. The bill providing for a bankrupt law was very speedily, and to me unexpectedly, disposed of yesterday, and this bill was called up several hours earlier than I supposed it would be, and I thought the convenience of the Senate as well as of myself would be subserved if I had an opportunity to condense what I had to say on the subject.

The necessity of a change in the civil administration of this government has been so fully discussed in the periodicals and pamphlets and newspapers, and before the people, that I feel indisposed to make any further argument. This subject, in all its ramifications, was submitted to the people of the United States at the fall elections, and they have spoken in no low or uncertain tone.

I do not doubt that the local questions exerted

great influence in many States upon the result; but it is my conviction, founded on the observation of an active participation in the canvass in Ohio, that dissatisfaction with the methods of administration adopted by the Republican party in the past few years was the most important single factor in reaching the conclusion that was attained. I do not say that the civil service of the Government is wholly bad. I can not honestly do so. I do not say that the men who are employed in it are all corrupt or inefficient or unworthy. That would do a very great injustice to a great number of faithful, honest, and intelligent public servants. But I do say that the civil service is inefficient; that it is expensive; that it is extravagant; that it is in many cases and in some senses corrupt; that it has welded the whole body of its employès into a great political machine; that it has converted them into an army of officers and men, veterans in political warfare, disciplined and trained, whose salaries, whose time, whose exertions at least twice within a very short period in the history of our country have robbed the people of the fair results of Presidential elections.

I repeat, Mr. President, that the civil service is inefficient, expensive, and extravagant and that it is in many instances corrupt. Is it necessary for me to prove facts which are so patent that even the blind must see and the deaf must hear?

At the last session of Congress, in open Senate, it was stated and proven that in the Treasury Department at Washington there were 3,400 employès, and that of this number the employment of less than 1,600 was authorized by law and appropriations made for their payment, and that more than 1,700 were put on or off the rolls of the Department at the will and pleasure of the Secretary

of the Treasury, and paid not out of appropriations made for that purpose but out of various funds and balances of appropriation lapsed in the Treasury in one shape or another, which are not by law appropriated to the payment of these employès. I was amazed. I had never before heard that such a state of affairs existed. I did not believe that it was possible until my honorable colleague rose in his place and admitted the general truth of the statement and defended the system as being necessary for the proper administration of the Treasury Department.

Mr. President, we see in this statement whence comes that immense body of public officials, inspectors, detectives, deputies, examiners, from the Treasury Department who have for years past been sent over the States for the purpose of managing Presidential conventions and securing Presidential elections at the public expense.

I hold in my hand a statement made before the committee which reported this bill, showing that in one of the divisions of the Treasury Department at Washington where more than nine hundred persons were employed, men and women, five hundred and more of them were entirely useless, and were discharged without in any degree affecting the efficiency of the bureau. I read from the testimony taken before the committee. Every gentleman can find it if he has not it already on his table. The statement to which I refer I read from page 121 of report of committee No. 576:

The extravagance of the present system was well shown in the examination of the Bureau of Engraving and Printing by a committee of which I was chairman. Of a force of nine hundred and fifty-eight persons five hundred and thirty-nine, with annual salaries amounting to $390,000, were found to be superfluous and were discharged. The

committee reported that for years the force in some branches had been twice and even three times as great as the work required. In one division—

I beg Senators to listen to this—

In one division a sort of platform had been built underneath the iron roof, about seven feet above the floor, to accommodate the surplus counters. It appeared that the room was of ample size without this contrivance for all persons really needed. In another division were found twenty messengers doing work which it was found could be done by one. The committee reported that the system of patronage was chiefly responsible for the extravagance and irregularities which had marked the administration of the bureau, and declared that it had cost the people millions of dollars in that branch of the service alone. Under this system the office had been made to subserve the purpose of an almshouse or asylum.

In consequence of this report the annual appropriation for the Printing Bureau was reduced from $800,000 to $200,000, and out of the first year's savings was built the fine building now occupied by that bureau.

And again, on page 126, this same gentleman says:

My observation teaches me there is more pressure and importunity for these places—

That is, the $900 clerkship—

and that more time is consumed by heads of Departments, and those having the appointing power, in listening to applications for that grade than for all the other places in the Departments combined; and that when it is discretionary with a Department to appoint a man or a woman the choice is usually exercised in favor of the woman. I know a recent case in the Treasury Department where a vacancy occurred which the head of the bureau deemed it important to fill with a man. It was a position where a man's services were almost indispensable; but the importunity was so great that he was compelled to accept a woman, although her services were not required. In consequence of this importunity for places for women a

practice has grown up in the Treasury Department of allowing the salaries of the higher grades of clerkships to lapse when vacancies occur, and of dividing up the amount among clerks, usually women, at lower salaries. In the place of a male clerk at $1,800 a year, for instance, three women may be employed at $600. Often the services of a man are required in its higher grade, while the women are not needed at all; but as the man can not be employed without discharging the women he can not be had. The persons employed in this way are said to be "on the lapse." Out of this grew the practice known in Departmental language as "anticipating the lapse."

In the endeavor to satisfy the pressure for place more people are appointed on this roll than the salaries then lapsing will warrant, in the hope that enough more will lapse before the end of the fiscal year to provide funds for their payment. But the funds almost always run short before the end of the year, and then either the "lapse" appointees must be dropped or clerks discharged from the regular roll to make place for them. In some instances, in former administrations, the employès on the regular roll were compelled, under terror of dismissal, to ask for leaves of absence, without pay, for a sufficient time to make up the deficiency caused by the appointment of unnecessary employès "on the lapse". Another bad feature is that these "lapse" employès being appointed without regard to the necessities of the work, for short periods and usually without regard to their qualifications, are of little service, while their employment prevents the filling of vacancies on the regular roll and demoralizes the service.

In one case thirty-five persons were put on the "lapse fund" of the Treasurer's office for eight days at the end of the fiscal year, to sop up some money which was in danger of being saved and returned to the Treasury.

MR. MAXEY. Do I understand the Senator to say that that testimony was taken by the Senate Committee on Civil Service and Retrenchment?

MR. PENDLETON. Yes sir. This testimony was taken in the month of March, I think, of the present year.

Says this gentleman further—

I have no doubt that under a rigid application of this proposed system the work of the Treasury Department could be performed with two-thirds the number of clerks now employed, and that is a moderate estimate of the saving.

Mr. President, a Senator who is now present in the Chamber and who will recognize the statement when I make it, though I shall not indicate his name, told me that the Secretary of one of the Departments of the Government said to him, perhaps to the Committee on Appropriations, at the last session, that there were seventeen clerks in his Department for whom he could find no employment; that he did need one competent clerk of a higher grade, and if the appropriation were made for that one clerk, at the proper amount according to the gradations of the service and the appropriation for the seventeen were left out, he could, without impairing the efficiency of his Department, leave those seventeen clerks off the roll; but if the appropriation should be made the personal, social, and political pressure was so great that he would be obliged to employ and pay them, though he could find no employment for them.

Need I prove, Mr. President, that which is known to all men, that a systematic pressure has been brought upon the clerks in the Departments of the Government this year to extort from them a portion of their salary under a system which the President himself scouts as being voluntary, and that they are led to believe and fairly led to believe that they have bought and paid for the offices which they hold and that the good faith of those who take from them a portion of the salary is pledged to their retention in their positions?

I have said before upon the floor of the Senate that

this whole system demoralizes everybody who is engaged in it. It demoralizes the clerks who are appointed. That is inevitable. It demoralizes those who make the appointment. That also is inevitable. And it demoralizes Senators and Representatives who by the exercise of their power as Senators and Representatives exert pressure upon the appointing power.

I repeat that this system, permeating the whole civil service of the country, demoralizes everybody connected with it, the clerks, the appointing power, and those who by their official position and their relations to the executive administration of the Government have the influence necessary to put these clerks in office.

Mr. President, how can you expect purity, economy, efficiency to be found anywhere in the service of the Government if the report made by this committee to the Senate has even the semblance of truth? If the civil service of the country is to be filled up with superfluous persons, if salaries are to be increased in order that assessments may be paid, if members of Congress having friends or partisan supporters are to be able to make places for them in public employment, how can you expect Senators and Representatives to be economical and careful in the administration of the public money?

I am sure there is no Senator here who will forget a scene which we had upon the last night session of the last session, when the Senator from Iowa [Mr. Allison], the chairman of the Committee on Appropriations, the official leader of the Senate, rising in his place with the last appropriation bill in his hand, and the report of the committee of conference, made a statement to the Senate of the result of the appropriations. He stated that the

appropriations that were made during that session amounted to $292,000,000—I throw off the fractions —and he felicitated the Senate and himself as the organ and mouthpiece of his party, that this was an excess of only $77,000,000 over and above the expenditures of the year before. Instantly the Senator from Connecticut [Mr. Platt] rose in his place and reminded the Senator that there would be a deficiency in the Pension Bureau alone of $20,000,000 or $25,000,000. The honorable Senator from Georgia, who now occupies the chair [Mr. Brown], inquired of the chairman of the Committee on Appropriations whether there would be any deficiencies in the expenses of the current year, or whether the statement was supposed to cover probable deficiencies in addition to the appropriations, and the honorable Senator from Kentucky [Mr. BECK], certainly as familiar with all these subjects as any member of this body, rose in his place and said that notwithstanding the utmost scrutiny of the Committee on Appropriations, undoubtedly at the end of the fiscal year the ordinary deficiencies would be found.

Two hundred and ninety-two millions of dollars of regular appropriations; $20,000,000 of deficiency in one bureau alone, the usual deficiencies occurring during the course of the year of $20,000,000 more! As if this were not enough, my honorable colleague arose in his place and took up the tale and called attention to the fact that the permanent appropriations amounted annually to one hundred and thirty-seven or more millions of dollars. According to his statement made in that speech, which I am sure nobody will forget, the expenditures of the Government during this present fiscal year would amount to $402,000,000 or $403,000,000—

nearly $9 a head for every man, woman, and child in the United States—more money than was appropriated for all the expenses of the Government during the first forty years of its existence, I will venture to say, though I do not speak by the book.

Harbor and river appropriation bills of $18,000,000! Thirty-two new buildings commenced in the States, almost every one of which has had buildings before! Two million five hundred thousand dollars appropriated for the commencement of those buildings, for laying the foundation! Before they are finished $25,000,000 more will be needed to complete them! While these enormous appropriations were being made there came up from the country a demand for a revision of the tariff, which was confessedly greatly needed; for a revision of the internal-revenue laws, which was equally necessary; for a reduction of taxation pressing so heavily upon all the interests of the country. Our honorable friends upon the other side of the Chamber chose to answer that demand by a bill repealing the taxes upon perfumery and cosmetics and bank checks, and met with a sneer of derision and ridicule every effort that was made on this side of the Chamber for a reduction of taxation.

Mr. President, it was these methods of administration, it was these acts of the Republican party, which made it possible for the Democratic party, and other men who prized their country higher than they did their party, to elect in Ohio a Democratic ticket by eighteen or twenty thousand majority, and elect sixteen out of the twenty-one members of Congress assigned to that State. I say elected sixteen, perfectly conscious of the fact that thirteen of them only have received their certificates at present. If three of them, against whom the

aggregate majority is only sixty votes, do not receive certificates under the action of the returning board or under the powers of our judiciary which have been invoked, they will be seated, as they ought to be, at the beginning of the next session of Congress in the other house.

Under the impulse of this election in Ohio, upon these facts and influences which I have stated as being of great importance there, it became possible for the Democratic party and its allies, whom I have described, to elect a Democratic governor in New York, in Massachusetts, in Kansas, in Michigan, and various other States in which there has been none but a Republican governor for many years past. The same influences enable us, having accessions to our ranks from Iowa and Wisconsin and Michigan and Pennsylvania, to have at the beginning of the next session of Congress an aggregate of perhaps sixty or more Democratic majority in the House of Representatives.

MR. HALE. Will the Senator from Ohio let me ask him a question right here? As he is confining himself very closely to the civil service of the Government, I should like to ask him one question here relating to that. He has appealed directly to the Chairman of the Committee on Appropriations, who was not present at the time, although he has just come in. The Senator from Ohio has alluded to the remarkable speech made by the chairman of the Committee on Appropriations upon the expenditures of the Government at the last session, and the wonderful scene that was exhibited there at that time. In that speech on the expenditures of the Government, by the chairman of the Committee on Appropriations, was the admission that the aggregate expenditures were seventy-odd millions of dollars more than the

year before—remarkable when in that speech of the Senator from Iowa, the chairman of the Committee on Appropriations, he showed that every dollar was accounted for by deficiencies on the part of the previous Democratic Congress and by the increase of pensions and some other matters.

MR. PENDLETON. I remember the speech of the Senator from Iowa very well; I have quoted it repeatedly from the RECORD, in which I found it. I did him no injustice; I know he will not believe I would intentionally do him injustice at any time. I stated then, I stated a moment ago, I have stated it on the stump, I repeat it now, that the Senator from Iowa in that speech said that the appropriations for the current year were $292,000,000, and that they were $77,000,000 in excess of those made for the last year: and I might have added if I chose to make it a partisan affair, that the last Congress was under Democratic control.

MR. HALE. And did he not account for every dollar of that $77,000,000 increase? But I think I will leave it to him, as he is present now.

MR. PENDLETON. Undoubtedly he accounted for it, for he gave all the items that went to make up the $77,000,000.

I am confining myself more closely, Mr. President, to the discussion of the reform of the civil service of the Government than the Senator seems to apprehend. I was showing to him the causes of this very remarkable revolution in public sentiment which we have seen as exhibited by the last election. I attributed that result in great measure to the defects in our civil-service system and to the demoralization which, arising there and in its practices, has reached the other departments of the

Government.

Mr. President, I was about to say when the Senator from Maine interrupted me that I begged gentlemen on this side of the Chamber and I beg the Democratic party throughout the country not to mistake this result of last fall as a purely Democratic triumph. It was achieved by the Democratic party with the assistance of men of all parties upon whom their love of country sat heavier than their love of party. It was a protest made by an awakened people who were indignant at the wrongs which had been practiced upon them. It was a tentative stretching out of that same people to find instrumentalities by which those wrongs could be righted.

The people demanded economy and the Republican party gave them extravagance. The people demanded a reduction of taxation and the Republican party gave them an increase of expenditure. The people demanded purity of administration and the Republican party revelled in profligacy; and when the Republican party came to put themselves on trial before that same people the people gave them a day of calamity.

I beg that my colleagues on this side of the Chamber may remember, I desire that our party associates throughout the country shall remember, that the people will continue to us their confidence and increase it, that they will continue to us power and increase it, just in the proportion that we honestly and fairly and promptly answer to the demands which the people have made, and which were thus responded to by the Republican party. They asked revenue reform and they received none. They asked civil-service reform and they obtained none. They asked that the civil service of this Government should not either as to its men or its

expenditures be made the basis upon which political contests were to be carried on, and they received for answer that that was an old fashion and a good method of political warfare.

I beg gentlemen upon this side of the Chamber to remember that if they desire to escape the fate which now seems to be impending over their adversaries they must avoid the example which those adversaries have set them.

Mr. President the bill which I have the honor to advocate to-day, and which is reported by a committee of the Senate, is the commencement, in my humble judgment, of an attempt to answer one of the demands which the people have authoritatively made. I speak advisedly. It is the commencement of an attempt to organize a system which shall respond to one of the demands which the people have made.

I suppose the most enthusiastic supporter of this bill will not pretend that it is perfect. I suppose he will not pretend that upon the adoption of this bill a system will immediately spring into life which will perfect and purify the civil service of the Government. But it is the commencement of an attempt to lay the foundations of a system which, if it shall answer in any reasonable degree the expectation of those who by experience and faithful study have framed it, it will in the end correct the abuses to which I have alluded, and which have been delineated by no enemy of the Republican party or of the Administration in the report which I have read to the Senate.

The bill has for its foundation the simple and single idea that the offices of the Government are trusts for the people; that the performance of the duties of those offices is to be in the interests of the

people; that there is no excuse for the being of one office or the paying of one salary except that it is in the highest practicable degree necessary for the welfare of the people; that every superfluous office-holder should be cut off; that every incompetent office-holder should be dismissed; that the employment of two where one will suffice is robbery; that salaries so large that they can submit to the extortion, the forced payment of 2 or 10 per cent. are excessive and ought to be diminished. I am not speaking of purely voluntary contributions.

If it be true that offices are trusts for the people, then it is also true that the offices should be filled by those who can perform and discharge the duties in the best possible way. Fidelity, capacity, honesty, were the tests established by Mr. Jefferson when he assumed the reins of government in 1801. He said then, and said truly, that these elements in the public offices of the Government were necessary to an honest civil service, and that an honest civil service was essential to the purity and efficiency of administration, necessary to the preservation of republican institutions.

Mr. Jefferson was right. The experience of eighty years has shown it. The man best fitted should be the man placed in office, especially if the appointment is made by the servants of the people. It is as true as truth can be that fidelity, capacity, honesty, are essential elements of fitness, and that the man who is most capable and most faithful and most honest is the man who is the most fit, and he should be appointed to office.

These are truths that in their statement will be denied by none, and yet the best means of ascertaining that fitness has been a vexed question with every Administration of this Government and

with every man who has been charged with the responsibility of its execution. We know what is the result. Pass examinations have been tried; professions have been tried; honest endeavors have been tried; a disposition to live faithfully up to these requirements has been tried; and yet we know and the experience of to-day shows it, that they have all made a most lamentable failure. We do now know that so great has been the increase of the powers of this Government and the number of officers under it that no President, no Cabinet, no heads of bureaus, can by possibility know the fitness of all applicants for the subordinate offices of the Government. The result has been, and under the existing system it must always be, that the President and his Cabinet and those who are charged with the responsibility have remitted the question of fitness to their own partisan friends, and those partisan friends have in their turn decided the question of fitness in favor of their partisan friends. The Administration has need of the support of members of Congress in carrying on its work. It therefore remits to members of Congress of its own party the questions of appointment to office in the various districts. These gentlemen, in the course of their political life, naturally (I do not find fault with them for it) find themselves under strain and pressure to secure a nomination or a re-nomination or election, and they use the places to reward those whose friends and families and connections and aids and deputies will serve their purpose.

I put it to gentlemen, particularly to my friends on this side of the Chamber, because you have not the opportunity to exercise this patronage as much as our friends on the other side, whether or not the element of fitness enters largely into the questions of

appointment in your respective districts and States. It can not be. The necessities of the case prevent it. The pressure upon men who want to be elected prevents it. The demands that are made by partisan friends and those who have been influential and potent in securing personal triumph to gentlemen who may happen to be in such relation to the appointing power that they have the influence to secure appointment prevent it. The result is as I have stated, that instead of making fitness, capacity, honesty, fidelity the only or the essential qualifications for office, personal fidelity and partisan activity alone control.

When I came to the Senate I had occasion more than ever before to make some investigation upon the subject, and found to my surprise the extent to which the demoralization of the service had gone. I saw the civil service debauched and demoralized. I saw offices distributed to incompetent and unworthy men as a reward for the lowest of dirty partisan work. I saw many men employed to do the work of one man. I saw the money of the people shamefully wasted to keep up electioneering funds by political assessments on salaries. I saw the whole body of the public officers paid by the people organized into a compact, disciplined corps of electioneerers obeying a master as if they were eating the bread of his dependence and rendering him personal service. I saw these evils were fostered, encouraged, stimulated very largely by Senators and Representatives. They had their friends who lent them a helping hand; and regardless of the fitness of these friends, of the necessity of their employment, they insisted on the appointment and had the power, which on consideration, was found sufficient to secure it.

I believed then, and I believe now, that the existing system which, for want of a better name, I call the "spoils system," must be killed or it will kill the Republic. I believe that it is impossible to maintain free institutions in the country upon any basis of that sort. I am no prophet of evil, I am not a pessimist in any sense of the word, but I do believe that if the present system goes on until 50,000,000 people shall have grown into 100,000,000, and 140,000 officers shall have grown into 300,000, with their compensation in proportion, and all shall depend upon the accession of one party or the other to the Presidency and to the executive functions, the Presidency of the country, if it shall last in name so long, will be put up for sale to the highest bidder even as in Rome the imperial crown was put to those who could raise the largest fund.

I beg gentlemen to believe that whatever I may have said as to the relations of parties I do not approach the question of the reform of the civil service in any mere partisan spirit. It was because I thought I saw this danger, because I believed that it was imminent, because I believed then as I do now that it is destructive of republicanism and will end in the downfall of republican government, that I felt it my duty to devote whatever ability I had to the consideration of this subject. It was that which induced me a year or two ago to introduce a bill which after the best reflection, the best study, the best assistance that I could get I did introduce in the Senate, and which in some degree modified, has come back from the Committee on Civil Service Reform, and is now pending before this body.

The purpose of this bill is merely to secure the application of the Jeffersonian tests, fidelity, honesty, capacity. The methods are those which are

known and familiar to us all in the various avocations of life—competition, comparison. Perhaps the bill is imperfect. If so, I am sure I express the wish of every member of the committee that it may be improved. There is no pride of opinion, there is no determination, if suggestions of value are made not promptly to adopt them. There is no disposition to do aught except to perfect, and in the best possible way, this bill, the sole object of which is to improve this great department of our Government.

Mr. President, it is because I believe the "spoils system" to be a great crime, because I believe it to be fraught with danger, because I believe that the highest duty of patriotism is to prevent the crime and to avoid the danger, that I advocate this or a better bill if it can be found for the improvement of the civil service.

I shall say in passing that I find it no objection to this bill at all that while I believe it is of great value to the country in all its aspects, I do not believe it will bring disaster to the Democratic party. There has been great misapprehension as to the methods and the scope of the bill. I desire the attention of the Senators while I briefly state them. I see I have spoken a good deal longer than I intended. The bill simply applies to the Executive Departments of the Government here in Washington and to those offices throughout the country, post-offices and custom-houses, which employ more than fifty persons. I am told, and I am sure that I am not far out of the way, if I am not exactly accurate, that the number of such offices does not exceed thirty or perhaps thirty-five, and that the number of persons who are employed in them, together with those in the Departments here, will not exceed 10,000.

I said that this was a tentative effort; that it was

intended to be an experiment, and it is because it is tentative, because it is intended to be an experiment, that the committee thought it advisable in its initial stages to limit it, as they have limited it, in the bill. The bill does not apply to elective officers, of course, nor to officers appointed by the President, by and with the advice and consent of the Senate, nor to the military, nor to the naval, nor to the judicial establishment. It applies simply now to those officials who are employed in the Departments here and in the large offices of the Government elsewhere, first, because as an experiment it was thought that it gave scope enough to test its value and labor enough to employ all those who are engaged in putting it in operation until its merits shall be fairly tried and it shall commend itself either to the approval or condemnation of the American people.

There was another reason. The heads of offices and bureaus, where the number of employès is small, can themselves personally judge of the fitness of persons who are applicants for appointment, knowing as they do more or less in their narrow communities their antecedents, their habits, and their modes of life.

The bill does not touch the question of tenure of office or of removal from office. I see it stated by those who do not know that it provides for a seven years' tenure of office. There is nothing like it in the bill. I see it stated that it provides against removals from office. There is nothing like it in the bill. Whether or not it would be advisable to fix the tenure of office, whether or not it would be advisable to limit removals are questions about which men will differ; but the bill as it is and as we invoke the judgment of the Senate upon it contains no provisions either as to tenure of office or removals from office. It leaves those questions exactly where

the law now finds them. It concerns itself only with admission to the public service; it concerns itself only with discovering in certain proper ways or in certain ways—gentlemen may differ as to whether they are proper or not—the fitness of the persons who shall be appointed. It takes cognizance of the fact that it is impossible for the head of a Department or a large office personally to know all the applicants, and therefore it provides a method by which, when a vacancy occurs by death, by resignation, by the unlimited power of removal, a suitable person may be designated to fill the vacancy. It says in effect that when a vacancy occurs in the civil service everybody who desires entrance shall have the right to apply. Everybody, humble, poor, without patronage, without influence, whatever may be his condition in life, shall have the right to go before the parties charged with an examination of his fitness and there be subjected to the test of open, regulated, fair, impartial examination.

MR. MAXEY. If it is agreeable I should like to interrupt the Senator to ask a question upon that point. In the plan suggested for examination as to fitness is it to be a competitive examination by the bill? I ask the Senator if the committee has fallen upon any plan as to the line of inquiry that should be instituted in that examination, and if so will he indicate it? That I think is an important consideration.

MR. PENDLETON. I am glad that the Senator has asked that question, for it gives me an opportunity of saying to him and to the Senate that if they will examine the report made by the committee, they will find that this system is not entirely new, but that to a very large extent in certain offices in New York, in

Philadelphia, and in Boston it has been put into practical operation under the heads of the offices there, and that they have devised, with the assistance of the commission originally appointed by General Grant, but largely upon their own motion, a system which I suppose would, to some extent, be followed under this bill.

MR. MAXEY. What I desire to know is whether the committee, after examining the various lines of questions asked in the competitive examinations, have themselves fallen upon any plan which they could recommend to the Senate as a proper plan for examination?

MR. PENDLETON. No; the committee have not carried their investigations to that point for the simple reason that it would be impracticable for a committee of the Senate charged with the examination of the general subject to look into the proper examinations as to every Department of the Government and every department in that Department. For instance, for a letter-carrier one series of examinations might be very proper, for an assayer another system of examination, for an accountant still other examinations, for a weigher and gauger still another. The examinations must be adapted to the particular offices which it is sought to fill, and that can only be by the leisurely and competent investigation of gentlemen who are charged as an official duty with the determination of what the needs of all the Departments and offices require.

MR. MAXEY. That may be quite a reasonable view of the case; but some of the questions which I have seen submitted I am of the opinion have nothing whatever to do with the examination for a mere clerkship, but would have something to do perhaps

with an examination in a college or something of that sort.

MR. PENDLETON. The examinations are to be regulated in relation to the particular offices to be filled. I am not the advocate of any special system of questions which has been devised. I am not the apologist for any error which may have been committed. I am not prepared to say that I have seen any of these series of questions which might not admit of improvement.

MR. MAXEY. I will state to the Senator that the suggestion he has himself made is about the best that I have heard. A great many of the questions which have been submitted I think are nonsensical to be put to an applicant for a minor clerkship.

MR. PENDLETON. I shall offer some amendments in behalf of the committee and in behalf of myself before we reach a vote. The details of the bill are these: The preamble expresses fully the philosophy of the bill. Read it carefully. It sets forth what common justice demands for the citizen and for the Government. It sets forth what the economy, efficiency, and integrity of the public service demand.

WHEREAS COMMON JUSTICE REQUIRES THAT, SO FAR AS PRACTICABLE, ALL CITIZENS DULY QUALIFIED SHALL BE ALLOWED EQUAL OPPORTUNITIES, ON GROUNDS OF PERSONAL FITNESS, FOR SECURING APPOINTMENTS, EMPLOYMENT, AND PROMOTION IN THE SUBORDINATE CIVIL SERVICE OF THE UNITED STATES; AND

WHEREAS JUSTICE TO THE PUBLIC LIKEWISE REQUIRES THAT THE GOVERNMENT SHALL HAVE THE LARGEST CHOICE AMONG THOSE LIKELY TO ANSWER THE REQUIREMENTS OF THE PUBLIC SERVICE: AND

WHEREAS JUSTICE, AS WELL AS ECONOMY, EFFICIENCY, AND INTEGRITY IN THE PUBLIC SERVICE WILL BE PROMOTED BY SUBSTITUTING OPEN AND UNIFORM COMPETITIVE EXAMINATIONS FOR THE EXAMINATIONS HERETOFORE HELD IN PURSUANCE OF THE STATUTES OF 1853 AND 1855.

Section 1 provides for the appointment by the President of a commission of five persons, of different political parties, of whom three shall hold no official place, and two shall be experienced in the public service.

The second section is in the following words:

SEC. 2. That it shall be the duty of said commission.

First, To devise and submit to the President for his approval and promulgation, from time to time, suitable rules, and to suggest appropriate action for making this act effective: and when so approved and promulgated it shall be the duty of all officers of the United States in the Departments and offices to which any such rules may relate to aid, in all proper ways, in carrying said rules, and any modifications thereof, into effect.

Second, And, among other things, said rules shall provide and declare, as nearly as the conditions of good administration will warrant, as follows:

First, for open, competitive examinations for testing the capacity of applicants for the public service now classified or to be classified hereunder.

Second, that all the offices, places, and employments so arranged or to be arranged in classes shall be filled by selections from among those graded highest as the results of such competitive examinations.

Third, that original entrance to the public service aforesaid shall be at the lowest grade.

Fourth, that there shall be a period of probation before any absolute appointment or employment aforesaid.

Fifth, that promotions shall be from the lower grades to the higher on the basis of merit and competition.

Sixth, that no person in the public service is for that reason under any obligations to contribute to any political fund, or to render any political service, and that he will not be removed or otherwise prejudiced for refusing to do so.

Seventh, that no person in said service has any right to use his official authority or influence to coerce the political action of any person or body.

Eighth, there shall be non-competitive examinations in all proper cases before the commission, when competition may not be found practicable.

Ninth, that notice shall be given in writing to said commission of the persons selected for appointment or employment from among those who have been examined, of the rejection of any such persons after probation, and of the date thereof, and a record of the same shall be kept by said commission.

And any necessary exceptions from said nine fundamental provisions of the rules shall be set forth in connection with such rules, and the reasons therefor shall be stated in the annual reports of the commission.

Third. Said commission shall make regulations for, and have control of, such examinations, and, through its members or the examiners, it shall supervise and preserve the records of the same, and said commission shall keep minutes of its own proceedings.

Fourth. Said commission may make investigations concerning the facts, and may report upon all matters touching the enforcement and effects of said rules and regulations, and concerning the action of any examiner or board of examiners, and its own subordinates, and those in the public service, in respect to the execution of this act.

Fifth. Said commission shall make an annual report to the President, for transmission to Congress, showing its own action, the rules and regulations and the exceptions thereto in force, the practical effects thereof, and any suggestions it may approve for the more effectual accomplishment of the purposes of this act.

The third and fourth sections authorize the commission to employ a chief examiner, a secretary, and the necessary

clerical force; to designate boards of examiners, to direct where examinations shall be held; and requires that suitable rooms shall be furnished for its accommodation in the public buildings in Washington and elsewhere. They require also the chief examiner to act, as far as practicable, with the examining boards, and to secure accuracy, uniformity, and justice in all their proceedings.

The fifth section defines the offenses which are calculated to defeat the just enforcement of the act, and declares the penalties.

The sixth section requires the heads of the different Departments to make a more perfect classification of clerks and employès, both in the Departments in the various offices under their charge, in conformity with the one hundred and sixty-third section of the Revised Statutes, and to extend and revise such classification at the request of the President.

The seventh section is in these words:

SEC. 7. After the expiration of four months from the passage of this act no officer or clerk shall be appointed, and no person shall be employed to enter or be promoted in either of the said classes now existing, or that may be arranged hereunder, pursuant to said rules, until he has passed an examination, or is shown to be specially exempted from such examination in conformity herewith.

But nothing herein contained shall be construed to take from those honorably discharged from the military or naval service any preference conferred by the seventeen hundred and fifty-fourth section of the Revised Statutes, nor to take from the President any authority not inconsistent with this act conferred by the seventeen hundred and fifty-third section of said statutes: nor shall any officer not in the executive branch of the Government, or any person merely employed as a laborer or workman, be required to be classified hereunder; nor, unless by direction of the Senate, shall any person who has been nominated for confirmation by the Senate be required to be classified or pass an examination.

Now, Mr. President, recurring to what I have said

as to scope of this bill, to the officers who are embraced in it, to the avoidance of the question of removal and tenure, I have only to say that the machinery of the bill is that the President shall call to his aid the very best assistance, with or without the concurrence of the Senate—for that is a matter about which gentlemen would differ and upon it I have no very fixed opinion—that the President shall with the concurrence of the best advice which he can obtain, form a plan, a scheme of examination free for all, open to all, which shall secure the very best talent and the very best capacity attainable for the civil offices of the Government. The method adopted in the bill is by competitive examination. That method has been imperfectly tried throughout the country. I have here the statement of the postmaster of New York who has given much attention and has had great experience in this matter. I have here his statement that the business of his office increased 150 per cent. within a certain number of years, and the expenses increased only 2 per cent.

To be specific—

Says Mr. Pearson—

while the increase in the volume of matter has been from 150 to 300 per cent. the increase in cost has only been about 2 per cent.

Mr. Graves, whose testimony I read before, has stated as the result of the efforts which were made by General Grant during the period that he was allowed any funds for the purpose of putting this scheme into operation, that the expenses of the Departments here can be reduced at least one-third.

I have heard it said that this system of examination proposes to present only a scholastic test; that it proposes only to give advantage to those who are college-bred, and have had the advantage in early

life of superior education. The committee investigated that subject to some extent, and I have here the result in the city of New York. Says Mr. Burt:

Taking seven hundred and thirty-one persons examined, 60 per cent. of the appointees selected from them had been educated simply in the common schools of the country; 33⅓ per cent. had received what they call academic or highschool education; and 6½ per cent, a collegiate education. In all the statistics in regard to common school education there is one little weakness resulting from the fact that we have to throw in that class men who have had hardly any education, men who will say, "I went to school until I was 11 years old," or "I went to school in the winter," or something of that kind. We have to throw them in that class—

That is the class who have received a common-school education—

and it rather reduces the average standing in that category. As to the matter of age we have very thoroughly exploded that objection. There have been some young men of 21 and 22 who have come in, but the average has been above 30, and it is astonishing that it is the men above 30 who make the best time on examination, who show a facility to get through work quickly.

He goes on to say:

Yet about two-thirds of the appointees had a common-school education; had not even an academic education.

Thereupon the chairman of the committee asked:

Is it from that you get the value of the element of experience and natural force that I spoke of?

Mr. BURT. Yes, sir; it shows itself there apart from the question of elaborate education.

Of course these examinations must be proper; of course they must be regulated upon common-sense principles; of course they must be conducted to test the fitness of the men who are to be appointed to

particular offices. You have tests everywhere. To-day the law requires that there shall be a test of examination in the various Departments here in Washington. They are pass examinations; they are imperfect; they are insufficient; they are not thorough. Mr. Graves himself says that the only examination in his case was that the superior in the Department looked over his shoulder while he was writing and said, “I think you will pass.” That was when he entered the service twenty-odd years ago.

If you have examinations why not have competitive examinations? If you have private pass examinations, why not have open examinations? If examinations are made in the Departments by subordinates of the Departments, why not have them made by responsible examiners amenable to the authority of the President under a system devised by the best intelligence that can be supplied?

I hear the system of competitive examination spoken of as if it were something extraordinary. Within the last fifteen years it has gotten to be a custom that I might almost say is universal that when a member of Congress has the right to appoint a cadet to West Point or to the Naval Academy he asks his constituents to compete for it. Formerly it was never done; it was looked on as the mere perquisite of a member of Congress. I appointed a gentleman to West Point who graduated at the head of his class, and now is the active and vigorous spirit of the Military Academy. I appointed him simply upon my own personal examination and knowledge. It would not be done now; it could not be done now; the public sentiment is against it. The public sentiment of the district that I then represented would not permit it; but open competitive examinations are demanded, and everybody having

the requisite qualifications of age and health and vigor can compete for the appointment.

Why not apply that system to the Executive Departments of this Government? What earthly reason can there be why when you desire to appoint the best and fittest man for the place that is vacant he should not subject himself to the competition of other people who desire to have that place? Of course, as I said before, this all goes upon the basis that there shall be reasonable examinations and reasonable competition.

Nor are there any aristocratical tendencies about this system, as I have heard suggested; for while it does not in any wise create an official caste it does in words and in effect, open up the possibility of the public service to the poorest and the humblest and least influential in the land.

Mr. President, I desire to say only one word further. I have spoken to-day under great disadvantage, and perhaps I may have omitted things that I shall desire in the course of this discussion to lay before the Senate.

But I desire, Mr. President, to follow out for one moment the line of thought which I indicated when I said that I believed this system would be of great advantage to the country, and that to me it was no objection, that I believed it would be of great advantage to the Democratic party. The suggestion has been made here that it might be better to lay this matter over until after another election, and that the mutations of parties might fill, under the old system, the various Departments with members of the faith to which I belong. Aye, Mr. President, but the next Presidential election may not have that result, and it will not have the result, in my honest conviction,

unless we do two things: First, respond to the demands which the people make upon the Democratic party now in its condition of probation; and, second, disarm that great body of officials who as disciplined armies go forth to control the Presidential elections.

I believe, and I am only excused from making this remark because of what I have heard publicly and in private conversation upon the floor of the Senate—I believe if we argue this question upon the lower plane of mere partisan advantage we Democrats ought to support the measure. It has been said that this abandonment of the spoils system will retain in office the appointees of the Republican party. I conceal nothing; I state it in my place in Senate, and before my fellow-Senators who are of the other persuasion, I do not think it. There is no proposition to extend the term of office where it is now fixed, nor in any wise limit the constitutional power of removal from office. The proposition is simply and only that where a new appointment shall be made the element of fitness shall be decisive. Can any Democrat object to that?

How many Democrats are there in office now? How many will there ever be under the spoils system? The Republicans have possession of the Government for two years and more. How many Democrats will be put in office during that time, except on the merit system? Not one. But if this system be fairly inaugurated and administered within one year there will be fifty where now there is one.

It has been said that the abandonment of the spoils system will exclude Democrats from office when the day of our victory shall come. I do not think it. On the contrary, I believe that the adoption of this policy as our party creed will hasten the day of the

victory of our party and its adoption as a law will under any administration fill many offices with Democrats. I think it will bring to our aid very many men not hitherto of our political faith who believe this reform a vital question in our politics. I think it will disarm and disorganize and neutralize the trained bands of office-holders who have wrested from us, as I have said, at least two Presidential elections. And finally, repudiating utterly, as I do, that the animating spirit of the Democratic party is the love of spoils, and that its cohesive principle is that of public plunder—repudiating, I say, that doctrine, I think the Democrats throughout this land —I know that in my own State they can—will stand the test of any examination, and in a fair field will not come out second best.

Who shall do them the discredit, who shall do this party, now numbering at least half the people of this country, the discredit to say that they can not stand the test of merit for official position and promotion with any equal number of men in any party of the country.

I have detained the Senate much too long, and yet I must add that the very best aid to any system of reforming the service is in the most rigid application of the democratic theory of the Federal Constitution and Government; that its powers are all granted; that the subjects on which it can act are very limited; that it should refrain from enlarging its jurisdiction, or even exercising admitted but unnecessary powers; that it should scrupulously avoid "undue administration." Add to this the election by the people to local Federal offices, and there will be little necessity and little room for other methods.

The PRESIDING OFFICER. The pending question is on the amendment of the Senator from Massachusetts [Mr. HOAR] to the amendment of the Senator from Iowa [Mr. ALLISON].

MR. PENDLETON. The Senator from Iowa is not in his place at this moment, but gave me authority to withdraw his amendment.

The PRESIDING OFFICER. If there be no objection, it will be considered as withdrawn for the time being.

MR. PENDLETON. I now move to strike out lines 22 and 23 of section 2, as follows:

> Third. That original entrance to the public service aforesaid shall be at the grade, and appointments thereto.

And to insert in lieu thereof "appointments to the public service aforesaid;" so as to read:

> Appointments to the public service aforesaid in the Departments at Washington, shall be apportioned, as nearly as practicable, among the several States and Territories and the District of Columbia, upon the basis of population as ascertained at the last preceding census.

This amendment has been discussed, and I do not care to detain the Senate in the further discussion of it. It opens up the public service in all its grades to competition, not only from those within but those outside of the Departments. The objections to the provision that entrance shall be at the lowest grade, and higher places shall be filled by promotions only, are so strong that I desire to perfect the bill by striking out this clause at this time. At the proper time I shall move to strike out the clause in relation to promotion, if it shall seem necessary to accomplish my purpose. I wish entrance to the public service to be open at all grades to every one whether he may be now in office or not.

The amendment was adopted.

RELATIONS BETWEEN THE SENATE AND EXECUTIVE DEPARTMENT.

Speech of Hon. John J. Ingalls, of Kansas, in the Senate of the United States, Friday, March 26, 1886.

The Senate having under consideration the resolutions reported by Mr. EDMUNDS from the Committee on the Judiciary, relative to the refusal of the Attorney-General to furnish copies of certain papers—

Mr. INGALLS said:

Mr. PRESIDENT: Contemporaneous construction of the Constitution, fortified by long usage and acquiescence, undisturbed for more than seventy-five years, has to my mind incontestably and impregnably established two fundamental propositions: first, that under the Constitution of the United States the power to appoint includes the power to remove, and that both these powers are vested in the President of the United States, subject only to the power of the Senate to negative in cases of appointment; and, second, that where the tenure of an office is not fixed by the Constitution it is held at the pleasure of the Executive.

I therefore take up this argument where the opposition leave it: I begin where they close. I concede all that they demand as to the constitutional power of the Executive upon the subject of appointments to office. If it shall appear that the report of the Committee on the Judiciary is inconsistent with these declarations, that the report and the resolutions to which we are now asked to give our assent in any manner impair or infringe upon, or are in derogation of these admitted high executive prerogatives, then I shall submit to condemnation, for my signature is appended to that report.

So far as I have been able to unravel and disentangle the complicated array of argument by which it has been attempted to destroy the force and effect of the report of the Committee on the Judiciary, I understand that the objections are practically four:

First, that by the action of the majority of the Senate an attempt is made to invade the prerogative of the president by demanding his reasons for the suspensions from office that he has made. To that I interpose upon the threshold and in the vestibule of this argument an absolute contradiction and denial.

The President of the United States in the message that he voluntarily, of his own motion, sent down to this body, starts out with an absolutely unfounded imputation upon the position of the majority. He says that the Senate has been from time to time, in various ways, through committees of the body and by personal importunity, appealing to the Executive to give his reasons for the suspension of officials that have been reported to this body with the designation of others to fill the places thus to be rendered vacant.

Sir, I deny it, and I now challenge from any supporter or adherent of the administration the exhibition of a word, or syllable, or justifiable inference upon which that allegation, so often repeated with so much variety of iteration, can be properly or justly founded.

The effort has been ingeniously made to shift the issue, to darken council by words without wisdom, and to make it appear that there has been a deliberate purpose and intention on the part of the Senate to interfere with the recognized prerogatives of the Executive by demanding his reasons for suspension; and unless I hear some Senator while this

debate is now proceeding and while I invite the statement—unless I hear something said in support of that averment, which I deny, and which I affirm has been made for the purpose of clouding this controversy in popular estimation, I shall assume that my denial is not to be met.

Again, sir, it has been alleged in debate, in the public press, by intimation and declaration, and it has been the basis of many studied arguments in this Chamber that there had been demands by the Senate upon the executive for private papers in the cases sent down for consideration. I deny it. I contradict that statement by an appeal to the record; and before that great tribunal by whom this issue is to be tried and determined, I allege that that averment is without foundation. There has never been in form or in substance, directly or indirectly, expressly or remotely, any demand made by any committee of this body upon the Executive or upon the head of any Department for the production of private papers; and I shall be glad in the front of my explicit denial and contradiction if some one of the advocates, some one of the champions of the administration, will point out, before this controversy is concluded, when, where, and how there has been any demand made by the Senate upon the President of the United States or upon any head of a Department for the production of private papers.

That issue was brought in here by the administration. It is said that a guilty conscience needs no accuser. We have been told of those who "fear in every bush an officer." Sir, it was the interior consciousness of the administration out of which was evolved this phantasy, this farcical allegation, that there was an attempt on the part of the Senate to compel the production of private unofficial papers

and communications in the possession of the President of the United States. No Senator doubts that the President occupies an absolutely independent position, and none would desire under any circumstances to interfere with his admitted prerogatives.

I shall strip this controversy of its fallacious incidents. I shall clear away the undergrowth of misrepresentation, sophistry, and false pretenses, that has hitherto obstructed the pathway of our consideration of the real issues that are involved in this contention. With my consent it shall not hereafter be averred before the popular tribunal that is ultimately to decide this question that there has been an indefensible and insolent attempt to impair the constitutional prerogatives of the President of the United States.

Another allegation has been that while this controversy has proceeded the Senate has been inactive, interposing partisan objections to the transaction of executive business, to prevent the execution of his high trusts by the President of the United States. I yesterday had compiled from the records of the executive office, for the purpose of showing what has been done in this particular, a statement, public under our rules, which shows that from the 25th of January, 1886, to the date of the last executive session there had been confirmed by the Senate four hundred and ninety-three nominations of officers sent down by the President. Never in any single instance where there has been a vacancy, occurring by resignation, expiration of term or proper removal upon which we could properly act, has there been an instant of delay. The Senate has not inquired whether the nominee was a Democrat or Republican, but has proceeded

vigorously, industriously and steadfastly in the performance of its constitutional duties, and if there has been inaction or non-action upon nominations, I shall show before I conclude my remarks that it has been invited by the administration.

Again, it has been alleged that the action of the majority of the Senate is instigated by the purpose of keeping Republicans in office; that we are moved by partisan considerations to thwart by all means in our power the efforts of the Executive to transfer the official patronage of the Government to the party that was placed in power by the votes of a majority of the people. I am not authorized to speak for others, but for myself and for those who have accredited me here, I cannot submit with patience to such an intolerable accusation.

Mr. President, the Republicans of Kansas are Republicans. They are neither afraid to be so classified nor ashamed to be thus described. They do not covet any qualifying or palliative epithets. Their attitude is neither apologetic nor defensive. They have an unconquerable pride in their political achievements, in the history they have made, in the triumphs they have won. For twenty-five years they have stood upon the skirmish line, neither asking nor giving quarter. They are Republicans not by inheritance, not by tradition, not by accident, but from conviction; and they are as steadfast in defeat as in victory. They are partisans, intrepid, undaunted, uncompromising, and they can give reasons for the faith that is in them.

They believe and I believe that for the past quarter of a century upon every vital issue before the American people, secession, slavery, coercion, the public credit, honest elections, universal freedom, and the protection of American labor, they have

always been right and that their opponents have always been wrong; and, while they concede unreservedly patriotism and sincerity to their adversaries, temporary repulse has not convinced them that they were in error. There is neither defection nor dismay in their columns. They are ready, they are impatient to renew the battle. Animated by such impulses, it is not singular that they should feel that no Republican can hold an appointive office under a Democratic administration without either sacrificing his convictions or forfeiting his self-respect.

Accordingly, sir, when a little more than a year ago a Democratic administration was inaugurated, those who were in public station began with one consent to make excuse to retire to private life. They did not stand upon the order of their going; they trampled upon each other in a tumultuous and somewhat indecent haste to get out of office. There was no craven cry for mercy; no mercenary camp-follower fled for shelter to the bomb-proofs of the tenure-of-office act; no sutler crawled behind the fragile breastworks of civil-service reform for protection. They lost their baggage, but they retained their colors, their arms, their ammunition, and their camp equipage, and marched off the field with the honors of war. If at the expiration of one year a few yet remain in office, *rari nantes in gurgite vasto*, it is because the victors have been unable to agree among themselves or been unable to discover among their own numbers competent and qualified successors.

Mr. President, candor compels me to say that the Democracy of that State share the same temper and spirit. From 1854, when the Territory was organized, down to the 29th of January, 1861, when the State was admitted, if there was a Republican holding any

appointive office it was an inadvertence; and if from 1861 down to 1885 there was a Democrat holding an official position requiring confirmation by the Senate, it was an oversight; it escaped the somewhat vigilant scrutiny of my colleague and myself and those who preceded us here.

Therefore, Mr. President, I am not of those who believe in non-partisanship in politics; and I should be recreant to the high trust confided in me were I to refrain from declaring my conviction that political parties, energetic, vigorous, and well defined, are indispensable to the success of free popular governments. Wherever the life of States is freest and most irrepressible, there party spirit is most active and aggressive. It is by the conflict and collision of political parties that the latent and richest powers of the State are made manifest; and those whom I represent have no sympathy with the dogma that it reflects glory upon a statesman to affect independence of his party, or that it is an indication of virtue in a citizen to belong to no political organization.

Political parties are social groups in the nation, allied by common purposes and kindred aspirations for the accomplishment of beneficial results. When parties perish this Government will expire, for we all understand that in this country the only government is the party in power. Here is no dynasty, no ruling family, nothing corresponding to the functions of government under other systems except the party that is for the time being intrusted by the votes of a majority of the people with the execution of their will. And, sir, when a majority of the people declare that there shall be a change of administration, it is necessarily implied that there shall be a change of those agencies through which alone political

administration can be made effectual. It is useless to juggle and palter about this matter. A change of administration is a change of policies and methods, and the Chief Magistrate is entitled to the co-operation of agents and ministers who are in sympathy with his opinions and the doctrines which he is chosen to enforce and maintain.

Sir, unless the President of the United States is to be a mummy swathed in the cerements of the grave, he must have powers commensurate with his duties. He is charged to "take care that the laws be faithfully executed," and unless he has the power to select the agencies through which the laws are administered, through which the revenues are collected and disbursed, the post-offices conducted, the Indians supported and controlled, the glory and honor of the nation maintained, that duty imposed upon him by the Constitution is an idle phrase; it means nothing; it is an empty formula. Charged with these great duties, liable to impeachment if they are not properly performed, how can it be claimed with justice that there shall be an interpolation of novel doctrines of reform, under which while the chief is still to be held responsible, he shall be deprived of all the agencies and ministrations under the Constitution by which they can alone be so administered, in sympathy with him and the policy that he represents.

Therefore, sir, I am confident that when it was ascertained in November, 1884, that a change of the political majority in this country had been registered, there was a general faith and conviction that a change of official holdings would follow. The Democratic party desired it; the Republican party expected it, and would have been content; and had it been done the people at large would have said with

one accord, amen. But this generation has witnessed the genesis of a new political gospel; a novel organization has appeared upon earth; a new school of political philosophers who announce that non-partisanship is the panacea for all the evils that afflict the Republic. Having no avowed opinions upon the great topics of the hour, they feebly decry the corruptions of the American system, and peevishly and irritably declare that the Government is degenerate and degraded, and that the true prescription to elevate, reform, and purify the public service is to prevent the clerks from being removed out of their places in the Departments. This brotherhood has not been hitherto very largely re-enforced from the Democracy. If there has been an original civil-service reformer who has deserted from the ranks of the Democracy, history does not record his name. It has been left to the party to which I belong to afford conspicuous and shining illustrations of that class of political thinkers who are never quite sure that they are supporting a party unless they are reviling the candidates and denouncing its platform, who are not positive that they are standing erect unless they are leaning over backward, and whose idea of reforming the organization in which they profess to be classified is to combine with its adversaries and vote for candidates who openly spurn their professions and depreciate the stock in trade which they denominate their principles. Standing on the corners of the streets, enlarging the borders of their phylacteries, they loudly advertise their perfections, thanking God that they are not as other men, even these Republicans and Democrats; they traffic with both to ascertain which they can most profitably betray.

Mr. President, the neuter gender is not popular

either in nature or society. “Male and female created He them.” But there is a third sex, if that can sex be called which sex has none, resulting sometimes from a cruel caprice of nature, at others from accident or malevolent design, possessing the vices of both and the virtues of neither; effeminate without being masculine or feminine; unable either to beget or to bear; possessing neither fecundity nor virility; endowed with the contempt of men and the derision of women, and doomed to sterility, isolation, and extinction. But they have two recognized functions. They sing falsetto, and they are usually selected as the guardians of the seraglios of Oriental despots.

And thus to pass from the illustration to the fact, these political epicenes, without pride of ancestry or hope of posterity, chant in shrill falsetto their songs of praise of non-partisanship and civil-service reform, and apparently have been selected as the harmless custodians of the conscience of the national Executive.

Sir, I am not disposed to impugn the good faith, the patriotism, the sincerity, the many unusual traits and faculties of the President of the United States. He is the sphinx of American politics. It is said that he is a fatalist; that he regards himself as the child of fate —the man of destiny; and that he places devout and implicit reliance upon the guiding influence of his star. Certainly, whether he be a very great man or a very small man, he is a very extraordinary man. His career forbids any other conclusion.

The Democratic party was not wanting when its convention assembled at Chicago in many renowned and illustrious characters; men who had led the forlorn hope in its darkest and most desperate days; men for whose character and achievements, for whose fame and history, not only that organization

but the country had the profoundest admiration and respect. There was Thurman, and Bayard, and Hendricks, and Tilden, and McDonald, and others perhaps not less worthy and hardly less illustrious, upon whom the mantle of that great distinction might have fallen; but the man at the mature age of thirty-five abandoned a liberal and honored profession to become the sheriff of Erie, without known opinions and destitute of experience or training in public affairs, outstripped them all in the race of ambition; and when but little more than a year ago he entered this Chamber as the President elect of the United States, he encountered the curious scrutiny of an audience to whom he was a stranger in feature as in fame; a stranger to the leaders of his own party as well as to the representatives of all the nations of the earth who had assembled to witness the gorgeous pageant of his inauguration.

Sir, the career of Napoleon was sudden, startling, and dramatic. There have been many soldiers of fortune who have sprung at one bound from obscurity to fame, but no illustration of the caprices of destiny so brilliant and bewildering is recorded in history as the elevation of Grover Cleveland to the Chief Magistracy of sixty millions of people.

If when he was inaugurated he had determined that the functions of Government should be exercised by officers selected from his own party the nation would have been content; but he did not so determine, and herein and hereon is founded the justification that the majority of the Senate can satisfactorily use and employ in demanding that no action shall be had in connection with these suspensions from office until there has been satisfactory assurances that injustice has not been done. If it were understood that these suspensions

and removals were made for political reasons the country would be content, the Republican majority in the Senate would be content. But what is the attitude? Ever since his inauguration and for many months before, by many utterances, official and private, in repeated declarations never challenged, Mr. Cleveland announced that he would not so administer this Government. At the very outset, in his letter of acceptance, he denounced the doctrine of partisan changes in the patronage, and through all of his political manifestoes down to the present time he has repeated these assurances with emphatic and unchanging monotony.

He has declared that there should be no changes in office, where the incumbents were competent and qualified, for political reasons, but that they should be permitted to serve their terms. Like those who were grinding at the mill, one has been taken and another has been left. Some Republicans have been suspended and others have been retained. What is the irresistible inference? What is the logic of the events, except that, in view of what the President has declared, every man who is suspended is suspended for cause, and not for political reasons? It is not possible to suspect the President of duplicity and treacherous deception.

For the purpose of illustration, let me call the attention of the Senate and through the Senate the attention of the country, which is to judge of this matter, to the basis on which this inquiry proceeds. I read from the letter of Grover Cleveland, dated Albany, August 19, 1884, accepting the nomination for the Presidency of the United States. He says:

> The people pay the wages of the public employés, and they are entitled to the fair and honest work which the money thus paid should command. It is the duty of those

intrusted with the management of their affairs to see that such public service is forthcoming. The selection and retention of subordinates in Government employment should depend upon their ascertained fitness and the value of their work, and they should be neither expected nor allowed to do questionable party service.

There is another utterance in this document to which I might properly allude further on, but which appears to me to be so significant that I will read it now. It has a singular fitness in connection with this subject that we have been discussing. Speaking of honest administration, he says,

I believe that the public temper is such that the voters of the land are prepared to support the party which gives the best promise of administering the Government in the honest, simple, and plain manner which is consistent with its character and purposes.

And now:

They have learned that mystery and concealment in the management of their affairs cover tricks and betrayal.

Yes, they have learned that mystery in the administration of the patronage of the Government, by the concealment from the people of the documents and papers that bear upon the character and conduct of officials suspended and those that are appointed, cover tricks and betrayal. “I thank thee for that word.” A “Daniel” has “come to judgment.” No more pertinent and pungent commentary upon the facts of the present situation could be formulated than that which Grover Cleveland uttered before his foot was upon the threshold, that mystery and concealment in the management of the affairs of the people covered tricks and betrayal. There are tricks and somebody has been betrayed.

Again, on the 20th day of December, 1884, after the election, some of the contingent of Republican

deserters who elected Mr. Cleveland to the Presidency, becoming apprehensive that there might be trouble about their thirty pieces of silver, formulated their uneasiness in words and addressed him a letter calling his attention to the professions upon which he had been elected and demanding further guarantee. To that letter, on the 25th day of December, 1884, Mr. Cleveland replied, and from that reply I select certain paragraphs, not being willing to tax the patience of the Senate or waste my own strength in reading what is not strictly material.

I regard myself pledged to this—

That is, to this practical reform in the civil service, this refusal to turn out competent and qualified officials and put in Democrats—

because my conception of true Democratic faith and public duty requires that this and all other statutes should be in good faith and without evasion enforced, and because, in many utterances made prior to my election as President, approved by the party to which I belong and which I have no disposition to disclaim, I have in effect promised the people that this should be done.

Not his party, but the people, Republican as well as Democrats. Then he proceeds to castigate the Democratic party:

I am not unmindful of the fact to which you refer that many of our citizens fear that the recent party change in the national Executive may demonstrate that the abuses which have grown up in the civil service are ineradicable. I know that they are deeply rooted, and that the spoils system has been supposed to be intimately related to success in the maintenance of party organization, and I am not sure that all those who profess to be the friends of this reform will stand firmly among its advocates when they find it obstructing their way to patronage and place.

He goes on thus, and this is a most significant promise and pledge:

There is a class of Government positions which are not within the letter of the civil-service statute but which are so disconnected with the policy of an administration that the removal therefrom of present incumbents, in my opinion, should not be made during the terms for which they were appointed solely on partisan grounds, and for the purpose of putting in their places those who are in political accord with the appointing power—

And then follows that celebrated definition which lifted the lid from the box of Pandora—

but many men holding such positions have forfeited all just claim to retention because they have used their places for party purposes in disregard of their duty to the people, and because, instead of being decent public servants, they have proved themselves offensive partisans and unscrupulous manipulators of local party management.

The letter closes with this somewhat frigid assurance of consolation to the Democratic party.

If I were addressing none but party friends, I should deem it entirely proper to remind them—

That is, party friends—

that though the coming administration is to be Democratic—

Strictly Democratic—

a due regard for the people's interest does not permit faithful party work to be always rewarded by appointment to office, and to say to them that while Democrats may expect a proper consideration, selections for office not embraced within the civil-service rules will be based upon sufficient inquiry as to fitness, instituted by those charged with that duty, rather than upon persistent importunity or self-solicited recommendations on behalf of candidates for appointment.

"Here endeth the first lesson!" This was in the year 1884. I now come to the declaration of 1885. Just as the Democratic State convention which nominated the present governor of New York for the position

that he now holds, was about to assemble at Saratoga on the 24th, I think, of September, the President gave out for publication the letter of resignation of Dorman B. Eaton, a civil-service commissioner, which was dated July 28, 1885, and accompanied it with a letter of his own accepting that resignation which was dated September 11, 1885. It was alleged in Democratic newspapers that the President held back these letters in order to give publicity to his reply at that time for effect upon the convention, and it was remarked that it had caused a panic among the Democracy. His letter is dated, as I said, September 11, 1885, and I will read a few paragraphs showing his opinion of the Democratic party and the course that they had pursued in attempting to force him off the civil-service reform platform. After some rather glittering platitudes in regard to the work accomplished by Mr. Eaton, he proceeds:

A reasonable toleration for old prejudices, a graceful recognition of every aid, a sensible utilization of every instrumentality that promises assistance and a constant effort to demonstrate the advantages of the new order of things, are the means by which this reform movement will in the future be further advanced, the opposition.

Now, this is an epithet to which I desire to call particular attention—

The opposition of incorrigible spoilsmen rendered ineffectual and the cause placed upon a sure foundation.

But not content with applying his scourge to the "incorrigible spoilsmen" of the Democratic party, the President took occasion to express his opinion in rather picturesque language of another class of politicians that had somewhat afflicted him, and to whom he was under bonds:

It is a source of congratulation that there are so many

friends of civil-service reform marshaled on the practical side of the question; and that the number is not greater of those who profess friendliness for the cause, and yet, mischievously and with supercilious self-righteousness, discredit every effort not in exact accord with their attenuated ideas, decry with carping criticism the labor of those actually in the field of reform, and ignoring the conditions which bound and qualify every struggle for a radical improvement in the affairs of government, demand complete and immediate perfection.

"Supercilious self-righteousness, attenuated ideas, and carping criticism," can not be regarded as complimentary phrases when applied to the apostles of this new evangel of political reformation.

He continues—

I believe in civil-service reform and its application in the most practicable form attainable, among other reasons, because it opens the door for the rich and the poor alike to a participation in public place-holding. And I hope the time is at hand when all our people will see the advantage of a reliance for such an opportunity upon merit and fitness, instead of a dependence upon the caprice or selfish interest of those who impudently—

To whom does he refer?—

who impudently stand between the people and the machinery of the Government.

You will agree with me, I think, that the support which has been given to the present administration in its efforts to preserve and advance this reform by a party restored to power after an exclusion for many years from participation in the places attached to the public service, confronted with a new system precluding the redistribution of such places in its interest, called upon to surrender advantages which a perverted partisanship had taught the American people belonged to success, and perturbed with the suspicion, always raised in such an emergency, that their rights in the conduct of this reform had not been scrupulously regarded, should receive due

acknowledgment and should confirm our belief that there is a sentiment among the people better than a desire to hold office, and a patriotic impulse upon which may safely rest the integrity of our institutions and the strength and perpetuity of our Government.

The first official utterances of President Cleveland upon the 4th of March, 1885, renewed the assurance that had been given. He declared:

> The people demand reform in the administration of the Government and the application of business principles to business affairs. As a means to this end civil-service reform should be in good faith enforced. Our citizens have the right to protection from the incompetency of public employés who hold their places solely as the reward of partisan service, and from the corrupting influences of those who promise and the vicious who expect such rewards. And those who worthily seek public employment have the right to insist that merit and competency shall be recognized instead of party subserviency or the surrender of honest political belief.

How this system, thus inaugurated, this amphibious plan of distributing the patronage of the country among his own partisans and at the same time insisting upon the enforcement of civil-service reform doctrines practically resulted finds its first illustration in the celebrated circular of the Postmaster-General that was issued on the 29th of April, 1885. I do not propose to defile my observations by reading that document. I allude to it for the purpose of saying that a more thoroughly degraded, loathsome, execrable and detestable utterance never was made by any public official of any political persuasion in any country, or in any age. It was an invitation to every libeller, every anonymous slanderer, every scurrilous defamer, to sluice the feculent sewage of communities through the Post-Office Department, with the assurance that,

without any intimation or information to the person aspersed, incumbents should be removed and Democratic partisans appointed. I offered a resolution on the 4th of this month calling on the Postmaster-General for information as to the number of removals of fourth-class postmasters, not requiring confirmation by the Senate, between the 4th day of March, 1885, and that date. It was a simple proposition. It required nothing but an inspection of the official register and a computation of numbers. No names were required and no dates. There was a simple question of arithmetic to ascertain the number of removals of fourth-class postmasters not included in the list sent to the Senate by the President, the salary being less than $1,000. Eighteen days elapsed. There seemed to be some reluctance on the part of the Department to comply with that request, and I thereupon offered a supplemental resolution, which was adopted by the Senate, asking the Postmaster-General to advise us whether that first resolution had been received, and, if so, why it was not answered, and when a reply might be expected.

On the second day following an answer came down. It does not include the number of places that were filled where there had been resignations. It does not include the list of those appointed where there had been vacancies from death or any other cause; but simply those who had been removed without cause and without hearing in the space of the first twelve months of this administration pledged to non-partisanship and civil-service reform. The number foots up 8,635. Eighty-six hundred and thirty-five removals of fourth-class postmasters under an administration pledged by repeated utterances not to remove except for cause, making an average,

counting three hundred and thirteen working days in that year, of twenty-eight every day; and, counting seven hours as a day's work, four removals every hour, or at the rate of one for every fifteen minutes of time from the 4th day of March, 1885, until the 4th of March, 1886. And that is civil-service reform! That is non-partisanship in the administration of this Government! That is exercising public office as a public trust!

Mr. COCKRELL. How many of these fourth-class postmasters are there?

Mr. INGALLS. I do not know.

Mr. COCKRELL. About fifty-one thousand, are there not?

Mr. INGALLS. It makes no difference how many; they did the best they could, and angels could do more. I see that the Senator from Missouri is impatient; he is anxious that the axe should fall more rapidly.

The PRESIDENT *pro tempore*. The Senator from Kansas will pause a moment. It is the duty of the Chair to inform the occupants of the galleries that the rules of the Senate forbid any expression of approbation or disapprobation. It will be the painful duty of the Chair to enforce that rule, if it is insisted upon.

Mr. INGALLS. I hope the Senator from Missouri will curb his impatience and restrain his impetuosity. The Postmaster-General will get through if you only give him time.

Mr. COCKRELL. He will get through in four years at this rate.

Mr. INGALLS. One every fifteen minutes!

Mr. COCKRELL. Fifty-one thousand is the number

of fourth-class postmasters, I believe, and only eight thousand in a year have been removed.

Mr. INGALLS. Only one every fifteen minutes! How often do you expect them to be removed? He has done the best he could. And this does not include the number of those who resigned; this does not include any except those who have been removed. To the Senator from Missouri rising in his seat, impatient at the dilatory procrastination of the Post-Office Department in not casting out more Republican postmasters, I say this does not include all. Undoubtedly many more than eighty-six hundred and thirty-five have fallen beneath the axe of the Department or have been filled by partisans of the party in power as a reward for efficient and faithful party service in consequence of the retirement of thousands of patriotic Republicans: and when the Senator from Missouri attempts to convey the impression here that out of fifty-one thousand fourth-class postmasters only eighty-six hundred and thirty-five have been changed during this past year he is entirely outside the record. It is to be observed that this is but a single Department. How many have gone out of the State department, how many have gone out of the Interior department, how many out of the Army and Navy departments, and out of that illuminated Department of Justice, and out of the Treasury, of course is entirely unknown, and probably will always remain unknown till the secrets of earth are revealed at the last day. They are carefully concealed; there are no lists furnished to the press for publication. Therefore I trust that the friends of the administration will be consoled, that the complaints which have been so frequent hitherto of the want of activity on the part of the administration in finding places for their friends will

be tempered by the consideration that they have done the best they could in the time at their disposal.

Mr. President, the list of official utterances is not yet complete. On the first day of this session President Cleveland again repeated his declaration that the civil service was to be divorced from partisanship, and he took occasion to inflict some more castigation upon those who were endeavoring to force him off the civil-service platform which he had declared he intended to occupy. This was his language:

> Lay siege to the patronage of Government, engrossing the time of public officers with their importunities, spreading abroad the contagion of their disappointment, and filling the air with the tumult of their discontent.

Rather florid, rather oriental phrase, but in its exactness mathematical; a demonstration in geometry could not be more explicit and satisfactory than that description by President Cleveland of the occupation and the lamentations of the Democratic party. It will bear repetition.

> Lay siege to the patronage of Government, engrossing the time of public officers with their importunities, spreading abroad the contagion of their disappointment, and filling the air with the tumult of their discontent.

A besieging, importunate, contagious, tumultuous, discontented organization.

There is more to the same effect in this document that I should like to read, but time does not serve, nor is it material, because there are other independent utterances to which I must pass; and I do this for the purpose of showing the consistent and persistent adhesion of the President of the United States to the declarations with which he started out when he commenced to administer the Government.

On the 30th day of January, 1886, the ordinary

avenues of communication with the public being inaccessible, President Cleveland availed himself of the interviewer, and in the *Boston Herald* was printed a long letter detailing in quotations a conversation with President Cleveland, the many points of which will be found below. This was after this controversy, if you call it so, between the President and Senate, had begun to develop and there were some indications of approaching misunderstanding or disagreement:

He next spoke of his position toward the Senate in the matter of confirmations to office. He said it gave him some anxiety, for the Senate had been a good while in disclosing what it meant to do. “They seem”—

He says plaintively—

“to distrust me,” said he, “if I am to accept what I hear from others. But I hear nothing from them. They have not called upon me for information or for documents.”

That complaint no longer exists.

“I have tried”—

He says—

“to deal honorably and favorably by them. My purpose was announced at the beginning of my administration. I meant then to adhere to it. I have never changed it. I do not mean to change it in the future. It seems to me unjust and ungenerous in them”—

That is, in the Senate—

“unjust and ungenerous in them to suspect that I do. If I had not meant to adhere to my policy it would have been foolish in me to begin it. I should have escaped much in refusing to begin it. It is not at all pleasant for me to disappoint, and I fear sometimes to offend, my party friends. Nothing but a sense of duty has brought me to this step. Why run all this risk and incur this hard feeling only in the end to retreat? It seems to me it would have been as impolitic as it is wrong. No; I have tried to be true to my own pledges and the pledges of my party. We both

promised to divorce the offices of the country from being used for party service. I have held to my promise, and I mean to hold to it."

Then there was an answer to a question propounded by the interviewer, in which he defines his relation toward offensive partisanship in the Democratic party:

"I did not propose to hold party service in the past in the Democratic ranks as against a man. On the contrary, it gave him a strong, equitable claim to office. He had been excluded for twenty-four years because he was a Democrat. He should be remembered for the same reason when a Democratic administration came into power, provided he was a competent man for the position to be filled. What I understand by civil-service reform, as I am carrying it out, is that the office-holders shall be divorced from politics while they fill their positions under this government. That rule I have meant to stand by." I asked him if he was aware of any deviation from it among his appointees. "If there has been any," said he, "it has not been called to my attention." I suggested that some such charge had been made in New York. He said he did not believe that there was any foundation for it, and that it was well known there that his wishes were that the office-holders should attend to the duties of their positions, and interfere neither with candidates nor election contests.

And here comes in the significant statement bearing upon the duty of Republicans in connection with these suspensions and removals from office:

"My removals from office, such as are made," said he, "are made for cause. It would be absurd for me to undertake to give the country my reasons in all cases, because it would be impracticable. When I have removed a Republican for political reasons or for any other reasons, I would apply the same rule to my own party. I think the Republican Senators should be just enough to believe this of me. They ought to appreciate that I am trying to do my duty. Why they should continue to distrust me I do not see. They do not come to me either personally or by committee

to get an understanding of my attitude, or to obtain explanations on points of action to which they object. They stand off and question the sincerity of my purposes."

The eight thousand six hundred and thirty-five fourth-class postmasters and the six hundred and forty-three suspensions before the Senate and the thousands of changes in other departments "are made for cause," not for political reasons merely; but to give those who have been so removed the opportunity to explain or defend themselves would be "absurd" and "impracticable."

But this is not all. Later in the winter the Civil Service Commission was reorganized, and in a newspaper printed in this city appeared a statement alleged to be "personal" and included in quotation marks, and which it is commonly reported was in the handwriting of the President.

I cannot rid myself—

He said, after speaking about the *personnel* of the Civil Service Commission—

I cannot rid myself of the idea that this civil-service reform is something intended to do practical good and not a mere sentiment invented for the purpose of affording opportunity to ventilate high-sounding notions and fine phrases.

He alludes to the action of the Civil-Service Commission about a weigher in the city of Brooklyn, and says:

When the Civil Service Commission consulted with me as to the status of Mr. Sterling and the true construction of the rule bearing upon that subject, I agreed with them in their second opinion that the position of weigher was subject to an examination, and that it should be filled by one who by means of a proper examination under the law proved himself competent and eligible. But it seemed to me that the good of the service required that the person to be appointed should be possessed of certain traits and

qualifications which no theoretical examination would develop. One having in charge two or three hundred men of the class with which a weigher has to deal should possess personal courage, energy, decision and firmness of character. It is entirely certain that the possession of such qualifications could not in the least be determined by the result of an examination organized for the purpose of testing an applicant's knowledge and education.

And he closes:

No cause can gain by injustice or by a twisting of its purposes to suit particular tastes. And when a result is fairly reached through the proper operation of methods adopted to further a reform, it should be accepted—especially by the friends of the movement. They should not permit those of whom they require submission to say, with any semblance of truth, that they themselves submit only when the result accords with their views.

This closes the public declarations of the President of the United States upon the views which he entertains as to the method and plans and system upon which the public service is to be conducted under his administration. There are some interesting details as to the practical effects and results of the effort of the administration to purify the public service, which I would be glad if I had time to refer to, but I believe I will forbear. I can only say that it seems from an inspection of the record as if the cry "put the rascals out" had been changed in effect to "put the rascals in." Of course Mr. President, no party is exempt from accidents, no organization has a monopoly either of good men or of bad men, and in calling attention to the results of civil-service reform as applied to this administration, I should be insincere if I were to assume that such results had followed from any predetermined purpose to put bad men into office.

We heard a great deal during the campaign about

the corruptions, profligacy, misdeeds, and maladministration of Republican officials. I can only say that in view of what has occurred under this administration, if I were inclined to be uncharitable I could with entire propriety say that while the Republican party was in power it endeavored whenever it detected crime anywhere to punish it; but one of the practical results of Democratic administration has been the reverse, and that is to place in office a very large number of admitted and convicted felons. I have before me a selection from which I will, I believe, in support of this view of the case, give a law extract, stating in advance that these compilations are made from Democratic newspapers which, of course, is a mitigation of the slander, though it does not necessarily destroy its credibility.

Mr. ——, of Baltimore, who was made an Indian inspector in 1885, had been involved in notorious election frauds and was condemned by the civil-service reform Independents of Maryland as a companion of Higgins, as a ballot-box stuffer, and a professional gambler.

The postmaster at Sioux City, Iowa, was convicted and sentenced in Dakota for violation of the pension laws. The man who was removed to make a place for this eminent civil-service reformer had eight months yet to serve, and there was no complaint against him even to the extent that he was an offensive partisan.

Mr. Holmes, a postmaster in Mississippi, had been involved in notorious election-fraud scandals.

Mr. Shannon, appointed postmaster at Meriden, Miss., was the editor of the *Mercury* newspaper, which after President Grant's death contained a rabid editorial attacking the General's character; and he had been indicted in the United States court for

"unlawfully and criminally conspiring with many others for the evasion of the civil rights law."

In Rhode Island a Democratic postmaster was appointed who had been in the preceding three months arrested nine times for violation of the liquor law.

In Pennsylvania a man was appointed in the Philadelphia Mint who openly confessed to writing a forged letter from Neal Dow to be used in influencing the German vote in the State of Ohio the preceding year.

There have been some strange things done in Maine. I almost hesitate to quote this, but if I am wrong the Senators from that State will undoubtedly correct me. It is alleged that the postmaster in the town of Lincolnville was at the time of his appointment actually in the Portland jail, where he was serving a term for a misdemeanor.

An agent by the name of Judd, who was appointed in the Bureau of Labor Statistics, was, upon inquiry as to the fact whether he had been a horse-thief and served in the penitentiary, suspended from office. The writer states that the only ground for supposing that he was not a horse thief arose from the fact that they do not put men in the penitentiary for stealing horses out West: that if he was alive it was a reasonable, natural conclusion that he had not stolen any horses. Nobody denied the penitentiary.

A gentleman named Richard Board, of Kentucky, was appointed in July, on the recommendation of Comptroller Durham, clerk in the railway mail service and assigned to duty in New Mexico. This is under the Postmaster-General, who found leisure between removing postmasters every fifteen minutes to appoint this man in another branch of the service

where he incautiously mentioned to his friends something about his previous history, and it appeared that he had been three times arrested in Cincinnati for obtaining money under false pretenses, that he had been twice arrested for stealing in Kentucky, and once in Texas—a variegated and diversified career. “No pent up Utica” contracted his powers. He had stolen in three states. His father was a very wealthy man in high standing who had spent a great deal of money to protect his son, and through him he secured the endorsement of Comptroller Durham, and after he had been in service for a few weeks he committed a number of robberies, stole $163 from the money order service, and at the date of this communication was lying in jail at Santa Fé awaiting trial.

The Senator from Indiana [Mr. VOORHEES] yesterday took occasion to advert with somewhat of animated hilarity to the suggestion of the Senator from Iowa about the evolutionary condition of the Democratic party, and dwelt with considerable unction upon a term that the Senator from Iowa had applied to the Democracy in his very able and interesting speech: “a protoplasmic” cell, and the Senator then proceeded to give us the definition of the term as it appears in the dictionaries, and suggested that if those facts had been known at the time when the canvass was pending Mr. Cleveland would undoubtedly have been counted out in New York.

The Senator from Iowa might have gone further in his application of the doctrine of evolution with much propriety. Geology teaches us that in the process of being upward from the protoplasmic cell, through one form of existence to another there are intermediary and connecting stages, in which the

creature bears some resemblance to the state from which it has emerged and some to the state to which it is proceeding. History is stratified politics; every stratum is fossiliferous; and I am inclined to think that the political geologist of the future in his antiquarian researches between the triassic series of 1880 and the cretaceous series of 1888 as he inspects the jurassic Democratic strata of 1884 will find some curious illustrations of the doctrine of political evolution.

In the transition from the fish to the bird there is an anomalous animal, long since extinct, named by the geologists the pterodactyl, or the winged reptile, a lizard with feathers upon its paws and plumes upon its tail. A political system which illustrates in its practical operations the appointment by the same administration of Eugene Higgins and Dorman B. Eaton can properly be regarded as in the transition epoch and characterized as the pterodactyl of politics. It is, like that animal, equally adapted to waddling and dabbling in the slime and mud of partisan politics and soaring aloft with discordant cries into the glittering and opalescent empyrean of civil-service reform.

The President closes his recent message to the Senate in this language:

> The pledges I have made were made to the people, and to them I am responsible for the manner in which they have been redeemed. I am not responsible to the Senate and I am unwilling to submit my actions and official conduct to them for judgment.
>
> There are no grounds for an allegation that the fear of being found false to my professions influences me in declining to submit to the demands of the Senate. I have not constantly refused to suspend officials, and thus incurred the displeasure of political friends, and yet willfully broken faith with the people for the sake of being

false to them.

Neither the discontent of party friends nor the allurements constantly offered of confirmation of appointees conditioned upon the avowal that suspensions have been made on party grounds alone, nor the threat proposed in the resolution now before the Senate that no confirmations will be made unless the demands of that body be complied with, are sufficient to discourage or deter me from following in the way which I am convinced leads to better government for the people.

He is not responsible to the Senate, nor is the Senate responsible to him; both are alike responsible to the people. But in the cases at bar we are compelled to inquire, in justice to the people, whether those pledges have been redeemed, or whether they have been broken, violated, and disregarded. Had the patronage of the Government, within proper limits, been turned over for its exercise to the party intrusted with power by a majority of the people there could have been no complaint, but upon the assurances that I have read, the declaration was made that in every case where an incumbent was competent and qualified he should remain in office till the expiration of his term.

When, therefore, some were suspended and others were left, what is the irresistible inference, after the declarations of the President, except that these persons were suspended for cause either affecting their personal integrity or their official administration? Upon the ground, then, of personal justice, if no other, we are entitled to know whether wrong has been done by the accusations that have been filed in the Departments, so that we may protect those who are unable to defend themselves from injustice and defamation.

But there is another reason, and to me a still more

convincing reason, why we should be advised in the case of these suspensions what are the papers, the official documents, and the reports on the files of the departments affecting the administration of these offices, and that is this: under the tenure-of-office act, every official suspended is reinstated by the provisions of section 1768 of the Revised Statutes, if the Senate adjourns without confirming the designated person, and continues to exercise and discharge the duties of that office, until he is again suspended by the President. Therefore, in acting upon these cases we have a double duty to perform; in the first place, to decide whether the person suspended was properly suspended, and in the next place, whether he is a competent person to be restored to office under and by virtue of the operation of the statute under which he was suspended. If he is not a competent person then he ought not to be restored, and we cannot determine whether he is competent and qualified and fit to discharge the duties of that office until we have the official declarations and statements upon which the action of the President was based.

Since this debate began, there are indications that the President has become convinced that his position is untenable, and that he has concluded to yield to the reasonable requests of the Senate and relieve suspended officials from the otherwise inevitable imputations upon their conduct and character. I find the following correspondence in one of the metropolitan journals, which if authentic relieves the relation between the President and the Senate of the principal restraint:

COMMITTEE ON FINANCE, UNITED STATES SENATE,
March 17, 1886.

DEAR SIR: Will you please advise the Committee on Finance whether or not there are any papers or charges on file reflecting against the official or moral character of ——, late collector of internal revenue for the first district of ——, suspended?

If there are any such papers or charges will you please communicate their nature and character to the committee?

Very truly, yours,
JUSTIN S. MORRILL.

Hon. DANIEL MANNING,
Secretary of the Treasury.

MARCH 19, 1886.

SIR: Your communication on behalf of the Finance Committee of the Senate, dated March 17, 1886, asking whether or not there are any papers or charges on file reflecting against the official or moral character of ——, late collector of internal revenue for the first district of ——, suspended, is received.

In reply thereto I have the honor to state that, so far as this inquiry relates to a suspension from office, I feel bound by the rules laid down in the President's recent message to the Senate upon the general subject of such suspensions.

But in order that I may surely act within the requirements of the statute relating to the furnishing by this Department of information to the Senate, I beg leave to remind the committee that the office referred to has no fixed term attached to it, and to further state that the President is satisfied that a change in the incumbency of said office will result in an improvement of the public service, and that the policy of the present administration will be better carried out by such change.

Except as the same may be involved in these considerations, no papers containing charges reflecting upon the official or moral character of the suspended

officer mentioned in your communication are in the custody of this Department.

Respectfully, yours,
D. MANNING, *Secretary*.

HON. JUSTIN S. MORRILL,
Chairm'n of the Senate Com. on Finance.

But whether this be true or not, this is not the forum in which this controversy is to be ultimately decided. The Executive is not on trial before the Senate; the Senate is not on trial before the Executive; but both, as to the sincerity of their professions and the consistency of their actions, are on trial before that greater, wiser, and more powerful tribunal—the enlightened conscience of the people, from whose verdict there is neither exculpation nor appeal.

THE GREAT TARIFF CAMPAIGN OF 1888.

The views which point to the tendency of the Democratic party in the direction of Free Trade, at least to their antagonism to the theory of Protection for protection's sake, are well given in the special message of President Cleveland, given elsewhere in this work. A wing of the Democratic party, headed by Samuel J. Randall, of Pennsylvania, dissented from this view, and opposed both the Morrison and the Mills bills. For the purpose of illustrating the views of this class of Democrats, as well as because of the distinction of the speaker, we append

The Tariff Speech of Samuel J. Randall.

Delivered in the House of Representatives, May 18, 1888.

He opened by referring to the President's recent message, in which the Executive advised Congress that the surplus in the Treasury by the 30th of June, at the end of the current fiscal year, would be expected to reach the sum of $140,000,000, including prior accumulations; or more closely stated, the sum of $113,000,000, apart from prior accumulations, over and above all authorized expenditures, including the sinking fund for the current year.

He then quoted from the President's message defining his position on the tariff and internal revenue questions, and said that, from the utterances of the President, he understands the Executive to be adverse to any reduction of the internal taxes, as that mode of taxation afforded, in the opinion of the President, "no just complaint, and that nothing is so well able to bear the burden without hardship to any portion of the people."

The President further said that the tariff law was a vicious and illegal source of inequitable tax, and ought to be revised and modified, and the President had urged upon Congress the immediate consideration of this matter to the exclusion of all others. The President had asserted in substance that the reduction necessary should be made by additions to the free list, and by the lowering of the rates of duty.

In the presence of such language, emanating from the Executive, authorized by the direction of the

Constitution to communicate and from time to time give to Congress information on the state of the Union, and recommend such measures as he should judge necessary, it was imperatively required of the representatives of the people to give fair, intelligent, and prompt attention to the suggestions made. He had done so.

He had introduced and had referred to the Committee on Ways and Means a bill to reduce and equalize duties on imports and to reduce the internal revenue taxes, and some provisions of that bill showed that the remedies he would apply were at variance with those recommended by the President. The President sought to prevent the continuation of the surplus revenue by resorting to changes in the customs duties only.

The remedy he (Randall) proposed was through the repeal of internal revenue taxes as well as by a full revision of the tariff, as promised to the people by the Democratic Convention of 1884. The reduction provided for in his bill aggregated $77,000,000 on internal taxes.

Those taxes had always been the last to be levied, and the first to be repealed when no longer necessary.

Jefferson had given the death-blow to excise taxes, that most vicious of all taxes, and among the things he received the thanks of the Legislature of his native State for doing, was for having the internal taxes abolished. The first tax also to be repealed after the War of 1812 had been the excise tax, which was recommended by Madison, and was the first law enacted under the administration of Monroe. The Democratic Convention of 1884 declared that internal revenue was a war tax, and this declaration,

taken in connection with the other declarations of the platform, clearly established the fact that the opinion of the Convention was that some of the internal revenue taxes should first go, and that they should all go whenever a sufficient sum was realized from custom-house taxes to meet the expenses of the Government economically administered.

The country was practically in such a condition now, and the true response to those declarations warranted the repeal of the internal revenue taxes to the extent proposed by his bill. He favored now, as he had always done, a total repeal of the internal revenue taxes.

In the bill which he introduced he proposed to sweep all these taxes from the statute books, except a tax of fifty cents on whiskey, and he would transfer the collection of that tax to the customs officials if that was found to be practicable.

With Albert Gallatin, he regarded excise taxes as offensive to the genius of the people, tolerated only as a measure of emergency, and as soon as the occasion for them had passed away they should cease to exist.

Gallatin and Jefferson had secured the repeal of the internal taxes, and relieved the people from their annoyances and the hordes of officials clothed with dangerous power. If this internal revenue system was abolished to-day we would have no surplus revenue to scare the country, while the administration of public affairs would be rendered purer and better. His bill proposed a revision of the tariff on the principle believed to be in harmony with the authorized declarations of the Democratic party in their last convention.

Those declarations clearly recognized the fact that

a difference existed in the cost of production of commodities in this and other countries on account of a higher rate of wages in the United States, and declared for a duty ample to cover that difference. There was a cardinal principle which must cover every intelligent revision of the tariff. Labor in this country received a much larger share of what was annually produced than in any other country, and this advantage to labor could only be maintained by giving to the industries protection equal to that difference.

He quoted from Edward Atkinson that since the end of the Civil War, and yet more since the so-called panic of 1873, there had been greater progress in the common welfare among the people of the United States than ever before. The statements of Mr. Atkinson would seem to settle the question as to whether we should adhere to the benevolent policy of protecting home manufactures. It demonstrated unmistakably the truth that, to increase wages, products must be increased, for in the end wages were but the laborer's share of products.

While a dollar might buy more in another country than here, a day's labor here would obtain more of the comforts of life than anywhere else. Under free trade this advantage to labor disappeared. It was impossible it should be otherwise. If the tariff itself did not give higher wages to the laborer, it did preserve from foreign competition the industries from which the laborer received his wages. He wished to refer to a few fundamental propositions which had been maintained throughout this debate, and which appeared to exercise and control influence over the opinion of men.

First. That the duties were always added to the price to the consumer.

On articles not produced in this country, this doubtless was true as a general rule, and measurably true on articles in part produced in this country, but not in sufficient quantities to supply the home market. But on all commodities produced in sufficient quantities to supply the home market, a different principle controlled. In these things competition determined the price, and the foreign producer came into this market, where the prices were fixed, and the duties were what he paid for the privilege of coming into the market. Another erroneous proposition was that duties on articles produced in this country were a tax or bounty which the consumer paid to the manufacturer, by means of which the manufacturer derived large profits. If this were true, it was not easy to see what justification there was for the committee bill any more than for the present tariff law. But that it was erroneous seemed apparent on a closer examination of the laws of trade. Adam Smith long ago had laid down the proposition that larger profits in one industry than in another could not long prevail in the same country. The United States formed a world of its own. Would it be possible that one class of consumers would pay a perpetual tax to another?

Suppose last year we had manufactured $1,000,000,000 worth of products less than we actually did, and had gone abroad to supply our deficiency, expecting to pay for the goods with our agricultural products—we had sold Europe last year all of the wheat and corn the continent could take—who could tell what prices Europe would have paid if we had thrown upon her markets $1,000,000,000 worth of agricultural products in excess of the quantity we had sold. The farmer and manufacturer in this country must depend almost exclusively upon

our home market.

Any other policy would mean ruin and bankruptcy to the country. The greater the producing power of the people the more independent and wealthy would the country be.

Mr. Randall next entered into an explanation of the principles upon which his bill had been constructed. He said that in fixing the duties the rates had been adjusted as nearly as possible to cover the difference in the margin of cost of production here and abroad. In working out the details of the bill it had been his purpose to lower duties wherever possible.

Between the extreme free trader on one hand and a prohibitory tariff on the other there were intermediate positions. One of them was to fix a revenue line on imports just high enough to realize a sufficient revenue for the needs of the Government. Another was to make the tariff sufficiently high to cover the difference of cost of production in this country and other countries. To lower the rate of duty when that line was passed must be to increase the revenue. To raise the rate of duty when the line of maximum revenue was reached would result in a decrease of duty.

Any computation that did not take these facts into account would be utterly worthless. It might safely be assumed that when the importation of any line of merchandise steadily increased from year to year, and there was no good reason why those goods could not be produced in this country, and the result of the increased importations had been to suppress our manufactures, it was proof positive that the duty should be increased.

Otherwise it might be assumed that the duties

were quite high enough. And when the duties were high enough to permit the existence of trusts to raise the prices of the commodity, the duty should be reduced as closely as possible to the line. He stated distinctly that if it could be made to appear in any case that the measure he proposed conferred more protection than was needed to cover the cost of production, he was ready to lower it. If in any instance the rate was too low to cover that cost, he was ready to raise it.

Monopolies existed without the tariff. The standard oil trust, the whiskey trust, and the cotton-seed oil trust, and others that he could mention—the greatest trusts in the whole country—were not protected by the tariff. He was for the protection of labor, not in one State merely, but in all States.

He was for the protection and maintenance of that system that allows to labor a larger proportionate share of its products than was realized in any other country or under any other system.

The late Secretary Manning had signalized his accession to the control of the Treasury Department by a more thorough examination of the economic questions of the day than had been made by any of his predecessors. His reports and public utterances were marvels of honest, conscientious, and effective labor.

He had strongly urged the necessity for the substitution of specific for ad valorem duties. The Custom House officers charged with the collection of the revenues had given valuable and emphatic testimony in favor of the change. The present Secretary of the Treasury had taken the same grounds. (At this point Mr. Randall quoted extensively from Secretary Fairchild’s utterances on

the subject. He then proceeded with his description of the objects of his own bill.) Certain provisions of the metal schedules, he said, had been very sharply assailed, and he devoted some time to answering the speakers who had attacked his measure.

He took up the schedules relating to steel rails, and quoted figures at length to sustain his action in fixing the duties at the rates he proposed in his bill. The duty on cotton ties, he said, was one of the inconsistencies of the present tariff. It was only fair that they should pay a duty as hoop iron and as an article of manufacture. The present law was a positive discrimination against the home manufacturer and in favor of the foreign producer. The rate of wages in England in cotton tie manufactories was hardly one-half of the wages paid in such manufactories in Pittsburg.

He then proceeded to a criticism of the committee bill as follows:

A declared purpose of this bill is to secure “free raw materials to stimulate manufactories.”

In execution of this idea, the bill places on the free list a large number of articles which are really manufactured articles, such as salt, sawed and dressed lumber, glue, various oils and chemicals, china, clay, etc. These constitute the products of large and useful industries throughout the United States in which many millions of capital are invested, and employing many thousands of working people. At the same time the bill leaves or puts upon the dutiable list, lead, iron, zinc and nickel ores, and coal, which might be called raw materials. Further than this, the bill not only makes so-called “raw materials” free, but places on the free list the manufactured products of these materials. Thus the

manufacture of such articles is made impossible in this country, except by reducing American labor to a worse condition than that of labor in Europe. It goes even further, and places or leaves dutiable certain so-called raw materials, such as iron ore, lead, coal, paper, paints, etc., while placing on the free list articles made from these materials, such as hoop iron and cotton ties, tin plates, machinery, books and pamphlets, etc.

In other words, the bill leaves or makes dutiable the raw material and puts on the free list the articles manufactured from it; thus not only placing an insurmountable barrier in the way of making such articles here, but actually protecting the foreign manufacturer and laborer against our own, and imposing for their benefit a burden upon the consumer in this country. Again, the bill places lower rates on some manufactured articles than on the raw materials used in making them. For instance, type metal, 15 per cent.; pig lead, 44 per cent.; carpets, 30 per cent.; yarns used in their manufacture, 40 per cent.

It leaves an internal revenue tax of more than 100 per cent. on alcohol used in the arts, amounting to as much as the entire amount of duty collected on raw wool. This article enters as a material into a vast number of important and needful articles which the committee have either made free or have so reduced the rates thereon that the duty would be less than the tax on the alcohol consumed in their manufacture.

In some cases, the difference between the duty imposed by the bill on the so called raw materials and the articles made from them is so small as to destroy these industries, except upon the condition of levelling the wages of home labor to that of Europe.

This was so in the case of pig lead and red lead, which is made from it, and of pig iron and steel blooms and steel rails.

Such legislation would leave the ore in the mines, or the pig lead in the smelting works, or the pig iron to rust at the furnaces, while foreigners would supply our markets with these manufactured products. In a large number of articles throughout the schedules the reductions proposed by the bill are so large that the effect must be to destroy or restrict home production and increase enormously foreign importations, thus largely increasing customs revenue instead of reducing it, as claimed by the advocates of the bill. Particular mention in this connection is made of earthen and chinaware, glass, leaf tobacco, manufactures of cotton, flax, hemp, and jute, carpets, brushes, leather, gloves, manufactures of India rubber, and pipes.

Mr. Randall asserted that instead of the bill reducing customs revenues $64,000,000, as was claimed, it would be fair to estimate that its effect would be to largely increase the revenue, instead of reducing it, while the amount of material wealth it would destroy is incalculable.

Those supporting the bill, he said, hold themselves out as the champions of the farmer, while they take from him the protection duties on his wool, hemp, flax, meats, vegetables, etc. And what do they give him in return. They profess to give the manufacturer better rates than he now has. If this be so, how is the farmer to be benefited, or where does he get compensation for the loss of his protective duties?

Much has been said about removing taxes on necessaries and imposing them upon luxuries. What does this bill propose? It gives olive oil to the epicure

and taxes castor oil 95 per cent.; it gives free tin plates to the Standard Oil Company and to the great meat-canning monopolies, and imposes a duty of 100 per cent. on rice; it gives the sugar trust free bone-black and proposes prohibitory duties on grocery grades of sugar; it imposes a duty of 40 per cent. on the "poor man's" blanket and only 30 per cent. on the Axminster carpet of the rich; it admits free of duty the fine animals imported by the gentlemen of the turf, makes free the paintings and statuary of the railway millionaire and coal baron.

Mr. Randall said he yielded to no man on his side of the House in his desire for continued Democratic control in the administration of the Federal Government. He did not believe the adoption of the committee's bill would make such result certain, and added:

"I cannot be coerced into any particular action upon economic questions by the direction of party caucus. The period of the political caucus has departed never to return, and yet we should confer and have unity, if it is possible.

"In these matters I speak only for myself. My convictions on the tariff are strong, and founded, as I think, upon principle, and upon information and intelligent comprehension of the subject. When any one here enters upon the task of invoking caucus power or other modes of coercion, I can only say to him, if he acts with good purpose, that it will prove a fruitless undertaking; or if with ill motive, then I consign him to all the natural contempt which such self-constituted superciliousness deserves."

In conclusion, Mr. Randall quoted from the earliest statesmen in support of his views upon the tariff, and said:

"If Jackson could say he was confirmed in his opinions by the opinions of Jefferson, Madison, and Monroe, how much more am I confirmed in my opinions by his great

authority added to that of the founders and builders of the Democratic party? I warn the party that it is not safe to abandon principles so fundamental to our institutions and so necessary to the maintenance of our industrial system; principles which attest the wisdom of those who established them by the fruits they have borne, the full fruition of which, however, can only be realized in the extension of diversified industries to all parts of the country, not in the North and East alone, but in the South and West as well. A new era of industrial enterprise has already dawned upon the South; no section of the country possesses greater natural advantages than the South, with her genial climate, her limitless raw materials, her mines of coal and iron, with abundant labor ready to develop them. Considering what has been there achieved in a single decade, what may not a century bring forth from her under a system calculated to favor the highest industrial development? When I read the history of my country and consider the past and present, and reflect on what is before us, I cannot believe that the idea that went down in the convulsions of 1861 will ever again dominate the destinies of the Republic."

Tariff Speech of Major Wm. McKinley, Jr.,

Member of Congress from Ohio.

In the great tariff campaign of 1888 the two most distinguished Republican speakers were Mr. Blaine and Major McKinley. The latter was invited by the Chautauqua Society of Georgia to explain the doctrine of Protection, and did so in the following comprehensive speech:

FELLOW-CITIZENS: I make my acknowledgments to the Piedmont Society for the courtesy and cordiality of its invitation, which has given me the opportunity to meet, for the first time, an assemblage of the citizens of Georgia.

I have come, upon the suggestion of the committee, to address you upon a public question of great national import, which concerns not only the prosperity of one section, but of all sections of our common country, and which is of commanding interest to our sixty millions of people. It is no new subject which I propose to consider. It is as old as government by men. Taxation, with few exceptions, has been the chief and absorbing issue for more than a century of the republic.

A revenue tariff is such a one as will produce the largest revenue from the lowest duty. The lowest rate of duty will encourage importations, diminish home production, and inevitably increase the revenue. It will, of necessity, check competition at home, and send our merchants abroad to buy; it affords no protection, not even incidental, for the very instant that you discover that such duty favors the home producer, that instant you discover that importations and revenue are checked, and that our own producers are able to control the home market or a part of it. Then at once the advocate of a revenue tariff reduces the duty, brings it down to the true revenue standard, for it must not be overlooked, according to the free trade maxim, “where protection begins, revenue ends,” and the question of revenue is always controlling. A revenue tariff is inconsistent with protection; it is intended for a wholly different purpose. It loses its force and character as a genuine revenue tariff when it becomes to any extent protective. It has but one object. It can have but one

effect—that of opening up our markets to the foreign producer—impoverishing the home producer and enriching his foreign rival.

England is more nearly a free trade country than any other, and her system of taxation furnishes an unmistakable example of the practice and principle of a revenue tariff. Her import duties are imposed almost exclusively upon articles which cannot be produced by her own people upon her own soil. Tobacco, snuff, cigars, chicory, cocoa, currants, figs, raisins, rum, brandy, wine, tea, and coffee—these are the articles from which her customs revenue is derived—articles, in the main, not produced in England, but which must be supplied from abroad; while, practically, all competing products of foreign make and production are admitted through her custom-house free of duty.

A brief statement of the dutiable imports of Great Britain will not be without interest.

It will be observed that her duties are more largely imposed upon the peculiar American products than upon any others. The duty upon tobacco is, according to moisture, from 84 to 92 cents per pound for the raw or unmanufactured article; and, if manufactured, it pays a duty of from $1.04 to $1.16 per pound. The manufactured article is made dutiable at 20 cents a pound greater than the raw product, which, with all of England's boasted free trade, is intended as a protection to those engaged in the manipulation of tobacco. It is almost prohibitive to Americans who would export manufactured tobacco. The ad valorem equivalent of the duty on tobacco is nearly 2000 per cent. Cigars pay a duty of $1.32 per pound, and from tobacco and snuff over $43,000,000 of duties are collected annually. The duty on tea is 12 cents a pound. How would the

Americans enjoy paying such a duty upon this article of everyday use? The duty collected from this source is over $18,000,000 annually. Coffee pays a duty of 3 cents a pound; but, if ground, prepared, or in any way manufactured, it must pay a duty of 4 cents a pound—another example of where England protects those engaged in manufacture. Cocoa pays a duty of 2 cents a pound, but if it is in any form subjected to manufacture it pays 4 cents a pound, the duty on the manufactured article being double that on the raw material.

Besides the articles named, there are about ninety or a hundred others, chiefly of American production, patented and other medicines, which are dutiable at $3.36 per gallon. More than $96,000,000, or nearly one-fourth of the British revenues, are raided from customs duties.

You will note the character of taxation to which the revenue reformer invites the people of the United States. Both the breakfast table and the sick room are made to bear a large part of the burden under the British system of taxation. It is not without significance that the nearer we approach this system the more generous the bestowal of British commendation. Every step we take in that direction, every enlargement of the free list of competing foreign products, every reduction of duty upon such products is hailed as a vindication of Cobden and a beneficence to British interests. It is in vain for the British statesman to assure us that their system is best for us. We are not accustomed to look to our commercial rivals for disinterested favors. “It is folly,” said Washington in his farewell address, “for one nation to look for disinterested favors from another; that it must pay, with a portion of its independence, for whatever it may accept under that

character. There can be no greater error than to expect or calculate upon real favors from nation to nation. It is an illusion which experience must cure, and which a just pride ought to discard." We are not insensible to the good opinion of mankind and of the English-speaking race, but when it is to be had only at the expense of our industrial independence, at the sacrifice of the dignity and independence of labor and the destruction of national prosperity, we must regard it with supreme suspicion, and turn from it as the eulogy of selfish interest and the commendation of interested greed.

The other theory of taxation, and the one which I believe to be essential to American development and national prosperity, is based upon an exactly opposite principle. It permits all articles of foreign production, whether of the field, the factory, or the mine, except luxuries only, which we cannot produce in the United States, to enter our ports free and unburdened by custom-house exactions. The duty is to be imposed upon the foreign competing product; that is, the product which, if brought into this country, would contend with the products of our own soil, our own labor, and our own factories, in our own markets. Under this system, if the foreign producer would enter our market with a competing product, he must contribute something for the privilege which he is to enjoy, and this something, in the form of duties, goes into the Treasury, furnishing revenue to the Government; and these duties operate to protect the joint product of labor and capital against a like foreign product.

This mode of levying duties answers a double purpose. It produces revenue to the Government, and at the same time fosters and encourages the occupations of our own people, promotes industrial

development, opens up new mines, builds new factories, and sustains those already established, which in turn furnish employment to labor at fair and remunerative wages. A revenue tariff accomplishes but a single purpose—that of raising revenue; it has no other mission; while a protective tariff accomplishes this and more—it brings revenue to the American treasury and discriminates in favor of the American citizen. A revenue tariff invites the product of foreign labor and foreign capital to occupy our markets free and unrestrained in competition with the product of our own labor and capital. A protective tariff invites the product of foreign labor and foreign capital which are necessary to the wants of our people (which we cannot produce in the United States) to occupy our markets and go untaxed to the people, but insists that every foreign product which is produced at home, or can be, successfully, in quantities capable of supplying the domestic consumption, shall, whenever necessary to maintain suitable rewards to our labor, bear a duty which shall not be so high as to prohibit importations, but at such a rate as will produce the necessary revenues and, at the same time, not destroy but encourage American production. It says to the world of producers: “If you want to share with the citizens of the United States their home market, you must pay for the privilege of doing it. Your product shall not enter into free and unrestrained competition with the product of our own people, but shall be discriminated against to such an extent as to fully protect and defend our own.”

It is alleged as a serious objection to protective duties that the tax, whatever it may be, increases the cost of the foreign as well as the domestic product to the extent of such tax or duty, and that it is wholly

paid by the consumer. This objection would be worthy of serious consideration if it were true; but, as has been demonstrated over and over again, it is without foundation in fact. Wherever the foreign product has successful competition at home, the duty is rarely paid by the consumer. It is paid from the profits of the manufacturer, or divided between him and the merchant or the importer, and diminishes their profit to that extent. Duty or no duty, without home competition the consumer would fare worse than he fares now. There is not in the long line of staple products consumed by the people a single one which has not been cheapened by competition at home, made possible by protective duties. There is not an article that enters into the everyday uses of the family, which is produced in the United States, that has not been made cheaper and more accessible as the result of home production and development, which was to be secured only by the sturdy maintenance of the protective system. While this is true of protective tariffs, exactly the opposite is true of revenue tariffs. They are always paid by the consumer. When a duty is put on a foreign product the like of which is not produced at home, and which enters our markets free from home competition, the cost to the American consumer is exactly the foreign cost with the duty added, whatever that may be, much or little. Supposing, for example, there was a tax upon tea and coffee. There being no production of these articles in the United States, and therefore no competition here, the cost to the American public would be the cost abroad and the duty added. We imported last year 526,489,000 pounds of coffee. A duty of 10 cents a pound would have produced to the Government over $52,000,000, which would have been paid by the 12,000,000 families of this

country, consumers of this article; 87,584,000 pounds of tea were imported last year; at 10 cents a pound, $8,000,000 and upward would have gone into the Treasury, every dollar of which would have been paid by our own people. Take sugar as another example. We produced last year in this country about eight per cent. of what our people consumed. The duty collected from imported sugar amounted to $58,000,000. The domestic production was so inconsiderable as compared with the domestic consumption as to have had little, if any, appreciable effect upon the price to the consumer, and therefore this sum was almost wholly paid by our own citizens, and the cost of sugar to the American consumer, because of the inadequate home supply, is practically the foreign price, duty added, the domestic production being so small contrasted with the domestic demand that it in no wise controlled or influenced the price.

The revenue tariff periods of our history have been periods of greatest financial revulsions and industrial decadence, want, and poverty among the people, private enterprises checked and public works retarded. From 1833 to 1842, under the low tariff legislation then prevailing, business was at a standstill, and our merchants and traders were bankrupted; our industries were paralyzed, our labor remained idle, and our capital was unemployed. Foreign products crowded our markets, destroyed domestic competition, and, as invariably follows, the prices of commodities to consumers were appreciably raised. It is an instructive fact that every panic this country has ever experienced has been preceded by enormous importations. From 1846 to 1861 a similar situation was presented under the low tariff of that period.

Contrast this period with the period from 1860 to 1880, the former under a revenue tariff, the latter under a protective tariff. In 1860 we had 163,000,000 acres of improved land, while in 1880 we had 287,000,000, an increase of 75 per cent. In 1860 our farms were valued at $3,200,000,000; in 1880 the value had leaped to $10,197,000,000, an increase of over 300 per cent. In 1860 we raised 173,000,000 bushels of wheat; in 1880, 498,000,000. In 1860 we raised 838,000,000 bushels of corn; in 1880, 1,717,000,000 bushels. In 1860 we produced 5,000,000 bales of cotton; in 1880, 7,600,000 bales, an increase of 40 per cent. In 1860 we manufactured cotton goods to the value of $115,681,774; in 1880 the value reached $211,000,000, an increase of upward of 80 per cent. In 1860 we manufactured of woollen goods $61,000,000; in 1880, $267,000,000, an increase of 333 per cent. In 1860 we produced 60,000,000 pounds of wool; in 1880, 240,000,000 pounds, an increase of nearly 300 per cent. In 1860 we mined 15,000,000 tons of coal; in 1880, 79,000,000 tons, an increase of over 400 per cent. In 1860 we made 987,000 tons of pig iron; in 1880, 3,835,000 tons. In 1860 we manufactured 235,000 tons of railroad iron, and in 1880, 1,208,000 tons. In 1860 our aggregate of national wealth was $16,159,000,000; in 1880 it was $43,000,000,000.

From 1848 to 1860, during the low tariff period, there was but a single year in which we exported in excess of what we imported. The balance of trade during twelve of the thirteen years was against us. Our people were drained of their money to pay for foreign purchases. We sent abroad, over and above our sales, $396,216,161. This vast sum was drawn from the United States, from its business, from the

channels of trade, which would have been better employed in productive enterprises, and thus supplied our wants for which we were compelled to go abroad. During the last thirteen years, under a protective tariff, there was but one year that the balance of trade was against us. For twelve years we sold to our foreign customers in excess of what we bought from them $1,612,659,755.

This contrast makes an interesting exhibit of the work under the two systems. You need not be told that the government and the people are most prosperous whose balance of trade is in their favor. The government is like the citizen; indeed, it is but an aggregation of citizens; and when the citizen buys more than he sells, he is soon conscious that his year's business has not been a success.

Our wealth increases $875,000,000 every year, while the increase of France is $375,000,000, Great Britain $325,000,000, and Germany $200,000,000. The total carrying capacity of all the vessels entered and cleared from American ports during the year 1886–7 in the foreign trade was 28,000,000 tons. The amount of freight transported by the railroads of the United States was alone 482,000,000 tons during the same period.

The sum of our industries exceeds that of any other people, or tribe, or nationality. Mulhall, the English statistician, places the industries of the United States at $11,405,000,000 annually, which is $2,205,000,000 greater than those of the United Kingdom of Great Britain, nearly twice those of France or Germany, nearly three times those of Russia, and almost equal to the aggregated industries of Austria, Italy, Spain, Belgium, Holland, Australia, Canada, and Sweden and Norway.

This advancement is the world's wonder. The nations of the earth cannot furnish such a splendid exhibition of progress in any age or period. We defy a revenue tariff policy to present such an exhibition of material prosperity and industrial development. Art, science, and literature have held their own in this wonderful march. We are prosperous to-day beyond any other people. The masses are better cared for, better provided for, more self-respecting, and more independent than ever before in our history, which cannot be said of the masses of other countries.

One of the striking differences between a revenue tariff and a protective tariff is that the former sends the money of its people abroad for foreign supplies and seeks out a foreign market. The latter keeps the money at home among our own people, circulating through the arteries of trade, and creates a market at home, which is always the best, because the most reliable.

Surely a new era of industrial development has come to the South. Nothing should be permitted to check or retard it. To her nature has been most prodigal with her gifts. Her hills and valleys have been made the storehouses of richest treasure. Coal and iron mines wait impatiently the touch of labor and capital, and tempt both with the promise of lavish profit.

Raw materials are found at every turn to invite the skilled artisan to transform them into the finished product for the highest uses of man. She possesses the fibres in rich abundance; her skilled labor should weave the fabric.

It is said that there is nothing grown in any of the States, except Florida, that Georgia cannot profitably

produce. She has coal, iron deposits, marble and building stone, cotton and the cereals. Nothing but her own folly, nothing but blindness to her highest and best interests can keep her from the front rank of the industrial States of the Union.

Whether we discuss this question from principle, from statistics, or experience, we must reach the same conclusion; all lead to the same conviction.

One of the chief complaints against the protective system is its alleged hindrance to foreign trade and a foreign market for our own products. It is argued that if we could import raw material from other countries free, and manufacture such raw material into products for use, we could export them at great profit, and thus secure a standing in the markets of the world. This theory is wholly, as I believe, illusory. It is without substance. We have an example of free raw material in a certain line of manufactures —that of leather for boots, shoes, etc. In 1872 hides and skins were made free, so that our manufacturers could import them without custom-house burdens. They have had “free trade” in their raw material now for sixteen years. This industry has been an exceptionally successful one, and yet you cannot avoid being surprised when I say to you that in these sixteen years we have been able to export but two per cent. of the leather production of this country.

But if free raw material be necessary to secure an export trade and the foreign markets, then I answer that our manufacturers to-day have substantial free trade in foreign raw materials which they make into the finished product in the United States, provided they export it. Sections 3019, 3020, 3021, and 3022 of the United States Statutes provide for the remission of duties on all foreign materials used in manufacturing for the export trade. The law is

positive that all articles manufactured for export from imported materials upon which duties have been paid, shall, when exported, be entitled to a drawback of 90 per cent. of the duties paid on such raw materials. Some use has been made of these laws. The remission of duties in 1884 paid upon imported material manufactured for foreign markets amounted to $2,256,638. On some articles the drawback is equal to the duty paid, but in no instance where articles are imported to be manufactured here and sent abroad is the duty to exceed 10 per cent.

And yet we are gravely told by the tariff reformers that we cannot reach foreign markets on account of the high tariff on the raw material, when, in fact, for foreign trade foreign raw materials are practically free. This principle was recognized as early as the administration of George Washington, and has been enlarged and made applicable to all imported materials, the drawbacks varying from 60 to 100 per cent. What becomes, then, of the cry for free raw materials in the presence of this fact? The truth is, we are not so much concerned about the foreign market as we are about the home market. The latter is the best, and we have not yet been able to control it, and, until we do, that should be our chief concern. But if any of our people are sighing for a foreign market, and value it more highly than our own, they can import foreign raw material practically free of duty, and after advancing it into the higher forms of manufacture, can go out and possess the world's markets. Taxed raw materials do not stand in their way, and it is hypocrisy to claim otherwise.

"The markets of the world," in our present condition, are a snare and a delusion. We will reach them whenever we can undersell competing nations,

and not sooner. Tariffs do not keep us out, and free trade will not make it easier to enter them.

Upon what terms can we adopt a revenue tariff system in this country? In one way only; by accepting European conditions, and submitting to all the discomforts and disadvantages of our commercial rivals. The chief obstruction in the way of a revenue tariff are the wages paid American workingmen, and any return to that policy involves a reduction of the cost of labor. We cannot afford to have cheap labor in the United States. Cheap labor means cheap men and dear money. I would rather elevate and improve the condition of my fellow-citizens than increase the value of money and the power of "money-bags." This is a republic of free and equal citizenship. The government is in the hands of the masses, and not of the few. This is our boast, and it is a proud one. The condition of the masses, their well-being, their intelligence, their preparation for the civil duties which rest upon them, depend largely upon the scale of industrial wages. It is essential, therefore, that the best possible wages attainable shall be secured and maintained. This is vital and fundamental. We cannot, without grave danger and serious disturbance—we ought not under any circumstances —adopt a policy which would scale down the wages and diminish the comforts of the American workingmen. Their welfare and independence, their progress and elevation are closely related to the welfare and independence and progress of the republic. We have got no pampered class in this country, and we want none. We want the field kept open. No narrowing of the avenues, no lowering of our standard. We want no barriers raised against a higher and better civilization. The gateway of opportunity must be open to all, to the end that they

may be first who deserve to be first, whether born in poverty or reared in luxury. We do not want the masses excluded from competing for the first rank among their countrymen and for the nation's greatest honors, and we do not mean they shall be.

Free trade, or a revenue tariff, will, of necessity, shut them out. It has no respect for labor. It holds it as the mere machinery of capital. It would have cheap men that it might have cheap merchandise. With all of its boasted love for the struggling millions, it is infinitely more interested in cutting down the wages of labor than in saving twenty-five cents on a blanket; more intent in reducing the purchasing power of a man's labor than the cost of his coat. Things are not always dearest when their price is nominally the highest. The price is not the only measure, but the wherewith to buy it is an essential factor. Few men before me but have found in the course of their lives more than once that that which was cheapest when measured by mere price was the dearest when they were without money and employment, or when their products could find no market, and, finding it, commanded no price at all commensurate with the labor required to produce them. Primarily, it is labor which is interested most in this question of protection. The man with money can seek other avenues of profit and investment, or can wait for his dividends, but the laborer cannot wait for his dinner, and the United States do not want citizens who make presidents, and senates, and the house of representatives, to be in a condition of dependence and destitution. That is not the sort of citizenship we want.

We are different from any other nation, and it is that difference which makes us the best. Our political system rests upon a principle different from that of

any other. It is founded upon the consent of the people. If we had wanted it otherwise we would not have left home, but would have remained the obedient child of an imperious parent. We would not have turned away from the mother country. We would have remained one of her dependencies. We would not have fought our way through blood and sacrifice to independence. We separated to set up for ourselves a free and independent political society, and that policy is the best for us which best subserves the purposes of our organization, our citizenship and civilization. It is ours to work out our own destiny, and, in doing so, furnish an example of a free and progressive people, whose industrial policy has made it possible to satisfy the best and highest aspirations of men, and which closes no field to human endeavor. We would wish for all mankind the beneficence of our system and the opportunities which it presents. We bid them level their condition up to ours; we will not level ours down to theirs. We will remove all restrictions from international trade, as we have removed all restrictions from inter-State trade, whenever they will raise their labor and their conditions to our standard.

Men of Georgia, upon this great industrial question there should be no North nor South. To us of every section have been entrusted the interests of our country—our whole country. To others have been confided the care of other nations and other people. We will not interfere with them; we bid them not interfere with us. My fellow-citizens, in this conflict, influenced by patriotism, national interest, and national pride, let us be Americans.

Speech of Hon. Chauncey M. Depew.

Presenting President Harrison for Re-nomination at the Minneapolis Convention, June 9, 1892.

Mr. President and Gentlemen of the Convention.—It is the peculiarity of Republican National Conventions that each one of them has a distinct and interesting history. We are here to meet conditions and solve problems which make this gathering not only no exception to the rule but substantially a new departure. That there should be strong convictions and their earnest expression as to preferences and politics is characteristic of the right of individual judgment which is the fundamental principle of Republicanism. There have been occasions when the result was so sure that the delegates could freely indulge in the charming privilege of favoritism and of friendship. But the situation which now confronts us demands the exercise of dispassionate judgment and our best thought and experience. We cannot venture on uncertain ground or encounter obstacles placed in the pathway of success by ourselves. The Democratic party is now divided, but the hope of the possession of power once more will make it in the final battle more aggressive, determined and unscrupulous than ever. It starts with fifteen States secure without an effort by processes which are a travesty upon popular government, and, if continued long enough, will paralyze institutions founded upon popular suffrage. It has to win four more States in a fair fight, States which, in the vocabulary of politics, are denominated doubtful. The Republican party must appeal to the conscience and the judgment of the individual voter in every State in the Union. This is in accordance with the principles upon which it

was founded and the objects for which it contends. It has accepted this issue before and fought it out with an extraordinary continuance of success. The conditions of Republican victory from 1860 to 1880 were created by Abraham Lincoln and U. S. Grant. They were that the saved republic should be run by its saviours, the emancipation of slaves, the reconstruction of the States, the reception of those who had fought to destroy the republic back into the fold, without the penalties or punishments, and to an equal share with those who had fought and saved the nation, in the solemn obligation and inestimable privilege of American citizenship. They were the embodiment into the Constitution of the principles for which 2,000,000 of men had fought and 500,000 had died. They were the restoration of public credit, the resumption of specie payments and the prosperous condition of solvent business for twenty-five years. They were names with which to conjure and events fresh in the public mind which were eloquent with popular enthusiasm. It needed little else than a recital of the glorious story of its heroes and a statement of the achievements of the Republican party to retain the confidence of the people. But from the desire for a change, which is characteristic of free governments, there came a reversal, there came a check to the progress of the Republican party and four years of Democratic administration. Those four years largely relegated to the realm of history past issues and brought us face to face with what Democracy, its professions and its practices mean to-day. The great names which have adorned the roll of the Republican statesman and soldiers are potent and popular. The great measures of the Republican party are still the best part of the history of the country. The unequalled and

unexampled story of Republicanism in its progress and its achievements stands unique in the record of parties in governments which are free. But we live in practical times, facing practical issues which affect the business, the wages, the labor and the prosperity of to-day.

"It will be won or lost upon the policy, foreign and domestic, the industrial measures and the administrative acts of the administration of Benjamin Harrison. Whoever receives the nomination of this convention will run upon the judgment of the people as to whether they have been more prosperous and more happy, whether the country has been in a better condition at home and stood more honorable abroad under these last four years of Harrison and Republican administration than during the preceding four years of Cleveland and Democratic government. Not since Thomas Jefferson has any administration been called upon to face and solve so many or such difficult problems as those which have been exigent in our conditions. No administration since the organization of the government has ever met difficulties better or more to the satisfaction of the American people. Chile has been taught that, no matter how small the antagonist, no community can with safety insult the flag or murder American sailors. Germany and England have learned in Samoa that the United States has become one of the powers of the world, and no matter how mighty the adversary, at every sacrifice American honor will be maintained. The Bering Sea question, which was the insurmountable obstacle in the diplomacy of Cleveland and of Bayard, has been settled upon a basis which sustains the American people until arbitration shall have determined our right. The dollar of the country has been placed and kept on the

standard of commercial nations, and a convention has been agreed upon with foreign governments, which, by making bi-metallism the policy of all nations, may successfully solve all our financial problems. The tariff, tinkered with and trifled with to the serious disturbance of trade and disaster to business since the days of Washington, has been courageously embodied into a code which has preserved the principle of the protection of American industries. To it has been added a beneficent policy, supplemented by beneficial treaties and wise diplomacy, which has opened to our farmers and manufacturers the markets of other countries. The navy has been builded upon lines which will protect American citizens and American interests and the American flag all over the world. The public debt has been reduced. The maturing bonds have been paid off. The public credit has been maintained. The burdens of taxation have been lightened. Two hundred millions of currency have been added to the people's money without disturbances of the exchanges.

"Unexampled prosperity has crowned wise laws and their wise administration. The main question which divides us is to whom does the credit of all this belong? Orators may stand upon this platform more able and more eloquent than I who will paint in more brilliant colors, but they cannot put in more earnest thought the affection and admiration of Republicans for our distinguished Secretary of State. I yield to no Republican, no matter from what State he hails, in admiration and respect for John Sherman, for Governor McKinley, for Thomas B. Reed, for Iowa's great Senator, for the favorites of Illinois and Wisconsin, but when I am told that the credit for the brilliant diplomacy of this

administration belongs exclusively to the Secretary of State, for the administration of its finances to the Secretary of the Treasury, for the construction of its ships to the Secretary of the Navy, for the introduction of American pork in Europe to the Secretary of Agriculture, for the settlement, so far as it is settled, of the currency question, to Senator John Sherman, for the formulation of the tariff laws to Governor McKinley, for the removal of the restrictions placed by foreign nations upon the introduction of American pork to our ministers at Paris and Berlin, I am tempted to seriously inquire who, during the last four years, has been President of the United States anyhow? Cæsar, when he wrote those commentaries, which were the history of the conquests of Europe under his leadership, modestly took the position of Eneas when he said: 'They are the narrative of events, the whole of which I saw and the part of which I was.' General Thomas, as the rock of Chickamauga, occupies a place in our history with Leonidas among the Greeks, except that he succeeded where Leonidas failed. The fight of Joe Hooker above the clouds was the poetry of battle. The resistless rush of Sheridan and his steed down the valley of the Shenandoah is the epic of our civil war. The march of Sherman from Atlanta to the sea is the supreme triumph of gallantry and strategy. It detracts nothing from the splendor or the merits of the deeds of his lieutenants to say that having selected them with marvellous sagacity and discretion Grant still remained the supreme commander of the national army. All the proposed acts of any administration before they are formulated are passed upon in Cabinet council, and the measures and suggestions of the ablest Secretaries would have failed with a lesser President, but for the

great good of the country and the benefit of the Republican party they have succeeded because of the suggestive mind, the indomitable courage, the intelligent appreciation of situation and the grand magnanimity of Benjamin Harrison. It is an undisputed fact that during the few months when both the Secretary of State and the Secretary of the Treasury were ill the President personally assumed the duties of the State Department and of the Treasury Department, and both with equal success. The Secretary of State in accepting his portfolio under President Garfield wrote: 'Your administration must be made brilliant, successful and strong in the confidence and pride of the people, not at all diverting its energies for re-election, and yet compelling that result by the logic of events and by the imperious necessities of the situation.' Garfield fell before the bullet of the assassin and Mr. Blaine retired to private life. General Harrison invited him to take up that unfinished diplomatic career where its threads had been so tragically broken. He entered the Cabinet. He resumed his work and has won a higher place in our history. The prophecy he made for Garfield has been superbly fulfilled by Harrison. In the language of Mr. Blaine: 'The President has compelled a re-election by the logic of events and the imperious necessities of the situation.'

"The man who is nominated here to-day to win must carry a certain well-known number of the doubtful States. Patrick Henry, in the convention which started rolling the ball of the independence of the Colonies from Great Britain, said: 'I have but one lamp by which my feet are guided, and that is the lamp of experience. I know of no way of judging of the future but by the past.' New York was carried in 1880 by General Garfield, and in every important

election since then we have done our best. We have put forward our ablest, our most popular, our most brilliant leaders for Governor and State officers to suffer constant defeat. The only light which illumines with the sun of hope the dark record of those twelve years is the fact that in 1888 the State of New York was triumphantly carried by President Harrison. He carried it then as a gallant soldier, a wise Senator, statesman, who inspired confidence by his public utterances in daily speech from the commencement of the canvass to its close. He still has all these claims, and in addition an administration beyond criticism and rich with elements of popularity with which to carry New York. Ancestry helps in the old world and handicaps in the new. There is but one distinguished example of a son first overcoming the limitations imposed by the pre-eminent fame of his father, and then rising above it, and that was when the younger Pitt became greater than Chatham. With an ancestor a signer of the Declaration of Independence and another who saved the Northwest from savagery and gave it to civilization and empire, who was also President of the United States, a poor and unknown lawyer of Indiana has risen by his unaided efforts to such distinction as lawyer, orator, soldier, statesman and President, that he reflects more credit on his ancestors than they have devolved upon him and presents in American history the parallel of the younger Pitt. By the grand record of a wise administration, by the strength in frequent contact of the people, in wonderfully versatile and felicitous speech, by the claims of a pure life in public and in the simplicity of a typical American home, I nominate Benjamin Harrison."

Speech of Hon. Leon Abbett.

Presenting Grover Cleveland for Nomination at the Chicago Convention, June 22, 1892.

MR. CHAIRMAN AND GENTLEMEN OF THE CONVENTION.—In presenting the name to this Convention, I speak for the united Democracy of the State of New Jersey, whose loyalty to Democratic principles, faithful services to the party, and whose contributions to its success entitle it to the respectful consideration of the Democracy of the United States. Its electoral vote has always been cast in support of Democratic principles and Democratic candidates.

In voicing the unanimous wish of the delegation from New Jersey, I present as their candidate for the suffrages of this Convention the name of a distinguished Democratic statesman, born upon its soil, for whom in the two great Presidential contests the State of New Jersey has given its electoral vote.

The supreme consideration in the mind of the Democracy of New Jersey is the success of the Democratic party and its principles. We have been in the past, and will be in the future, ready to sacrifice personal preferences in deference to the clear expression of the will of the Democracy of the Union. It is because of that that this name will awaken throughout our State the enthusiasm of the Democracy and insure success. It is because he represents the great Democratic principles and policy upon which this entire convention is a unit; it is because we believe that with him as a candidate the Democrats of the Union will sweep the country and establish its principles throughout the length and breadth of the land, that we offer to the Convention as a nominee the choice of New Jersey, Grover

Cleveland.

If any doubt existed in the minds of the Democrats of New Jersey of his ability to lead the great Democratic hosts to victory they would not present his name to-day. With them success of the party and the establishment of its principles are beyond their love and admiration for any man. We feel certain that every Democratic State though its preferences may be for some other distinguished Democrat, will give its warm, enthusiastic and earnest support to the nominee of this Convention.

The man whom we present will rally to his party thousands of independent voters, whose choice is determined by their personal conviction that the candidate will represent principles dear to them, and whose public life and policy gives assurance that if chosen by the people they will secure an honest, pure and conservative administration and the great interests of the country will be encouraged and protected.

The time will come when other distinguished Democrats who have been mentioned in connection with this nomination will receive that consideration to which the great services they have rendered their party entitle them, but we stand to-day in the presence of the fact that the majority of the Democratic masses throughout the country, the rank and file, the millions of its voters, demand the nomination of Grover Cleveland.

This sentiment is so strong and overpowering that it has affected and controlled the actions of delegates who would otherwise present the name of some distinguished leader of their own State with whom they feel victory would be assured and in whom the entire country would feel confidence, but the people

have spoken and favorite sons and leaders are standing aside in obedience to their will.

Shall we listen to the voice of the Democracy of the Union? Shall we place on our banner the man of our choice, the man in whom they believe, or shall we, for any consideration of policy or expediency, hesitate to obey their will?

I have sublime faith in the expression of the people when it is clear and decisive. When the question before them is one that has excited discussion and debate; when it appeals to their interests and their feelings and calls for the exercise of their judgment and they then say we want this man and we can elect him, we, their representatives, must not disobey nor disappoint them.

It is incumbent upon us to obey their wishes and concur in their judgment; then, having given them the candidate of their choice, they will give us their best, their most energetic efforts to secure success.

We confidently rely upon the loyal and successful work of the Democratic leaders who have advocated other candidates. We know that in the great States across the river from New Jersey, now controlled by the Democratic party, there is no Democrat who will shirk the duty of making every effort to secure the success of the candidate of this Convention, notwithstanding his judgment may differ from that of the majority.

The Democracy of New York and its great leaders whose efforts and splendid generalship have given to us a Democratic Senator and Governor will always be true to the great party they represent; they will not waver, nor will they rest in the coming canvass until they have achieved success.

Their grand victories of the past, their natural and

honorable ambition, their unquestioned Democracy will make them arise and fight as never before, and with those that they represent and lead they will march in the great independent vote and will again secure for us the Democratic victory in New York. The grand Democrats under whose leadership the city and State of New York are now governed will give to the cause the great weight of their organizations.

The thundering echoes of this Convention announcing the nomination of Grover Cleveland will not have died out over the hills and through the valleys of this land before you will hear and see all our leaders rallying to the support of our candidate.

They will begin their efforts for organization and success and continue their work until victory crowns their efforts. All Democrats will fight for victory, and they will succeed because the principles of the party enunciated here are for the best interests of the country at large and because the people of this land have unquestioning faith that Grover Cleveland will give the country a pure, honest and stable government and an administration from which the great business interests of the country and the agricultural and laboring interests of the masses will receive proper and due consideration.

The question has been asked, Why is it that the masses of the party demand the nomination of Grover Cleveland? Why is it that this man who has no offices to distribute, no wealth to command, should have stirred the spontaneous support of the great body of Democracy? Why is it that with all that has been urged against him the people still cry “Give us Cleveland?” Why is it, though he has pronounced in honest, clear and able language his views upon questions upon which some of his party may differ

with him, that he is still near and dear to the masses?

It is because he has crystallized into a living issue the great principle upon which this battle is to be fought out. If he did not create tariff reform he made it a Presidential issue; he vitalized it and presented it to our party as the issue for which we could fight and continue to battle until upon it victory is now assured.

There are few men in his position who would have the courage to boldly make the issue and present it so clearly and forcibly as he did in his great message of 1887. I believe that his policy then was to force a national issue which would appeal to the judgment of the people.

We must honor a man who is honest enough and bold enough under such circumstances to proclaim that the success of the party upon principle is better than evasion or shirking of true national issues for temporary success. When victory is obtained upon a principle, it forms the solid foundation of party success in the future.

It is no longer the question of a battle to be won on the mistakes of our foes, but it is a victory to be accomplished by a charge along the whole line under the banner of principle.

There is another reason why the people demand his nomination. They feel that the tariff reform views of ex-President Cleveland and the principles laid down in his great message, whatever its temporary effect may have been, give us a live and a vital issue to fight for, which has made the great victories since 1888 possible. It consolidated in one solid phalanx the Democracy of the nation.

In every State of this union that policy has been placed in Democratic platforms and our battles have

been fought upon it, and this great body of representative Democrats have seen its good results.

Every man in this Convention recognizes the policy of the party. In Massachusetts it gave us a Russell. In Iowa it gave us a Boies. In Wisconsin it gave us a Peck for Governor and Vilas for Senator. In Michigan it gave us Winans for Governor and gave us a Democratic Legislature, and will give us eight electoral votes for President.

In 1889 in Ohio it gave us James Campbell for Governor, and in 1891, to defeat him it required the power, the wealth and the machinery of the entire republican party. In Pennsylvania it gave us Robert E. Pattison. In Connecticut it gave us a Democratic Governor, who was kept out of office by the infamous conduct of the Republican party. In New Hampshire it gave us a Legislature, of which we were defrauded. In Illinois it gave us a Palmer for Senator and in Nebraska it gave us Boyd for Governor.

In the great Southern States it has continued in power Democratic Governors and Democratic Legislatures. In New Jersey the power of the Democracy has been strengthened, and the Legislature and executive are now both democratic.

In the great State of New York it gave us David B. Hill for Senator and Roswell P. Flower for Governor.

With all these glorious achievements it is the wisest and best party policy to nominate again the man whose policy made these successes possible. The people believe that these victories, which gave us a Democratic House of Representatives in 1890 and Democratic Governors and Senators in Republican and doubtful states, are due to the courage and wisdom of Grover Cleveland. And so believing, they recognize him as their great leader.

In presenting his name to the Convention it is no reflection upon any of them as the leaders of the party. The victories which have been obtained are not alone the heritage of those States; they belong to the whole party. I feel that every Democratic State and that every individual Democrat has reason to rejoice and be proud and applaud these splendid successes.

The candidacy of Grover Cleveland is not a reflection upon others; it is not antagonistic to any great Democratic leader. He comes before this Convention not as the candidate of any one State. He is the choice of the great majority of Democratic voters.

The Democracy of New Jersey therefore presents to this Convention, in this the people's year, the nominee of the people, the plain, blunt, honest citizen, the idol of the Democratic masses, Grover Cleveland.

AMERICAN POLITICS.

BOOK IV.
PARLIAMENTARY PRACTICE.

Declaration of Independence.

A Declaration by the Representatives of the United States of America in Congress assembled. July 4, 1776.

When in the Course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the

separation.

We hold these truths to be self-evident, that all men are created equal; that they are endowed by their Creator with certain unalienable Rights; that among these are Life, Liberty, and the pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed; That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shown, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object, evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security. Such has been the patient sufferance of these Colonies; and such is now the necessity which constrains them to alter their former Systems of Government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid world.

He has refused his Assent to Laws, the most wholesome and necessary for the public good.

He has forbidden his Governors to pass Laws of immediate and pressing importance, unless suspended in their operation till his Assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other Laws for the accommodation of large districts of people, unless those people would relinquish the right of Representation in the Legislature, a right inestimable to them and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the Depository of their public Records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved Representative Houses repeatedly, for opposing with manly firmness his invasions on the rights of the people.

He has refused for a long time, after such dissolutions, to cause others to be elected; whereby the Legislative Powers, incapable of Annihilation, have returned to the People at large for their exercise; the State remaining in the meantime exposed to all the dangers of invasion from without, and convulsions within.

He has endeavored to prevent the Population of these States; for that purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their migrations hither, and raising the conditions of new Appropriations of Lands.

He has obstructed the Administration of Justice, by refusing his Assent to laws for establishing Judiciary Powers.

He has made Judges dependent on his Will alone,

for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of New Offices, and sent hither swarms of Officers to harass our People, and eat out their substance.

He has kept among us, in times of peace, Standing Armies without the Consent of our Legislatures.

He has affected to render the Military independent of and superior to the Civil Power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws; giving his Assent to their Acts of pretended Legislation:

For quartering large bodies of armed troops among us:

For protecting them, by a mock Trial, from punishment for any Murders which they should commit on the Inhabitants of these States:

For cutting off our Trade with all parts of the world:

For Imposing Taxes on us without our Consent:

For depriving us, in many cases, of the benefits of Trial by Jury:

For transporting us beyond Seas to be tried for pretended offenses:

For abolishing the free System of English Laws in a neighboring Province, establishing therein an Arbitrary government, and enlarging its Boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these Colonies:

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Governments:

For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and waging War against us.

He has plundered our seas, ravaged our Coasts, burnt our towns, and destroyed the Lives of our People.

He is at this time transporting large Armies of foreign Mercenaries to complete the works of death, desolation and tyranny, already begun with circumstances of Cruelty and Perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the Head of a civilized nation.

He has constrained our fellow-citizens taken Captive on the high Seas to bear Arms against their Country, to become the executioners of their friends and Brethren, or to fall themselves by their Hands.

He has excited domestic insurrections amongst us, and has endeavored to bring on the inhabitants of our frontiers, the merciless Indian Savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

In every stage of these Oppressions We have Petitioned for Redress in the most humble terms; our repeated Petitions have been answered only by repeated injury. A Prince, whose character is thus marked by every act which may define a Tyrant, is unfit to be the ruler of a free People.

Nor have We been wanting in attentions to our British brethren. We have warned them, from time to time, of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to

their native justice and magnanimity, and we have conjured them by the ties of our common kindred to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They, too, have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity which denounces our Separation, and hold them, as we hold the rest of mankind, Enemies in War, in Peace, Friends.

WE, therefore, the REPRESENTATIVES of the UNITED STATES OF AMERICA IN GENERAL CONGRESS assembled, appealing to the Supreme Judge of the World for the rectitude of our intentions, do, in the Name, and by Authority of the good People of these Colonies, solemnly PUBLISH and DECLARE, That these United Colonies are, and of Right ought to be, FREE AND INDEPENDENT States; that they are Absolved from all Allegiance to the British Crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved; and that as FREE AND INDEPENDENT STATES, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and things which INDEPENDENT STATES may of right do. And for the support of this Declaration, with a firm reliance on the Protection of Divine Providence, We mutually pledge to each other our Lives, our Fortunes, and our sacred Honor.

The foregoing declaration was, by order of Congress, engrossed, and signed by the following members:

JOHN HANCOCK.

New Hampshire	Josiah Bartlett, William Whipple,

	Matthew Thornton.
Massachusetts Bay.	Samuel Adams, John Adams, Robert Treat Paine, Elbridge Gerry.
Rhode Island, etc.	Stephen Hopkins, William Ellery.
Connecticut.	Roger Sherman, Samuel Huntington, William Williams, Oliver Wolcott.
New York.	William Floyd, Philip Livingston, Francis Lewis, Lewis Morris.
New Jersey.	Richard Stockton, John Witherspoon, Francis Hopkinson, John Hart, Abraham Clark.
Pennsylvania.	Robert Morris, Benjamin Rush, Benjamin Franklin, John Morton, George Clymer, James Smith, George Taylor, James Wilson,

	George Ross.
Delaware.	Cesar Rodney, George Read, Thomes McKean.
Maryland.	Samuel Chase, William Paca, Thomas Stone, Charles Carroll, of Carrollton.
Virginia.	George Wythe, Richard Henry Lee, Thomas Jefferson, Benjamin Harrison, Thomas Nelson, jr., Francis Lightfoot Lee, Carter Braxton.
North Carolina.	William Hooper, Joseph Hewes, John Penn.
South Carolina.	Edward Rutledge, Thomas Heyward, jr., Thomas Lynch, jr., Arthur Middleton.
Georgia.	Button Gwinnett, Lyman Hall, George Walton.

Resolved, That copies of the Declaration be sent to the several assemblies, conventions, and committees or councils of safety, and to the several commanding

officers of the Continental Troops: That it be PROCLAIMED in each of the UNITED STATES, and at the HEAD of the ARMY.—[*Jour. Cong., vol. 1, p. 396.*]

Articles of Confederation.

Done at Philadelphia on the 9th day of July, 1778.

[While the Declaration of Independence was under consideration in the Continental Congress, and before it was finally agreed upon, measures were taken for the establishment of a constitutional form of government; and on the 11th of June, 1776, it was "*Resolved*, That a committee be appointed to prepare and digest the form of a confederation to be entered into between these Colonies;" which committee was appointed the next day, June 12, and consisted of a member from each Colony, namely: Mr. Bartlett. Mr. S. Adams, Mr. Hopkins, Mr. Sherman, Mr. R. R. Livingston, Mr. Dickinson, Mr. McKean, Mr. Stone, Mr. Nelson, Mr. Hewes, Mr. E. Rutledge, and Mr. Gwinnett. On the 12th of July, 1776, the committee reported a draught of the Articles of Confederation, which was printed for the use of the members under the strictest injunctions of secrecy.

This report underwent a thorough discussion in Congress, from time to time, until the 15th of November, 1777; on which day, "Articles of Confederation and Perpetual Union" were finally agreed to in form, and they were directed to be proposed to the Legislatures of all the United States, and if approved by them, they were advised to authorize their delegates to ratify the same in the

Congress of the United States; and in that event they were to become conclusive. On the 17th of November, 1777, the Congress agreed upon the form of a circular letter to accompany the Articles of Confederation, which concluded with a recommendation to each of the several Legislatures "to invest its delegates with competent powers, ultimately, and in the name and behalf of the State, to subscribe articles of confederation and perpetual union of the United States, and to attend Congress for that purpose on or before the 10th day of March next." This letter was signed by the President of Congress and sent, with a copy of the articles, to each State Legislature.

On the 26th of June, 1778, Congress agreed upon the form of a ratification of the Articles of Confederation, and directed a copy of the articles and the ratification to be engrossed on parchment; which, on the 9th of July, 1778, having been examined and the blanks filled, was signed by the delegates of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, Pennsylvania, Virginia, and South Carolina. Congress then directed that a circular letter be addressed to the States whose delegates were not present, or being present, conceived they were not authorized to sign the ratification, informing them how many and what States had ratified the Articles of Confederation, and desiring them, with all convenient dispatch, to authorize their delegates to ratify the same. Of these States, North Carolina ratified on the 21st and Georgia on the 24th of July, 1778; New Jersey on the 26th of November following; Delaware on the 5th of May, 1779; Maryland on the 1st of March, 1781; and on the 2d of March, 1781, Congress

assembled under the new form of government.]

ARTICLES OF CONFEDERATION.

To all to whom these presents shall come,

We, the undersigned, delegates of the States affixed to our names, send greeting:

Whereas the delegates of the United States of America in Congress assembled did, on the fifteenth day of November, in the year of our Lord one thousand seven hundred and seventy-seven, and in the second year of the independence of America, agree to certain Articles of Confederation and Perpetual Union between the States of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, in the words following, viz:

Articles of Confederation and Perpetual Union between the States of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia.

ARTICLE I. The style of this Confederacy shall be, "The United States of America."

ARTICLE II. Each State retains its sovereignty, freedom, and independence, and every power, jurisdiction, and right, which is not by this confederation expressly delegated to the United States in Congress assembled.

ARTICLE III. The said States hereby severally enter into a firm league of friendship with each other for

their common defense, the security of their liberties, and their mutual and general welfare; binding themselves to assist each other against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretense whatever.

ARTICLE IV. 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; and the people of each State shall have free ingress and regress to and from any other State, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions, and restrictions, as the inhabitants thereof respectively: *Provided*, That such restrictions, shall not extend so far as to prevent the removal of property imported into any State to any other State, of which the owner is an inhabitant: *Provided, also*, That no imposition, duties, or restriction shall be laid by any State on the property of the United States or either of them.

If any person guilty of or charged with treason, felony, or other high misdemeanor, in any State, shall flee from justice, and be found in any of the United States, he shall, upon demand of the governor or executive power of the State from which he fled, be delivered up, and removed to the State having jurisdiction of his offense.

Full faith and credit shall be given in each of these States to the records, acts, and judicial proceedings of the courts and magistrates of every other State.

ARTICLE V. For the more convenient management

of the general interests of the United States, delegates shall be annually appointed in such manner as the Legislature of each State shall direct, to meet in Congress on the first Monday in November, in every year, with a power reserved to each State to recall its delegates or any of them, at any time within the year, and to send others in their stead for the remainder of the year.

No State shall be represented in Congress by less than two nor by more than seven members; and no person shall be capable of being a delegate for more than three years in any term of six years; nor shall any person, being a delegate, be capable of holding any office under the United States, for which he, or another for his benefit, receives any salary, fees or emolument of any kind.

Each State shall maintain its own delegates in a meeting of the States, and while they act as members of the committee of these States.

In determining questions in the United States in Congress assembled, each State shall have one vote.

Freedom of speech and debate in Congress shall not be impeached or questioned in any court or place out of Congress; and the members of Congress shall be protected in their persons from arrests and imprisonments during the time of their going to and from, and attendance on, Congress, except for treason, felony, or breach of the peace.

ARTICLE VI. No State, without the consent of the United States in Congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conference, agreement, alliance, or treaty with any King, prince, or state; nor shall any person holding any office of profit or trust under the United States, or any of them, accept of any present,

emolument, office or title of any kind whatever from any King, prince, or foreign state; nor shall the United States in Congress assembled, or any of them, grant any title of nobility.

No two or more States shall enter into any treaty, confederation, or alliance whatever between them without the consent of the United States in Congress assembled, specifying accurately the purposes for which the same is to be entered into, and how long it shall continue.

No State shall lay any imposts or duties, which may interfere with any stipulations in treaties entered into by the United States in Congress assembled with any King, prince, or state, in pursuance of any treaties already proposed by Congress to the Courts of France and Spain.

No vessels of war shall be kept up in time of peace by any State, except such number only as shall be deemed necessary by the United States in Congress assembled, for the defense of such State, or its trade; nor shall any body of forces be kept up by any State in time of peace, except such number only, as, in the judgment of the United States, in Congress assembled, shall be deemed requisite to garrison the forts necessary for the defense of such State; but every State shall always keep up a well regulated and disciplined militia, sufficiently armed and accoutered, and shall provide and constantly have ready for use, in public stores, a due number of field-pieces and tents, and a proper quantity of arms, ammunition, and camp equipage.

No State shall engage in any war without the consent of the United States in Congress assembled, unless such State be actually invaded by enemies, or shall have received certain advice of a resolution

being formed by some nation of Indians to invade such State, and the danger is so imminent as not to admit of a delay till the United States in Congress assembled can be consulted; nor shall any State grant commissions to any ships or vessels of war, nor letters of marque or reprisal, except it be after a declaration of war by the United States in Congress assembled; and then only against the kingdom or state, and the subjects thereof, against which war has been so declared, and under such regulations as shall be established by the United States in Congress assembled, unless such State be infested by pirates, in which case vessels of war may be fitted out for that occasion, and kept so long as the danger shall continue, or until the United States in Congress assembled shall determine otherwise.

ARTICLE VII. When land forces are raised by any State for the common defense, all officers of, or under the rank of colonel, shall be appointed by the Legislature of each State respectively by whom such forces shall be raised, or in such manner as such State shall direct; and all vacancies shall be filled up by the State which first made the appointment.

ARTICLE VIII. All charges of war, and all other expenses that shall be incurred for the common defense or general welfare and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several States, in proportion to the value of all land within each State, granted to, or surveyed for, any person, as such land and the buildings and improvements thereon shall be estimated, according to such mode as the United States in Congress assembled shall, from time to time, direct and appoint.

The taxes for paying that proportion shall be laid

and levied by the authority and direction of the Legislatures of the several States, within the time agreed upon by the United States in Congress assembled.

ARTICLE IX. The United States in Congress assembled shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the sixth article; of sending and receiving embassadors; entering into treaties and alliances: *Provided*, That no treaty of commerce shall be made whereby the legislative power of the respective States shall be restrained from imposing such imposts and duties on foreigners as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever; of establishing rules for deciding, in all cases, what captures on land or water shall be legal, and in what manner prizes taken by land or naval forces in the service of the United States, shall be divided or appropriated; of granting letters of marque and reprisal in times of peace; appointing courts for the trial of piracies and felonies committed on the high seas, and establishing courts for receiving and determining finally, appeals in all cases of captures: *Provided*, That no member of Congress shall be appointed a judge of any of the said courts.

The United States in Congress assembled shall also be the last resort on appeal in all disputes and differences now subsisting, or that hereafter may arise between two or more States concerning boundary, jurisdiction, or any other cause whatever; which authority shall always be exercised in the manner following: Whenever the legislative or executive authority or lawful agent of any State in controversy with another, shall present a petition to

Congress, stating the matter in question, and praying for a hearing, notice thereof shall be given by order of Congress to the legislative or executive authority of the other State in controversy, and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint, by joint consent, commissioners or judges to constitute a court for hearing and determining the matter in question; but if they cannot agree, Congress shall name three persons out of each of the United States, and from the list of such persons each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen; and from that number not less than seven nor more than nine names, as Congress shall direct, shall, in the presence of Congress, be drawn out by lot; and the persons whose names shall be so drawn, or any five of them, shall be commissioners or judges, to hear and finally determine the controversy, so always as a major part of the judges who shall hear the cause, shall agree in the determination; and if either party shall neglect to attend at the day appointed, without showing reasons which Congress shall judge sufficient, or, being present, shall refuse to strike, the Congress shall proceed to nominate three persons out of each State, and the Secretary of Congress shall strike in behalf of such party absent or refusing; and the judgment and sentence of the court to be appointed in the manner before prescribed shall be final and conclusive; and if any of the parties shall refuse to submit to the authority of such court or to appear or defend their claim or cause, the court shall, nevertheless, proceed to pronounce sentence or judgment, which shall, in like manner, be final and decisive; the judgment or sentence, and other proceedings, being in either case transmitted to

Congress, and lodged among the acts of Congress for the security of the parties concerned: *Provided*, That every commissioner, before he sits in judgment, shall take an oath, to be administered by one of the judges of the supreme or superior court of the State, where the cause shall be tried, "*well and truly to hear and determine the matter in question, according to the best of his judgment without favor, affection, or hope of reward*:" *Provided, also*, That no State shall be deprived of territory for the benefit of the United States.

All controversies concerning the private right of soil claimed under different grants of two or more States, whose jurisdictions, as they may respect such lands, and the States which passed such grants, are adjusted, the said grants or either of them being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall, on the petition of either party to the Congress of the United States, be finally determined, as near as may be, in the same manner as is before prescribed for deciding disputes respecting territorial jurisdiction between different States.

The United States in Congress assembled shall also have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority, or by that of the respective States; fixing the standard of weights and measures throughout the United States; regulating the trade and managing all affairs with the Indians, not members of any of the States: *Provided*, That the legislative right of any State within its own limits, be not infringed or violated; establishing and regulating post-offices from one State to another, throughout all the United States, and exacting such postage on the papers passing through the same, as may be requisite

to defray the expenses of the said office; appointing all officers of the land forces in the service of the United States, excepting regimental officers; appointing all the officers of the naval forces, and commissioning all officers whatever in the service of the United States; making rules for the government and regulation of the said land and naval forces, and directing their operations.

The United States in Congress assembled shall have authority to appoint a committee to sit in the recess of Congress, to be denominated "a Committee of the States," and to consist of one delegate from each State, and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the United States, under their direction; to appoint one of their number to preside; provided that no person be allowed to serve in the office of president more than one year in any term of three years; to ascertain the necessary sums of money to be raised for the service of the United States, and to appropriate and apply the same for defraying the public expenses; to borrow money or emit bills on the credit of the United States, transmitting every half-year to the respective States, an account of the sums of money so borrowed or emitted; to build and equip a navy; to agree upon the number of land forces, and to make requisitions from each State for its quota, in proportion to the number of white inhabitants in such State, which requisitions shall be binding; and thereupon the Legislature of each State shall appoint the regimental officers, raise the men, and clothe, arm, and equip them in a soldier-like manner, at the expense of the United States; and the officers and men so clothed, armed, and equipped, shall march to the place appointed, and within the time agreed on by the United States

in Congress assembled; but if the United States in Congress assembled shall, on consideration of circumstances, judge proper that any State should not raise men, or should raise a smaller number than its quota, and that any other State should raise a greater number of men than the quota thereof, such extra number shall be raised, officered, clothed, armed, and equipped in the same manner as the quota of each State, unless the Legislature of such State shall judge that such extra number cannot be safely spared out of the same; in which case they shall raise, officer, clothe, arm, and equip as many of such extra number as they judge can be safely spared. And the officers and men so clothed, armed, and equipped shall march to the place appointed, and within the time agreed on by the United States in Congress assembled.

The United States in Congress assembled shall never engage in a war, nor grant letters of marque and reprisal in time of peace, nor enter into any treaties or alliances, nor coin money, nor regulate the value thereof, nor ascertain the sums and expenses necessary for the defense and welfare of the United States or any of them, nor emit bills, nor borrow money on the credit of the United States, nor appropriate money, nor agree upon the number of vessels of war to be built or purchased, or the number of land or sea forces to be raised, nor appoint a commander-in-chief of the Army or Navy, unless nine States assent to the same; nor shall a question on any other point, except for adjourning from day to day, be determined, unless by the votes of a majority of the United States in Congress assembled.

The Congress of the United States shall have power to adjourn to any time within the year, and to any

place within the United States, so that no period of adjournment be for a longer duration than the space of six months; and shall publish the journal of their proceedings monthly, except such parts thereof relating to treaties, alliances, or military operations, as in their judgment require secrecy; and the yeas and nays of the delegates of each State on any question, shall be entered on the journal, when it is desired by any delegate; and the delegates of a State, or any of them, at his or their request, shall be furnished with a transcript of the said journal, except such parts as are above excepted, to lay before the Legislature of the several States.

ARTICLE X. The committee of the States, or any nine of them, shall be authorized to execute, in the recess of Congress, such of the powers of Congress as the United States in Congress assembled, by the consent of nine States, shall, from time to time, think expedient to vest them with: *Provided*, That no power be delegated to the said committee, for the exercise of which, by the Articles of Confederation, the voice of nine States in the Congress of the United States assembled is requisite.

ARTICLE XI. Canada, acceding to this confederation, and joining in the measures of the United States, shall be admitted into, and entitled to, all the advantages of this Union; but no other colony shall be admitted into the same, unless such admission be agreed to by nine States.

ARTICLE XII. All bills of credit emitted, moneys borrowed, and debts contracted, by or under the authority of Congress, before the assembling of the United States, in pursuance of the present confederation, shall be deemed and considered as a charge against the United States, for payment and satisfaction whereof the said United States and the

public faith are hereby solemnly pledged.

ARTICLE XIII. Every State shall abide by the determinations of the United States in Congress assembled, on all questions which by this confederation are submitted to them. And the articles of this confederation shall be inviolably observed by every State, and the union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them, unless such alteration be agreed to in a Congress of the United States, and be afterwards confirmed by the Legislatures of every State.

And whereas it has pleased the Great Governor of the world to incline the hearts of the Legislatures we respectively represent in Congress, to approve of, and to authorize us to ratify the said articles of confederation and perpetual union: *Know ye*, That we, the undersigned delegates, by virtue of the power and authority to us given for that purpose, do, by these presents, in the name and in behalf of our respective constituents, fully and entirely ratify and confirm each and every of the said Articles of Confederation and Perpetual Union, and all and singular the matters and things therein contained. And we do further solemnly plight and engage the faith of our respective constituents, that they shall abide by the determinations of the United States, in Congress assembled, on all questions which, by the said confederation, are submitted to them; and that the articles thereof shall be inviolably observed by the States we respectively represent; and that the union shall be perpetual.

IN WITNESS WHEREOF we have hereunto set our hands, in Congress. DONE AT PHILADELPHIA, in the State of PENNSYLVANIA, the ninth day of July, in the year of our Lord one thousand seven hundred and seventy-eight, and in the third year of the

INDEPENDENCE OF AMERICA.

On the part and behalf of the State of New Hampshire.—Josiah Bartlett, John Wentworth, jr., August 8, 1778.

On the part and behalf of the State of Massachusetts Bay.—John Hancock, Samuel Adams, Elbridge Gerry, Francis Dana, James Lovell, Samuel Holten.

On the part and in behalf of the State of Rhode Island and Providence Plantations.—William Ellery, Henry Marchant, John Collins.

On the part and behalf of the State of Connecticut.—Roger Sherman, Samuel Huntington, Oliver Wolcott, Titus Hosmer, Andrew Adams.

On the part and behalf of the State of New York.—Jas. Duane, Fra. Lewis, Wm. Duer, Gouv. Morris.

On the part and in behalf of the State of New Jersey.—Jno. Witherspoon, Nath. Scudder, Nov. 26, 1778.

On the part and behalf of the State of Pennsylvania.—Robt. Morris, Daniel Roberdeau, Jona. Bayard Smith, William Clingan, Joseph Reed, July 22d, 1778.

On the part and behalf of the State of Delaware.—Thos. McKean, Feb. 13, 1779, John Dickinson, May 5, 1779, Nicholas Van Dyke.

On the part and behalf of the State of Maryland.—John Hanson, March 1, 1781, Daniel Carroll, March 1, 1781.

On the part and behalf of the State of Virginia.—Richard Henry Lee, John Banister, Thomas Adams, Jno. Harvie, Francis Lightfoot Lee.

On the part and behalf of the State of North Carolina.—John Penn, July 21, 1778, Corns. Harnett, Jno. Williams.

On the part and behalf of the State of South Carolina.—Henry Laurens, William Henry Drayton, Jno.

Mathews, Richard Hutson, Thomas Heyward, Jr.

On the part and behalf of the State of Georgia.—Jno. Walton, July 24, 1778, Edw. Telfair, Edw. Langworthy.

Ordinance of 1787.

An Ordinance for the Government of the Territory of the United States Northwest of the Ohio River. [*In Congress, July 13, 1787.*]

Be it ordained by the United States in Congress assembled, That the said Territory, for the purposes of temporary government, be one district; subject, however to be divided into two districts, as future circumstances may, in the opinion of Congress, make it expedient.

Be it ordained by the authority aforesaid, That the estates both of resident and non-resident proprietors in the said Territory, dying intestate, shall descend to and be distributed among their children, and the descendants of a deceased child, in equal parts; the descendants of a deceased child or grandchild to take the share of their deceased parent in equal parts among them; and where there shall be no children or descendants; then in equal parts to the next of kin, in equal degree; and among collaterals, the children of a deceased brother or sister of the intestate shall have, in equal parts among them, their deceased parents' share; and there shall, in no case, be a distinction between kindred of the whole and half blood; saving in all cases to the widow of the intestate, her third part of the real estate for life, and

one-third part of the personal estate; and this law relative to descents and dower shall remain in full force until altered by the Legislature of the district. And until the governor and judges shall adopt laws as hereinafter mentioned, estates in the said Territory may be devised or bequeathed by wills in writing, signed and sealed by him or her, in whom the estate may be, (being of full age,) and attested by three witnesses; and real estates may be conveyed by lease and release, or bargain and sale, signed, sealed, and delivered by the person, being of full age, in whom the estate may be and attested by two witnesses, provided such wills be duly proved, and such conveyances be acknowledged, or the execution thereof duly proved and be recorded within one year, after proper magistrates, courts, and registers shall be appointed for that purpose; and personal property may be transferred by delivery, saving, however, to the French and Canadian inhabitants, and other settlers of the Kaskaskies, Saint Vincent's, and the neighboring villages, who have heretofore professed themselves citizens of Virginia, their laws and customs now in force among them, relative to the descent and conveyance of property.

Be it ordained by the authority aforesaid, That there shall be appointed, from time to time, by Congress, a governor, whose commission shall continue in force for the term of three years, unless sooner revoked by Congress; he shall reside in the district, and have a freehold estate therein, in one thousand acres of land, while in the exercise of his office.

There shall be appointed, from time to time, by Congress, a secretary, whose commission shall continue in force for four years, unless sooner revoked; he shall reside in the district, and have a freehold estate therein, in five hundred acres of land,

while in the exercise of his office; it shall be his duty to keep and preserve the acts and laws passed by the Legislature, and the public records of the district, and the proceedings of the governor in his executive department; and transmit authentic copies of such acts and proceedings every six months to the secretary of Congress. There shall also be appointed a court, to consist of three judges, any two of whom to form a court, who shall have a common law jurisdiction, and reside in the district, and have each therein a freehold estate, in five hundred acres of land, while in the exercise of their offices, and their commissions shall continue in force during good behavior.

The governor and judges, or a majority of them, shall adopt and publish in the district such laws of the original States, criminal and civil, as may be necessary, and best suited to the circumstances of the district, and report them to Congress, from time to time, which laws shall be in force in the district until the organization of the general assembly therein, unless disapproved of by Congress; but afterwards the legislature shall have authority to alter them as they shall think fit.

The governor for the time being shall be commander-in-chief of the militia; appoint and commission all officers in the same below the rank of general officers. All general officers shall be appointed and commissioned by Congress.

Previous to the organization of the General Assembly, the governor shall appoint such magistrates and other civil officers in each county or township as he shall find necessary for the preservation of the peace and good order in the same. After the General Assembly shall be organized, the powers and duties of magistrates and other civil

officers shall be regulated and defined by the said assembly; but all magistrates and other civil officers, not herein otherwise directed, shall, during the continuance of this temporary government, be appointed by the governor.

For the prevention of crimes and injuries, the laws to be adopted or made shall have force in all parts of the district, and for the execution of process, criminal and civil, the governor shall make proper divisions thereof; and he shall proceed from time to time, as circumstances may require, to lay out the parts of the district in which the Indian titles shall have been extinguished, into counties and townships, subject, however, to such alterations as may thereafter be made by the Legislature.

So soon as there shall be five thousand free male inhabitants of full age in the district, upon giving proof thereof to the governor, they shall receive authority, with time and place, to elect representatives from their counties or townships, to represent them in the General Assembly; *Provided*, That for every five hundred free male inhabitants, there shall be one representative; and so on, progressively, with the number of free male inhabitants, shall the right of representation increase, until the number of representatives shall amount to twenty-five; after which the number and proportion of representatives shall be regulated by the Legislature: *Provided*, That no Person be eligible or qualified to act as a representative unless he shall have been a citizen of one of the United States three years, and be a resident in the district, or unless he shall have resided in the district three years; and in either case, shall likewise hold in his own right, in fee simple, two hundred acres of land within the same: *Provided, also*, That a freehold in fifty acres of

land in the district, having been a citizen of one of the States, and being resident in the district, or the like free hold and two years' residence in the district, shall be necessary to qualify a man as an elector of a representative.

The representatives thus elected shall serve for the term of two years; and in case of the death of a representative, or removal from office, the governor shall issue a writ to the county or township for which he was a member to elect another in his stead, to serve for the residue of the term.

The General Assembly, or Legislature, shall consist of the governor, legislative council, and a house of representatives. The legislative council shall consist of five members, to continue in office five years, unless sooner removed by Congress, any three of whom to be a quorum; and the members of the council shall be nominated and appointed in the following manner, to wit: As soon as representatives shall be elected, the governor shall appoint a time and place for them to meet together, and when met, they shall nominate ten persons, residents in the district, and each possessed of a freehold in five hundred acres of land, and return their names to Congress; five of whom Congress shall appoint and commission to serve as aforesaid; and whenever a vacancy shall happen in the council, by death or removal from office, the house of representatives shall nominate two persons, qualified as aforesaid, for each vacancy, and return their names to Congress; one of whom Congress shall appoint and commission for the residue of the term. And every five years, four months at least before the expiration of the time of service of the members of the council, the said house shall nominate ten persons, qualified as aforesaid, and return their names to Congress; five

of whom Congress shall appoint and commission to serve as members of the council five years, unless sooner removed. And the governor, legislative council, and house of representatives, shall have authority to make laws in all cases for the good government of the district, not repugnant to the principles and articles in this ordinance established and declared, and all bills having passed by a majority in the house, and by a majority in the council, shall be referred to the governor for his assent; but no bill or legislative act whatever shall be of any force without his assent. The governor shall have power to convene, prorogue, and dissolve the General Assembly when in his opinion it shall be expedient.

The governor, judges, legislative council, secretary, and such other officers as Congress shall appoint in the district, shall take an oath or affirmation of fidelity and of office, the governor before the President of Congress, and all other officers before the governor. As soon as a Legislature shall be formed in the district, the council and house assemble, in one room, shall have authority, by joint ballot, to elect a delegate to Congress, who shall have a seat in Congress, with a right of debating, but not of voting during this temporary government.

And for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws and constitutions, are erected; to fix and establish those principles as the basis of all laws, constitutions, and governments, which forever hereafter shall be formed in the said Territory; to provide, also, for the establishment of States, and permanent government therein, and for their admission to a share in the Federal councils on an equal footing with the

original States, at as early periods as may be consistent with the general interest:

It is hereby ordained and declared, by the authority aforesaid, That the following articles shall be considered as articles of compact, between the original States and the people and States in the said Territory, and forever remain unalterable, unless by common consent, to wit:

ARTICLE 1. No person, demeaning himself in a peaceable and orderly manner, shall ever be molested on account of his mode of worship or religious sentiments, in the said Territory.

ART. 2. The inhabitants of the said Territory shall always be entitled to the benefits of the writ of *habeas corpus*, and of the trial by jury; of a proportionate representation of the people in the Legislature, and of judicial proceedings according to the course of the common law. All persons shall be bailable, unless for capital offenses, where the proof shall be evident or the presumption great. All fines shall be moderate; and no cruel or unusual punishments shall be inflicted. No man shall be deprived of his liberty or property but by the judgment of his peers, or the law of the land; and should the public exigencies make it necessary for the common preservation to take any person's property, or to demand his particular services, full compensation shall be made for the same. And, in the just preservation of rights and property, it is understood and declared that no law ought ever to be made, or have force in the said Territory, that shall, in any manner whatever, interfere with, or affect, private contracts or engagements, *bona fide* and without fraud, previously formed.

ART. 3. Religion, morality, and knowledge, being

necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged. The utmost good faith shall always be observed toward the Indians; their lands and property shall never be taken from them without their consent; and in their property, rights, and liberty they shall never be invaded or disturbed, unless in just and unlawful wars authorized by Congress; but laws founded in justice and humanity shall, from time to time, be made for preventing wrongs being done to them, and for preserving peace and friendship with them.

ART. 4. The said Territory, and the States which may be formed therein, shall ever remain a part of this confederacy of the United States of America, subject to the Articles of Confederation, and to such alterations therein as shall be constitutionally made; and to all the acts and ordinances of the United States in Congress assembled, conformable thereto. The inhabitants and settlers in the Territory shall be subject to pay a part of the Federal debts, contracted or to be contracted, and a proportional part of the expenses of Government, to be apportioned on them by Congress, according to the same common rule and measure by which apportionments thereof shall be made on the other States; and the taxes for paying their proportion shall be laid and levied by the authority and direction of Legislatures of the district or districts, or new States, as in the original States, within the time agreed upon by the United States in Congress assembled. The Legislatures of those districts, or new States shall never interfere with the primary disposal of the soil by the United States in Congress assembled, nor with any regulations Congress may find necessary for securing the title in such soil to the *bona fide* purchasers. No tax shall be

imposed on lands the property of the United States; and in no case shall non-resident proprietors be taxed higher than residents. The navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same, shall be common highways, and forever free, as well to the inhabitants of the said Territory as to the citizens of the United States, and those of any other States that may be admitted into the confederacy, without any tax, impost, or duty therefor.

ART. 5. There shall be formed in the said Territory not less than three, nor more than five States; and the boundaries of the States, as soon as Virginia shall alter her act of cession, and consent to the same, shall become fixed and established as follows, to wit: The western State in the said territory shall be bounded by the Mississippi, the Ohio, and Wabash Rivers; a direct line drawn from the Wabash and Post Vincents, due north, to the territorial line between the United States and Canada; and by the said territorial line to the Lake of the Woods and Mississippi. The middle States shall be bounded by the said direct line, the Wabash, from Post Vincents to the Ohio, by the Ohio, by a direct line drawn due north from the mouth of the Great Miami to the said territorial line, and by the said territorial line. The eastern State shall be bounded by the last mentioned direct line, the Ohio, Pennsylvania, and the said territorial line: *Provided, however*, And it is further understood and declared that the boundaries of these three States shall be subject so far to be altered, that, if Congress shall hereafter find it expedient, they shall have authority to form one or two States in that part of the said Territory which lies north of an east and west line drawn through the southerly bend or extreme of Lake Michigan. And whenever any of the

said States shall have sixty thousand free inhabitants therein, such State shall be admitted, by its delegates, into the Congress of the United States, on an equal footing with the original States in all respects whatever; and shall be at liberty to form a permanent constitution and State government: *Provided*, The constitution and government so to be formed shall be republican, and in conformity to the principles contained in these articles; and, so far as it can be consistent with the general interest of the confederacy, such admission shall be allowed at an earlier period, and when there may be a less number of free inhabitants in the State than sixty thousand.

ART. 6. There shall be neither slavery nor involuntary servitude in the said Territory, otherwise than in the punishment of crimes, whereof the party shall have been duly convicted: *Provided always*, That any person escaping into the same, from whom labor or service is lawfully claimed in any one of the original States, such fugitive may be lawfully reclaimed, and conveyed to the person claiming his or her labor or service as aforesaid.

Be it ordained by the authority aforesaid, That the resolutions of the 23d of April, 1784, relative to the subject of this ordinance, be, and the same are hereby repealed and declared null and void.

Done by the United States in Congress assembled, the thirteenth day of July, in the year of our Lord one thousand seven hundred and eighty-seven, and of their sovereignty and independence the twelfth.

CHARLES THOMPSON,
Secretary.

Constitution of the United States of America,

With amendments and dates of ratification.

We the People of the United States, in order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this CONSTITUTION for the United States of America.

ARTICLE I.

Section 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

Section 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

No Person shall be a Representative who shall not have attained to the Age of twenty-five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, [which shall be determined by

adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three-fifths of all other Persons.[88]] The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

The House of Representatives shall choose their Speaker and other Officers; and shall have the sole Power of Impeachment.

Section 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the expiration of the sixth Year, so that one-third may be chosen every second Year;

and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.

No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.

The Vice-President of the United States shall be President of the Senate, but shall have no Vote, unless they be equally divided.

The Senate shall choose their other Officers, and also a President pro tempore, in the Absence of the Vice-President, or when he shall exercise the Office of President of the United States.

The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no person shall be convicted without the Concurrence of two-thirds of the Members present.

Judgment in Cases of Impeachment shall not extend further than to removal from Office, and Disqualification to hold and enjoy any Office of Honour, Trust or Profit under the United States: but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.

Section IV.—The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law

make or alter such Regulations, except as to the places of chusing Senators.

The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.

Section V.—Each House shall be the Judge of the Elections, Returns, and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of Absent Members, in such Manner, and under such Penalties as each House may provide.

Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and, with the Concurrence of two-thirds, expel a Member.

Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one-fifth of those Present, be entered on the Journal.

Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.

Section VI.—The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to

and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.

No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.

Section VII.—All bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.

Every Bill which shall have passed the House of Representatives and the Senate, shall, before it becomes a Law, be presented to the President of the United States. If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and proceed to reconsider it. If after such Reconsideration two-thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two-thirds of that House, it shall become a Law. But in all such cases the Votes of both Houses shall be determined by Yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its

Return, in which Case it shall not be a Law.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

Section VIII.—The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

To borrow Money on the credit of the United States;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

To establish an uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

To establish Post Offices and post Roads;

To promote the progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

To constitute Tribunals inferior to the Supreme Court;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

To provide and maintain a Navy;

To make Rules for the Government and Regulation of the land and naval Forces;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the Discipline prescribed by Congress;

To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, Dock-Yards, and other needful Buildings;—And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Section IX. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or duty may be imposed on such Importation, not exceeding ten dollars for each Person.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

No Bill of Attainder or ex post facto Law shall be passed.

No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration hereinbefore directed to be taken.

No Tax or Duty shall be laid on Articles exported from any State.

No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another: nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

No Title of Nobility shall be granted by the United States: And no Person holding any office of Profit or Trust under them, shall, without the Consent of the

Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

Section X.—No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the Consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing its inspection Laws: and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Control of the Congress.

No State shall, without the Consent of Congress, lay any Duty on Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of Delay.

ARTICLE II.

Section I.—The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice-President, chosen for the same Term, be elected as follows:

Each State shall appoint, in such manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and

Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector. [89] [The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately choose by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like manner choose the President. But in choosing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A Quorum for this purpose shall consist of a Member or Members from two-thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice-President. But if there should remain two or more who have equal Votes, the Senate shall choose from them by Ballot the Vice-President.]

The Congress may determine the Time of chusing

the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

No person except a natural-born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty-five Years, and been fourteen Years a Resident within the United States.

In case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the same shall devolve on the Vice-President, and the Congress may by Law provide for the Case of Removal, Death, Resignation, or Inability, both of the President and Vice-President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be increased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the execution of his Office he shall take the following Oath or Affirmation:—

"I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, preserve, protect and defend the Constitution of the United States."

Section II. The President shall be Commander-in-Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into

the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two-thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the Supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law; but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

Section III. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the officers of the United States.

Section IV.—The President, Vice-President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

ARTICLE III.

Section I.—The judicial Power of the United States, shall be vested in one Supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behaviour, and shall, at stated Times, receive for their Services a Compensation, which shall not be diminished during their Continuance in Office.

Section II.—The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases affecting Ambassadors, or other public Ministers, and Consuls;—to all Cases of admiralty and maritime Jurisdiction;—to Controversies to which the United States shall be a Party;—to Controversies between two or more States; —between a State and Citizens of another State;— between Citizens of different States,—between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the Supreme Court shall have original

Jurisdiction. In all the other Cases before mentioned, the Supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crime shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

Section III.—Treason against the United States, shall Consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the Person attainted.

ARTICLE IV.

Section I.—Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

Section II.—The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice,

and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

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.

Section iii. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

SECTION IV. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion, and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

ARTICLE V.

The Congress, whenever two-thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the

Legislatures of two-thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several States, or by Conventions in three-fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year one thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

Article VI.

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the Members of the several State Legislatures, and all executive and judicial Officers, both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public

Trust under the United States.

Article VII.

The Ratification of the Convention of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

Done in Convention by the Unanimous Consent of the States present the Seventeenth Day of September in the Year of our Lord one thousand seven hundred and Eighty-seven and of the Independence of the United States of America the Twelfth. In witness whereof We have hereunto subscribed our Names.

GEO. WASHINGTON—
Presidt. and deputy from Virginia.

New Hampshire.	John Langdon, Nicholas Gilman.
Massachusetts.	Nathaniel Gorham, Rufus King.
Connecticut.	Wm. Saml. Johnson, Roger Sherman.
New York.	Alexander Hamilton.
New Jersey.	Wil: Livingston, Wm. Paterson, David Brearley, Jona. Dayton.

Pennsylvania.	B. Franklin, Robt. Morris, Tho: Fitzsimons, James Wilson, Thomas Mifflin, Geo: Clymer, Jared Ingersoll, Gouv: Morris.
Delaware.	Geo: Read, John Dickinson, Jaco: Broom, Gunning Bedford, Jr., Richard Bassett.
Maryland.	James M'Henry, Danl. Carroll, Dan: of St. Thos: Jenifer.
Virginia.	John Blair, James Madison, Jr.
North Carolina.	Wm. Blount, Hu. Williamson, Rich'd Dobbs Spaight.
South Carolina.	J. Rutledge, Charles Pinckney, Charles Cotesworth Pinckney, Pierce Butler.
Georgia.	William Few, Abr. Baldwin.

Attest: WILLIAM JACKSON, *Secretary*

Articles in Addition to, and Amendment of, the Constitution of the United States of America,

Proposed by Congress and Ratified by the Legislatures of the several States, pursuant to the Fifth Article of the Original Constitution.

ARTICLE I. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

ARTICLE II. A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

ARTICLE III. No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

ARTICLE IV. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched,

and the persons or things to be seized.

ARTICLE V.—No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any Criminal Case to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.

ARTICLE VI.—In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have Compulsory process for obtaining Witnesses in his favor, and to have the assistance of Counsel for his defence.

ARTICLE VII.—In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.

ARTICLE VIII.—Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

ARTICLE IX.—The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.

ARTICLE X.—The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.

ARTICLE XI.—The Judicial power of the United States shall not be construed to extend to any suit in law and equity, commenced and prosecuted against one of the United States by Citizens of another State, or by Citizens or Subjects of any Foreign State.

ARTICLE XII.—The Electors shall meet in their respective States, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate. The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted. The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from

two-thirds of the States, and a majority of all the States shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice-President shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

ARTICLE XIII. *Section I.* Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

Section II. Congress shall have power to enforce this article by appropriate legislation.

ARTICLE XIV. *Section I.* All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

Section II. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, representatives in Congress, the executive and judicial officers of a State, or the members of the legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion, or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

Section III. No person shall be a senator or representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may by a vote of two-thirds of each house, remove such disability.

Section IV. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or

obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations and claims shall be held illegal and void.

Section V.—The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

ARTICLE XV. *Section I.*—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.

Section II.—The Congress shall have power to enforce this article by appropriate legislation.

Ratifications of the Constitution.[90]

Of the thirteen States which originally composed the Union under the Confederation, eleven ratified the Constitution prior to the 4th of March, 1789, the time fixed by the resolution of September 13, 1788, for commencing proceedings under it, viz:

Delaware, December 7, 1787.

Pennsylvania, December 12, 1787.

New Jersey, December 18, 1787.

Georgia, January 2, 1788.

Connecticut, January 9, 1788.

Massachusetts, February 6, 1788.

Maryland, April 28, 1788.

South Carolina, May 23, 1788.

New Hampshire, June 21, 1788.

Virginia, June 26, 1788.

New York, July 26, 1788.

Of the other two States, North Carolina ratified the Constitution on the 21st of November, 1789; of which, information was communicated to Congress by the President, in a message dated January 28, 1790.

Rhode Island ratified it on the 29th of May, 1790; of which, also, information was communicated to Congress by the President, in a message dated June 1, 1790.

The State of Vermont, by convention, ratified the Constitution on the 10th of January, 1791, and was, by an act of Congress of the 18th of February, 1791, "received and admitted into this Union as a new and entire member of the United States of America."

Ratifications of the Amendments to the Constitution.

From W. J. McDonald's "Constitution, Rules and Manual."

The first ten of the preceding articles of amendment, (with two others which were not ratified by the requisite number of States,) were submitted to the several State Legislatures by a resolution of Congress which passed on the 25th of

September, 1789, at the first session of the First Congress, and were ratified by the Legislatures of the following States:

New Jersey, November 20, 1789.

Maryland, December 19, 1789.

North Carolina, December 22, 1789.

South Carolina, January 19, 1790.

New Hampshire, January 25, 1790.

Delaware, January 28, 1790.

Pennsylvania, March 10, 1790.

New York, March 27, 1790.

Rhode Island, June 15, 1790.

Vermont, November 3, 1791.

Virginia, December 15, 1791.

The acts of the Legislatures of the States ratifying these amendments were transmitted by the governors to the President, and by him communicated to Congress. The Legislatures of Massachusetts, Connecticut, and Georgia, do not appear by the record to have ratified them.

The 11th article was submitted to the Legislatures of the several States by a resolution of Congress passed on the 5th of March, 1794, at the first session of the Third Congress; and on the 8th of January, 1798, at the second session of the Fifth Congress, it was declared by the President, in a message to the two Houses of Congress, to have been adopted by the Legislatures of three-fourths of the States, there being at that time sixteen States in the Union.

The twelfth article was submitted to the

Legislatures of the several States, there being then seventeen States, by a resolution of Congress passed on the 12th of December, 1803, at the first session of the Eighth Congress; and was ratified by the Legislatures of three-fourths of the States, in 1804, according to a proclamation of the Secretary of State dated the 25th of September, 1804.

The thirteenth article was submitted to the Legislatures of the several States, there being then thirty-six States, by a resolution of Congress passed on the 1st of February, 1865, at the second session of the Thirty-eighth Congress, and was ratified, according to a proclamation of the Secretary of State dated December 18, 1865, by the Legislatures of the following States:

Illinois, February 1, 1865.

Rhode Island, February 2, 1865.

Michigan, February 2, 1865.

Maryland, February 3, 1865.

New York, February 3, 1865.

West Virginia, February 3, 1865.

Massachusetts, February 3, 1865.

Pennsylvania, February 3, 1865.

Maine, February 7, 1865.

Kansas, February 8, 1865.

Ohio, February 8, 1865.

Minnesota, February 7, 1865.

Virginia, February 9, 1865.

Indiana, February 13, 1865.

Nevada, February 16, 1865.

Louisiana, February 17, 1865.

Wisconsin, February 21, 1865.

Missouri, February 24, 1865.

Tennessee, March 4, 1865.

Vermont, March 9, 1865.

Arkansas, April 14, 1865.

Connecticut, May 4, 1865.

New Hampshire, June 30, 1865.

South Carolina, November 13, 1865.

North Carolina, December 1, 1865.

Alabama, December 2, 1865.

Georgia, December 6, 1865.

The following States not enumerated in the proclamation of the Secretary of State, also ratified this amendment:

Oregon, December 11, 1865.

California, December 20, 1865.

Florida, June 9, 1868.

The States of Delaware, New Jersey, and Kentucky rejected the amendment.

The fourteenth article was submitted to the Legislatures of the different States, there being then thirty-seven States, by a resolution of Congress passed on the 16th of June, 1866, at the first session of the Thirty-ninth Congress; and was ratified, according to a proclamation of the Secretary of State, dated July 28, 1868, by the Legislatures of the

following States:

Connecticut, June 30, 1866.
New Hampshire, July 7, 1866.
Tennessee, July 19, 1866.[91]
New Jersey, September 11, 1866.[92]
Oregon, September 19, 1866.
Vermont, November 9, 1866.
New York, January 10, 1867.[93]
Ohio, January 11, 1867.
Illinois, January 15, 1867.
West Virginia, January 16, 1867.
Kansas, January 18, 1867.
Maine, January 19, 1867.
Nevada, January 22, 1867.
Missouri, January 26, 1867.
Indiana, January 29, 1867.
Minnesota, February 1, 1867.
Rhode Island, February 7, 1867.
Wisconsin, February 13, 1867.
Pennsylvania, February 13, 1867.
Michigan, February 15, 1867.
Massachusetts, March 20, 1867.
Nebraska, June 15, 1867.

Iowa, April 3, 1868.
Arkansas, April 6, 1868.

Florida, June 9, 1868.

[94]North Carolina, July 4, 1868.

Louisiana, July 9, 1868.

[94]South Carolina, July 9, 1868.

Alabama, July 13, 1868.

[94]Georgia, July 21, 1868.

[94] The State of Virginia ratified this amendment on the 8th of October, 1869, subsequent to the date of the proclamation of the Secretary of State.

The States of Delaware, Maryland, Kentucky, and Texas rejected the amendment.

The fifteenth article was submitted to the Legislatures of the several States, there being then thirty-seven States, by a resolution of Congress passed on the 27th of February, 1869, at the first session of the Forty-first Congress; and was ratified, according to a proclamation of the Secretary of State dated March 30, 1870, by the Legislatures of the following States:

Nevada, March 1, 1869.

West Virginia, March 3, 1869.

North Carolina, March 5, 1869.

Louisiana, March 5, 1869.

Illinois, March 5, 1869.

Michigan, March 8, 1869.

Wisconsin, March 9, 1869.

Massachusetts, March 12, 1869.

Maine, March 12, 1869.

South Carolina, March 16, 1869.

Pennsylvania, March 26, 1869.

Arkansas, March 30, 1869.[95]

New York, April 14, 1869.

Indiana, May 14, 1869.

Connecticut, May 19, 1869.

Florida, June 15, 1869.

New Hampshire, July 7, 1869.

Virginia, October 8, 1869.

Vermont, October 21, 1869.

Alabama, November 24, 1869.

Missouri, January 10, 1870.

Mississippi, January 17, 1870.

Rhode Island, January 18, 1870.

Kansas, January 19, 1870.[96]

Ohio, January 27, 1870.

Georgia, February 2, 1870.

Iowa, February 3, 1870.

Nebraska, February 17, 1870.

Texas, February 18, 1870.

Minnesota, February 19, 1870.

[97] The State of New Jersey ratified this amendment on the 21st of February, 1871, subsequent to the date of the proclamation of the Secretary of State.

The States of California, Delaware, Kentucky, Maryland, Oregon, and Tennessee rejected this

amendment.

JEFFERSON'S MANUAL OF PARLIAMENTARY PRACTICE.

Importance of Rules.

SEC. I.—IMPORTANCE OF ADHERING TO RULES.

Mr. Onslow, the ablest among the Speakers of the House of Commons, used to say, "It was a maxim he had often heard when he was a young man, from old and experienced members, that nothing tended more to throw power into the hands of administration, and those who acted with the majority of the House of Commons, than a neglect of, or departure from, the rules of proceeding; that these forms, as instituted by our ancestors, operated as a check and control on the actions of the majority, and that they were, in many instances, a shelter and protection to the minority, against the attempts of power." So far the maxim is certainly true, and is founded in good sense, that as it is always in the power of the majority, by their numbers, to stop any improper measures proposed on the part of their opponents, the only weapons by which the minority can defend themselves against similar attempts from those in power, are the forms and rules of proceeding which have been adopted as they were found necessary, from time to time, and

are become the law of the House; by a strict adherence to which, the weaker party can only be protected from those irregularities and abuses which these forms were intended to check, and which the wantonness of power is but too often apt to suggest to large and successful majorities. *2 Hats.*, 171, 172.

And whether these forms be in all cases the most rational or not, is really not of so great importance. It is much more material that there should be a rule to go by, than what that rule is; that there may be a uniformity of proceedings in business, not subject to the caprice of the Speaker, or captiousness of the members. It is very material that order, decency, and regularity be preserved in a dignified public body. *2 Hats.*, 149.

SEC. II.—LEGISLATURE.

[All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives. *Constitution of the United States, Art. 1, Sec. 1.*]

[The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the Treasury of the United States. *Constitution of the United States, Art. 1, Sec. 6.*]

[For the powers of Congress, see the following Articles and Sections of the Constitution of the United States: I, 4, 7, 8, 9. II, 1, 2. III, 3. IV, 1, 3, 5,, and all the amendments.]

SEC. III.—PRIVILEGE.

The privileges of members of Parliament, from

small and obscure beginnings, have been advancing for centuries with a firm and never-yielding pace. Claims seem to have been brought forward from time to time, and repeated, till some example of their admission enabled them to build law on that example. We can only, therefore, state the points of progression at which they now are. It is now acknowledged, 1st. That they are at all times exempted from question elsewhere, for anything said in their own House; that during the time of privilege, 2d. Neither a member himself, his wife, nor his servants, (familiares sui,) for any matter of their own, may be arrested on mesne process, in any civil suit: 3d. Nor be detained under execution, though levied before time of privilege: 4th. Nor impleaded, cited, or subpœnaed in any court: 5th. Nor summoned as a witness or juror: 6th. Nor may their lands or goods be distrained: 7th. Nor their persons assaulted, or characters traduced. And the period of time covered by privilege, before and after the session, with the practice of short prorogations under the connivance of the Crown, amounts in fact to a perpetual protection against the course of justice. In one instance, indeed, it has been relaxed by the 10 G. 3, c. 50, which permits judiciary proceedings to go on against them. That these privileges must be continually progressive, seems to result from their rejecting all definition of them; the doctrine being, that "their dignity and independence are preserved by keeping their privileges indefinite; and that 'the maxim upon which they proceed, together with the method of proceeding, rest entirely in their own breast, and are not defined and ascertained by any particular stated laws.'" *1 Blackst.*, 163, 164.

[It was probably from this view of the encroaching character of privilege that the framers of our

Constitution, in their care to provide that the laws shall bind equally on all, and especially that those who make them shall not exempt themselves from their operation, have only privileged "Senators and Representatives" themselves from the single act of "arrest in all cases except treason, felony, and breach of the peace, during their attendance at the session of their respective Houses, and in going to and returning from the same, and from being questioned in any other place for any speech or debate in either House." *Const. U. S., Art. 1, Sec. 6.* Under the general authority "to make all laws necessary and proper for carrying into execution the powers given them," *Const. U. S., Art. 2, Sec. 8*, they may provide by law the details which may be necessary for giving full effect to the enjoyment of this privilege. No such law being as yet made, it seems to stand at present on the following ground: 1. The act of arrest is void, ab initio. 2. The member arrested may be discharged on motion, *1 Bl.*, 166; *2 Stra.*, 990; or by *habeas corpus* under the Federal or State authority, as the case may be; or by a writ of privilege out of the chancery, *2 Stra.*, 989, in those States which have adopted that part of the laws of England. *Orders of the House of Commons, 1550, February 20.* 3. The arrest being unlawful, is a trespass for which the officer and others concerned are liable to action or indictment in the ordinary courts of justice, as in other cases of unauthorized arrest. 4. The court before which the process is returnable is bound to act as in other cases of unauthorized proceeding, and liable, also, as in other similar cases, to have their proceedings stayed or corrected by the superior courts.]

[The time necessary for going to, and returning from, Congress, not being defined, it will, of course, be judged of in every particular case by those who

will have to decide the case.] While privilege was understood in England to extend, as it does here, only to exemption from arrest, eundo, morando, et redeundo, the House of Commons themselves decided that "a convenient time was to be understood." (1580,) *1 Hats.*, 99, 100. Nor is the law so strict in point of time as to require the party to set out immediately on his return, but allows him time to settle his private affairs, and to prepare for his journey; and does not even scan his road very nicely, nor forfeit his protection for a little deviation from that which is most direct; some necessity perhaps constraining him to it. *2 Stra.*, 986, 987.

This privilege from arrest, privileges, of course, against all process the disobedience to which is punishable by an attachment of the person; as a subpœna ad respondendum, or testificandum, or a summons on a jury; and with reason, because a member has superior duties to perform in another place. [When a representative is withdrawn from his seat by summons, the 40,000 people whom he represents lose their voice in debate and vote, as they do on his voluntary absence; when a Senator is withdrawn by summons, his State loses half its voice in debate and vote, as it does on his voluntary absence. The enormous disparity of evil admits no comparison.]

[So far there will probably be no difference of opinion as to the privileges of the two Houses of Congress; but in the following cases it is otherwise. In December, 1795, the House of Representatives committed two persons of the name of Randall and Whitney, for attempting to corrupt the integrity of certain members, which they considered as a contempt and breach of the privileges of the House; and the facts being proved, Whitney was detained in

confinement a fortnight, and Randall three weeks, and was reprimanded by the Speaker. In March, 1796, the House of Representatives voted a challenge given to a member of their House to be a breach of the privileges of the House; but satisfactory apologies and acknowledgments being made, no further proceeding was had. The editor of the *Aurora* having, in his paper of February 19, 1800, inserted some paragraphs defamatory of the Senate, and failed in his appearance, he was ordered to be committed.

In debating the legality of this order, it was insisted, in support of it, that every man, by the law of nature, and every body of men, possesses the right of self-defense; that all public functionaries are essentially invested with the powers of self-preservation; that they have an inherent right to do all acts necessary to keep themselves in a condition to discharge the trusts confided to them; that whenever authorities are given, the means of carrying them into execution are given by necessary implication; that thus we see the British Parliament exercise the right of punishing contempts; all the State Legislatures exercise the same power, and every court does the same; that, if we have it not, we sit at the mercy of every intruder who may enter our doors or gallery, and, by noise and tumult, render proceeding in business impracticable; that if our tranquillity is to be perpetually disturbed by newspaper defamation, it will not be possible to exercise our functions with the requisite coolness and deliberation; and that we must therefore have a power to punish these disturbers of our peace and proceedings. To this it was answered, that the Parliament and courts of England have cognizance of contempts by the express provisions of their law; that the State Legislatures have equal authority, because

their powers are plenary; they represent their constituents completely, and possess all their powers, except such as their constitutions have expressly denied them; that the courts of the several States have the same powers by the laws of their States, and those of the Federal Government by the same State laws adopted in each State, by a law of Congress; that none of these bodies, therefore, derive those powers from natural or necessary right, but from express law; that Congress have no such natural or necessary power, nor any powers but such as are given them by the Constitution; that that has given them, directly, exemption from personal arrest, exemption from question elsewhere for what is said in their House, and power over their own members and proceedings; for these no further law is necessary, the Constitution being the law; that, moreover, by that article of the Constitution which authorizes them "to make all laws necessary and proper for carrying into execution the powers vested by Constitution in them," they may provide by law for an undisturbed exercise of their functions, e. g., for the punishment of contempts, of affrays or tumult in their presence, &c.; but, till the law be made, it does not exist; and does not exist, from their own neglect; that, in the mean time, however, they are not unprotected, the ordinary magistrates and courts of law being open and competent to punish all unjustifiable disturbances or defamations, and even their own sergeant, who may appoint deputies ad libitum to aid him, *3 Grey*, 59, 147, 255, is equal to small disturbances; that in requiring a previous law, the Constitution had regard to the inviolability of the citizen, as well as of the member; as, should one House, in the form of a bill, aim at too broad privileges, it may be checked by the other, and both

by the President; and also as, the law being promulgated, the citizen will know how to avoid offense. But if one branch may assume its own privileges without control, if it may do it on the spur of the occasion, conceal the law in its own breast, and, after the fact committed, make its sentence both the law and the judgment on that fact; if the offense is to be kept undefined, and to be declared only ex re nata, and according to the passions of the moment, and there be no limitation either in the manner or measure of the punishment, the condition of the citizen will be perilous indeed. Which of these doctrines is to prevail, time will decide. Where there is no fixed law, the judgment on any particular case is the law of that single case only, and dies with it. When a new and even a similar case arises, the judgment which is to make and at the same time apply the law, is open to question and consideration, as are all new laws. Perhaps Congress, in the mean time, in their care for the safety of the citizen, as well as that for their own protection, may declare by law what is necessary and proper to enable them to carry into execution the powers vested in them, and thereby hang up a rule for the inspection of all, which may direct the conduct of the citizen, and at the same time test the judgments they shall themselves pronounce in their own case.]

Privilege from arrest takes place by force of the election; and before a return be made a member elected may be named of a committee, and is to every extent a member except that he cannot vote until he is sworn. *Memor.*, 107, 108. *D'Ewes*, 643, *col.* 2; 643, *col.* 1. *Pet. Miscel. Parl.*, 119. *Lex. Parl.*, *c.* 23. *2 Hats.*, 22, 62.

Every man must, at his peril, take notice who are members of either House returned of record. *Lex.*

Parl., 23; *4 Inst.*, 24.

On complaint of a breach of privilege, the party may either be summoned, or sent for in custody of the sergeant. *1 Grey*, 88, 95.

The privilege of a member is the privilege of the House. If the member waive it without leave, it is a ground for punishing him, but cannot in effect waive the privilege of the House. *3 Grey*, 140, 222.

For any speech or debate in either House, they shall not be questioned in any other place. *Const. U. S.*, I, 6; *S. P. protest of the Commons to James I*, 1621; *2 Rapin*, No. 54, pp. 211, 212. But this is restrained to things done in the House in a parliamentary course. *1 Rush.*, 663. For he is not to have privilege contra morem parliamentarium, to exceed the bounds and limits of his place and duty. *Com. p.*

If an offence be committed by a member in the House, of which the House has cognizance, it is an infringement of their right for any person or court to take notice of it, till the House has punished the offender, or referred him to a due course. *Lex. Parl.*, 63.

Privilege is in the power of the House, and is a restraint to the proceedings of inferior courts, but not of the House itself. *2 Nalson*, 450; *2 Grey*, 399. For whatever is spoken in the House is subject to the censure of the House; and offenses of this kind have been severely punished by calling the person to the bar to make submission, committing him to the tower, expelling the House, &c. *Scob.*, 72; *L. Parl.*, *c.* 22.

It is a breach of order for the Speaker to refuse to put a question which is in order. *1 Hats.*, 175–6; *5 Grey*, 133.

And even in cases of treason, felony, and breach of

the peace, to which privilege does not extend as to substance, yet in Parliament a member is privileged as to the mode of proceeding. The case is first to be laid before the House, that it may judge of the fact and of the grounds of the accusation, and how far forth the manner of the trial may concern their privilege; otherwise it would be in the power of other branches of the government, and even of every private man, under pretenses of treason, &c., to take any man from his services in the House, and so, as many, one after another, as would make the House what he pleaseth. *Dec. of the Com. on the King's declaring Sir John Hotham a traitor. 4 Rushw.*, 586. So, when a member stood indicted for felony, it was adjudged that he ought to remain of the House till conviction; for it may be any man's case, who is guiltless, to be accused and indicted of felony or the like crime. *23 El.*, 1580; *D'Ewes*, 283, *col.* 1; *Lex Parl.*, 133.

When it is found necessary for the public service to put a member under arrest, or when, on any public inquiry, matter comes out which may lead to affect the person of a member, it is the practice immediately to acquaint the House, that they may know the reason for such a proceeding, and take such steps as they think proper. *2 Hats.*, 259. Of which see many examples, *Ib.*, 256, 257, 258. But the communication is subsequent to the arrest. *1 Blackst.*, 167.

It is highly expedient, says Hatsel, for the due preservation of the privileges of the separate branches of the legislature, that neither should encroach on the other, or interfere in any matter depending before them, so as to preclude, or even influence, that freedom of debate which is essential to a free council. They are, therefore, not to take

notice of any bills or other matters depending, or of votes that have been given, or of speeches which have been held, by the members of either of the other branches of the legislature, until the same have been communicated to them in the usual parliamentary manner. *2 Hats.*, 252; *4 Inst.*, 15; *Seld. Jud.*, 53. Thus the King's taking notice of the bill for suppressing soldiers, depending before the House; his proposing a provisional clause for a bill before it was presented to him by the two Houses; his expressing displeasure against some persons for matters moved in Parliament during the debate and preparation of a bill, were breaches of privilege; *2 Nalson*, 743; and in 1783, December 17, it was declared a breach of fundamental privileges, &c., to report any opinion or pretended opinion of the King on any bill or proceeding depending in either House of Parliament, with a view to influence the votes of the members. *2 Hats.*, 251, 6.

SEC. IV.—ELECTIONS.

[The times, places, and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators. *Const.*, I, 4.]

[Each House shall be the judge of the elections, returns, and qualifications of its own members. *Const.*, I, 5.]

SEC. V.—QUALIFICATIONS.

[The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof for six years, and each Senator shall have one vote.]

[Immediately after they shall be assembled in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the end of the second year; of the second class at the expiration of the fourth year; and of the third class at the expiration of the sixth year; so that one-third may be chosen every second year; and if vacancies happen, by resignation or otherwise, during the recess of the Legislature of any State, the executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies. *Const.*, I, 3.]

[No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State for which he shall be chosen. *Const.* I, 3.]

[The House of Representatives shall be composed of members chosen every second year by the people of the several States; and the electors in each State shall have the qualifications requisite for electors of the most numerous branch of the State Legislature. *Const.*, I, 2.]

[No person shall be a Representative who shall not have attained to the age of twenty-five years and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen. *Const.*, I, 2.]

[Representatives and direct taxes shall be apportioned among the several States which maybe

included within this Union, according to their respective numbers; which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three-fifths of all other persons. The actual enumeration shall be made within three years after the first meeting of the Congress of the United States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every thirty thousand, but each State shall have at least one Representative. *Const.*, I, 2]

[When vacancies happen in the representation from any State, the executive authority thereof shall issue writs of election to fill such vacancies. *Const.*, I, 2.]

[No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the United States which shall have been created, or the emoluments whereof shall have been increased, during such time; and no person holding any office under the United States shall be a member of either House during his continuance in office. *Const.*, I, 6.]

SEC. VI.—QUORUM.

[A majority of each House shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members in such manner and under such penalties as each House may provide. *Const.*, I, 5.]

In general the chair is not to be taken till a quorum

for business is present; unless, after due waiting, such a quorum be despaired of, when the chair may be taken and the House adjourned. And whenever, during business, it is observed that a quorum is not present, any member may call for the House to be counted, and being found deficient, business is suspended. *2 Hats.*, 125, 126.

[The President having taken the chair, and a quorum being present, the journal of the preceding day shall be read, to the end that any mistake may be corrected that shall have been made in the entries. *Rules of the Senate.*]

SEC. VII.—CALL OF THE HOUSE.

On a call of the House, each person rises up as he is called, and answereth; the absentees are then only noted, but no excuse to be made till the House be fully called over. Then the absentees are called a second time, and if still absent, excuses are to be heard. *Ord. House of Commons*, 92.

They rise that their persons may be recognized; the voice, in such a crowd, being an insufficient verification of their presence. But in so small a body as the Senate of the United States, the trouble of rising cannot be necessary.

Orders for calls on different days may subsist at the same time. *2 Hats.*, 72.

SEC. VIII.—ABSENCE.

[No member shall absent himself from the service of the Senate without leave of the Senate first obtained. And in case a less number than a quorum

of the Senate shall convene, they are hereby authorized to send the Sergeant-at-Arms, or any other person or persons by them authorized, for any or all absent members, as the majority of such members present shall agree, at the expense of such absent members, respectively, unless such excuse for non-attendance shall be made as the Senate, when a quorum is convened, shall judge sufficient: and in that case the expense shall be paid out of the contingent fund. And this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session, after the hour is arrived to which the Senate stood adjourned. *Rule 8.*]

SEC. IX.—SPEAKER.

[The Vice-President of the United States shall be President of the Senate, but shall have no vote unless they be equally divided. *Constitution*, I, 3.]

[The Senate shall choose their officers, and also a President *pro tempore* in the absence of the Vice-President, or when he shall exercise the office of President of the United States. *Ib.*]

[The House of Representatives shall choose their Speaker and other officers. *Const.*, I, 2.]

When but one person is proposed, and no objection made, it has not been usual in Parliament to put any question to the House; but without a question the members proposing him conduct him to the chair. But if there be objection, or another proposed, a question is put by the Clerk. *2 Hats.*, 158. As are also questions of adjournment. *6 Grey*, 406. Where the House debated and exchanged messages and answers with the King for a week

without a Speaker, till they were prorogued. They have done it *de die* in *diem* for fourteen days. *1 Chand.*, 331, 335.

[In the Senate, a President *pro tempore*, in the absence of the Vice-President, is proposed and chosen by ballot. His office is understood to be determined on the Vice-President's appearing and taking the chair, or at the meeting of the Senate after the first recess.]

Where the Speaker has been ill, other Speakers *pro tempore* have been appointed. Instances of this are *1 H.*, 4. Sir John Cheyney, and Sir William Sturton, and in *15 H.*, 6. Sir John Tyrrel, in 1656, January 27; 1658, March 9; 1659, January 13.

Sir Job Charlton ill, Seymour chosen, 1673, February 18. Seymour being ill, Sir Robert Sawyer chosen, 1678, April 15. Sawyer being ill, Seymour chosen.	Not merely *pro tempore*. *1 Chand.*, 169, 276, 277.

Thorpe in execution, a new Speaker chosen, *31 H. VI*, *3 Grey*, 11; and March 14, 1694, Sir John Trevor chosen. There have been no later instances. *2 Hats.*, 161; *4 Inst.* 8; *L. Parl.*, 263.

A Speaker may be removed at the will of the House, and a Speaker *pro tempore* appointed. *2 Grey*, 186; *5 Grey*, 134.

SEC. X.—ADDRESS.

[The President shall, from time to time, give to the

Congress information of the state of the Union, and recommend to their consideration such measures as he shall judge necessary and expedient. *Const.*, II, 3.]

A joint address of both Houses of Parliament is read by the Speaker of the House of Lords. It may be attended by both Houses in a body, or by a committee from each House, or by the two Speakers only. An address of the House of Commons only may be presented by the whole House, or by the Speaker, *9 Grey*, 473; *1 Chandler*, 298, 301; or by such particular members as are of the privy council. *2 Hats.*, 278.

SEC. XI.—COMMITTEES.

Standing committees, as of Privileges and Elections, &c., are usually appointed at the first meeting, to continue through the session. The person first named is generally permitted to act as chairman. But this is a matter of courtesy; every committee having a right to elect their own chairman, who presides over them, puts questions, and reports their proceedings to the House. *4 Inst.*, 11, 12; *Scob.*, 9; *1 Grey*, 122.

At these committees the members are to speak standing, and not sitting; though there is reason to conjecture it was formerly otherwise. *D'Ewes*, 630, *col.* 1; *4 Parl., Hist.*, 440; *2 Hats.*, 77.

Their proceedings are not to be published, as they are of no force till confirmed by the House, *Rushw.*, *part* 3, *vol.* 2, 74; *3 Grey*, 401; *Scob.*, 39. Nor can they receive a petition but through the House. *9 Grey*, 412.

When a committee is charged with an inquiry, if a member prove to be involved, they cannot proceed

against him, but must make a special report to the House; whereupon the member is heard in his place, or at the bar, or a special authority is given to the committee to inquire concerning him. *9 Grey*, 523.

So soon as the House sits, and a committee is notified of it, the chairman is in duty bound to rise instantly, and the members to attend the service of the House. *2 Nals.*, 319.

It appears that on joint committees of the Lords and Commons, each committee acted integrally in the following instances: *7 Grey*, 261, 278, 285, 338; *1 Chandler*, 357, 462. In the following instances it does not appear whether they did or not; *6 Grey*, 129; *7 Grey*, 213, 229, 321.

SEC. XII.—COMMITTEE OF THE WHOLE.

The speech, messages, and other matters of great concernment, are usually referred to a committee of the Whole House, (*6 Grey*, 311,) where general principles are digested in the form of resolutions, which are debated and amended till they get into a shape which meets the approbation of a majority. These being reported and confirmed by the House, are then referred to one or more select committees, according as the subject divides itself into one or more bills. *Scob.*, 36, 44. Propositions for any charge on the people are especially to be first made in a Committee of the Whole. *3 Hats.*, 127. The sense of the whole is better taken in committee, because in all committees every one speaks as often as he pleases. *Scob.*, 49. They generally acquiesce in the chairman named by the Speaker; but, as well as all other committees, have a right to elect one, some member, by consent, putting the question. *Scob.*, 36; *3 Grey*,

301. The form of going from the House into committee, is for the Speaker, on motion, to put the question that the House do now resolve itself into a Committee of the Whole to take into consideration such a matter, naming it. If determined in the affirmative, he leaves the chair and takes a seat elsewhere, as any other member; and the person appointed chairman seats himself at the Clerk's table. *Scob.*, 36. Their quorum is the same as that of the House; and if a defect happens, the chairman, on a motion and question, rises, the Speaker resumes the chair, and the chairman can make no other report than to inform the House of the cause of their dissolution. If a message is announced during a committee, the Speaker takes the chair and receives it, because the committee cannot. *2 Hats.*, 125, 126.

In a Committee of the Whole, the tellers on a division differing as to numbers, great heats and confusion arose, and danger of a decision by the sword. The Speaker took the chair, the mace was forcibly laid on the table; whereupon, the members retiring to their places, the Speaker told the House "he had taken the chair without an order, to bring the House into order." Some excepted against it; but it was generally approved, as the only expedient to suppress the disorder. And every member was required, standing up in his place, to engage that he would proceed no further in consequence of what had happened in the grand committee, which was done. *3 Grey*, 128.

A Committee of the Whole being broken up in disorder, and the chair resumed by the Speaker without an order, the House was adjourned. The next day the committee was considered as thereby dissolved, and the subject again before the House; and it was decided in the House, without returning

into committee. *3 Grey*, 130.

No previous question can be put in a committee; nor can this committee adjourn as others may; but if their business is unfinished, they rise, on a question, the House is resumed, and the chairman reports that the Committee of the Whole have, according to order, had under their consideration such a matter, and have made progress therein; but not having had time to go through the same, have directed him to ask leave to sit again. Whereupon a question is put on their having leave, and on the time the House will again resolve itself into a committee. *Scob.*, 38. But if they have gone through the matter referred to them, a member moves that the committee may rise, and the chairman report their proceedings to the House; which being resolved, the chairman rises, the Speaker resumes the chair, the chairman informs him that the committee have gone through the business referred to them, and that he is ready to make report when the House shall think proper to receive it. If the House have time to receive it, there is usually a cry of “now, now,” whereupon he makes the report; but if it be late, the cry is “to-morrow, to-morrow,” or “Monday,” &c., or a motion is made to that effect, and a question put that it be received to-morrow, &c. *Scob.*, 38.

In other things the rules of proceeding are to be the same as in the House. *Scob.*, 39.

SEC. XIII.—EXAMINATION OF WITNESSES.

Common fame is a good ground for the House to proceed by inquiry, and even to accusation. *Resolution House of Commons*, *1 Car.* 1, 1625; *Rush*, *L. Parl*, 115; *1 Grey*, 16–22, 92; *8 Grey*, 21, 23, 27, 45.

Witnesses are not to be produced but where the House has previously instituted an inquiry, *2 Hats.*, 102, nor then are orders for their attendance given blank. *3 Grey*, 51.

When any person is examined before a committee, or at the bar of the House, any member wishing to ask the person a question, must address it to the Speaker or chairman, who repeats the question to the person, or says to him, "You hear the question—answer it." But if the propriety of the question be objected to, the Speaker directs the witness, counsel, and parties to withdraw; for no question can be moved or put or debated while they are there. *2 Hats.*, 108. Sometimes the questions are previously settled in writing before the witness enters. *Ib.*, 106, 107; *8 Grey*, 64. The questions asked must be entered in the journals. *3 Grey*, 81. But the testimony given in answer before the House is never written down; but before a committee, it must be, for the information of the House, who are not present to hear it. *7 Grey*, 52, 334.

If either House have occasion for the presence of a person in custody of the other, they ask the other their leave that he may be brought up to them in custody. *3 Hats.*, 52.

A member, in his place, gives information to the House of what he knows of any matter under hearing at the bar. *Jour. H. of C.*, *Jan.* 22, 1744–5.

Either House may request, but not command, the attendance of a member of the other. They are to make the request by message of the other House, and to express clearly the purpose of attendance, that no improper subject of examination may be tendered to him. The House then gives leave to the member to attend, if he choose it; waiting first to know from the

member himself whether he chooses to attend, till which they do not take the message into consideration. But when the peers are sitting as a court of criminal judicature, they may order attendance, unless where it be a case of impeachment by the Commons. There, it is to be a request. *3 Hats.*, 17; *9 Grey*, 306, 406; *10 Grey*, 133.

Counsel are to be heard only on private, not on public bills, and on such points of law only as the House shall direct. *10 Grey*, 61.

SEC. XIV.—ARRANGEMENT OF BUSINESS.

The Speaker is not precisely bound to any rules as to what bills or other matter shall be first taken up; but it is left to his own discretion, unless the House on a question decide to take up a particular subject. *Hakew.*, 136.

A settled order of business is, however, necessary for the government of the presiding person, and to restrain individual members from calling up favorite measures, or matters under their special patronage, out of their just turn. It is useful also for directing the discretion of the House, when they are moved to take up a particular matter, to the prejudice of others, having priority of right to their attention in the general order of business.

[In the Senate, the bills and other papers which are in possession of the House, and in a state to be acted on, are arranged every morning and brought on in the following order:]

[1. Bills ready for a second reading are read, that they may be referred to committees, and so be put under way. But if, on their being read, no motion is made for commitment, they are then laid on the

table in the general file, to be taken up in their just turn.]

[2. After 12 o'clock, bills ready for it are put on their passage.]

[3. Reports in possession of the House, which offer grounds for a bill, are to be taken up, that the bill may be ordered in.]

[4. Bills or other matters before the House, and unfinished on the preceding day, whether taken up in turn or on special order, are entitled to be resumed and passed on through their present stage.]

[5. These matters being dispatched, for preparing and expediting business, the general file of bills and other papers is then taken up, and each article of it is brought on according to its seniority, reckoned by the date of its first introduction to the House. Reports on bills belong to the dates of their bills.]

[The arrangement of the business of the Senate is now as follows:][98]

[1. Motions previously submitted.]

[2. Reports of committees previously made.]

[3. Bills from the House of Representatives, and those introduced on leave, which have been read the first time, are read the second time; and if not referred to a committee, are considered in Committee of the Whole, and proceeded with as in other cases.]

[4. After twelve o'clock, engrossed bills of the Senate, and bills of the House of Representatives, on third reading, are put on their passage.]

[5. If the above are finished before one o'clock, the general file of bills, consisting of those reported from committees on the second reading, and those reported from committees after having been referred,

are taken up in the order in which they were reported to the Senate by the respective committees.]

[6. At one o'clock, if no business be pending, or if no motion be made to proceed to other business, the special orders are called, at the head of which stands the unfinished business of the preceding day.]

[In this way we do not waste our time in debating what shall be taken up. We do one thing at a time; follow up a subject while it is fresh, and till it is done with; clear the House of business gradatim as it is brought on, and prevent, to a certain degree, its immense accumulation toward the close of the session.]

[Arrangement, however, can only take hold of matters in possession of the House. New matter may be moved at any time when no question is before the House. Such are original motions and reports on bills. Such are bills from the other House, which are received at all times, and receive their first reading as soon as the question then before the House is disposed of; and bills brought in on leave, which are read first whenever presented. So messages from the other House respecting amendments to bills are taken up as soon as the House is clear of a question, unless they require to be printed, for better consideration. Orders of the day may be called for even when another question is before the House.]

SEC. XV.—ORDER.

[Each House may determine the rules of its proceedings; punish its members for disorderly behavior; and, with the concurrence of two-thirds, expel a member. *Const.*, I, 5.]

In Parliament, "instances make order," per Speaker

Onslow. *2 Hats.*, 141. But what is done only by one Parliament, cannot be called custom of Parliament, by Prynne. *1 Grey*, 52.

SEC. XVI.—ORDER RESPECTING PAPERS.

The Clerk is to let no journals, records, accounts, or papers be taken from the table or out of his custody. *2 Hats.*, 193, 194.

Mr. Prynne, having at a Committee of the Whole amended a mistake in a bill without order or knowledge of the committee, was reprimanded. *1 Chand.*, 77.

A bill being missing, the House resolved that a protestation should be made and subscribed by the members "before Almighty God, and this honorable House, that neither myself, nor any other to my knowledge, have taken away, or do at this present conceal a bill entitled," &c. *5 Grey*, 202.

After a bill is engrossed, it is put into the Speaker's hands, and he is not to let any one have it to look into. *Town. col.*, 209.

SEC. XVII.—ORDER IN DEBATE.

When the Speaker is seated in his chair, every member is to sit in his place. *Scob.*, 6; *Grey*, 403.

When any member means to speak, he is to stand up in his place, uncovered, and to address himself, not to the House, or any particular member, but to the Speaker, who calls him by his name, that the House may take notice who it is that speaks. *Scob.*, 6; *D'Ewes*, 487, *col.* 1; *2 Hats.*, 77; *4 Grey*, 66; *8 Grey*, 108. But members who are indisposed may be

indulged to speak sitting. *2 Hats.*, 75, 77; *1 Grey*, 143.

[In Senate, every member, when he speaks, shall address the Chair standing in his place, and, when he has finished, shall sit down. *Rule 3.*]

When a member stands up to speak, no question is to be put, but he is to be heard, unless the House overrule him. *4 Grey*, 390; *5 Grey*, 6, 143.

If two or more rise to speak nearly together, the Speaker determines who was first up, and calls him by name, whereupon he proceeds, unless he voluntarily sits down and gives way to the other. But sometimes the House does not acquiesce in the Speaker's decision, in which case the question is put, "which member was first up?" *2 Hats.*, 76; *Scob.*, 7; *D'Ewes*, 434, *col.* 1, 2.

[In the Senate of the United States, the President's decision is without appeal. Their rule is: *When two members rise at the same time, the President shall name the person to speak; but in all* cases the member who shall first rise and address the Chair shall speak first. *Rule 38.*]

No man may speak more than once on the same bill on the same day; or even on another day, if the debate be adjourned. But if it be read more than once in the same day, he may speak once at every reading. *Co.*, 12, 115; *Hakew.*, 148; *Scob.*, 58; *2 Hats.*, 75. Even a change of opinion does not give a right to be heard a second time. *Smyth's Comw., L.* 2, *c.* 3; *Arcan. Parl.*, 17.

[The corresponding rule of the Senate is in these words: No member shall speak more than twice, in any one debate, on the same day, without leave of the Senate. *Rule 39.*]

But he may be permitted to speak again to clear a

matter of fact, *3 Grey*, 357, 416; or merely to explain himself *2 Hats.*, 73, in some material part of his speech, *Ib.*, 75; or to the manner or words of the question, keeping himself to that only, and not traveling into the merits of it, *Memorials in Hakew.*, 29; or to the orders of the House if they be transgressed, keeping within that line, and not falling into the matter itself. *Mem. Hakew.*, 30, 31.

But if the Speaker rise to speak, the member standing up ought to sit down, that he may be first heard. *Town.*, *col.* 205; *Hale Parl.*, 133; *Mem. in Hakew.*, 30, 31. Nevertheless, though the Speaker may of right speak to matters of order, and be first heard, he is restrained from speaking on any other subject, except where the House have occasion for facts within his knowledge; then he may, with their leave, state the matter of fact. *3 Grey*, 38.

No one is to speak impertinently or beside the question, superfluous, or tediously. Scob., 31, 33; *2 Hats.*, 166, 168; *Hale Parl.*, 133.

No person is to use indecent language against the proceedings of the House; no prior determination of which is to be reflected on by any member, unless he means to conclude with a motion to rescind it. *2 Hats.*, 169, 170; *Rushw.*, *p.* 3, *v.* 1, *fol.* 42. But while a proposition under consideration is still *in fieri*, though it has even been reported by a committee, reflections on it are no reflections on the House. *9 Grey*, 508.

No person, in speaking, is to mention a member then present by his name, but to describe him by his seat in the House, or who spoke last, or on the other side of the question, &c., *Mem. in Hakew.*, 3; *Smyth's Comw.*, *L.* 2, *c.* 3; nor to digress from the matter to fall upon the person *Scob.*, 31; *Hale Parl.*, 133; *2*

Hats., 166 by speaking, reviling, nipping, or unmannerly words against a particular member. *Smyth's Comw.*, *L.* 2, *c.* 3. The consequences of a measure may be reprobated in strong terms; but to arraign the motives of those who propose to advocate it is a personality, and against order. *Qui digreditur a materia ad personam*, Mr. Speaker ought to suppress. *Ord. Com., 1604, Apr. 19.*

[When a member shall be called to order by the President or a Senator, he shall sit down; and every question of order shall be decided by the President, without debate, subject to an appeal to the Senate; and the President may call for the sense of the Senate on any question of order. *Rule 40.*]

[No member shall speak to another or otherwise interrupt the business of the Senate, or read any newspapers while the journals or public papers are being read, or when any member is speaking in any debate. *Rule 38.*]

No one is to disturb another in his speech by hissing, coughing, spitting, *6 Grey*, 332; *Scob.*, 8; *D'Ewes*, 332, *col. 1*, 640, *col. 2*, speaking or whispering to another, *Scob.*, 6; *D'Ewes*, 487, *col. 1*; nor stand up to interrupt him, *Town.*, *col. 205*; *Mem. in Hakew.*, 31; nor to pass between the Speaker and the speaking member, nor to go across the House, *Scob.*, 6, to walk up and down it, or to take books or papers from the table or write there, *2 Hats.*, 171.

Nevertheless, if a member finds that it is not the inclination of the House to hear him, and that by conversation or any other noise they endeavor to drown his voice, it is his most prudent way to submit to the pleasure of the House, and sit down; for it scarcely ever happens that they are guilty of this piece of ill-manners without sufficient reason, or

inattentive to a member who says anything worth their hearing. *2 Hats.*, 77, 78.

If repeated calls do not produce order, the Speaker may call by his name any member obstinately persisting in irregularity; whereupon the House may require the member to withdraw. He is then to be heard in exculpation, and to withdraw. Then the Speaker states the offense committed; and the House considers the degree of punishment they will inflict. *2 Hats.*, 167, 7, 8, 172.

For instances of assaults and affrays in the House of Commons, and the proceedings thereon, see *1 Pet. Misc.*, 82; *3 Grey*, 128; *4 Grey*, 328; *5 Grey*, 382; *6 Grey*, 254; *10 Grey*, 8. Whenever warm words or an assault have passed between members, the House, for the protection of their members, requires them to declare in their places not to prosecute any quarrel, *3 Grey*, 128, 293; *5 Grey*, 280; or orders them to attend the Speaker, who is to accommodate their differences, and report to the House, *3 Grey*, 419; and they are put under restraint if they refuse, or until they do. *9 Grey*, 234, 312.

Disorderly works are not to be noticed till the member has finished his speech. *5 Grey*, 356; *6 Grey*, 60. Then the person objecting to them, and desiring them to be taken down by the Clerk at the table, must repeat them. The Speaker then may direct the Clerk to take them down in his minutes; but if he thinks them not disorderly, he delays the direction. If the call becomes pretty general, he orders the Clerk to take them down, as stated by the objecting member. They are then a part of his minutes, and when read to the offending member, he may deny they were his words, and the House must then decide by a question whether they are his words or not. Then the member may justify them, or explain the

sense in which he used them, or apologize. If the House is satisfied, no further proceeding is necessary. But if two members still insist to take the sense of the House, the member must withdraw before that question is stated, and then the sense of the House is to be taken. *2 Hats.*, 199; *4 Grey*, 170; *6 Grey*, 59. When any member has spoken, or other business intervened, after offensive words spoken, they cannot be taken notice of for censure. And this is for the common security of all, and to prevent mistakes which must happen if words are not taken down immediately. Formerly they might be taken down at any time the same day. *2 Hats*, 196; *Mem. in Hakew.*, 71; *3 Grey*, 48; *9 Grey*, 514.

Disorderly words spoken in a committee must be written down as in the House; but the committee can only report them to the House for animadversion. *6 Grey*, 46.

[The rule of the Senate says: If the member be called to order by a Senator for words spoken, the exceptionable words shall immediately be taken down in writing, that the President may be better able to judge of the matter. *Rule 37.*]

In Parliament, to speak irreverently or seditiously against the King, is against order. *Smyth's Comw.*, *L. 2*, *c. 3*; *2 Hats.*, 170.

It is a breach of order in debate to notice what has been said on the same subject in the other House, or the particular votes or majorities on it there; because the opinion of each House should be left to its own independency, not to be influenced by the proceedings of the other; and the quoting them might beget reflections leading to a misunderstanding between the two Houses. *2 Grey*, 22.

Neither House can exercise any authority over a member or officer of the other, but should complain to the House of which he is, and leave the punishment to them. Where the complaint is of words disrespectfully spoken by a member of another House, it is difficult to obtain punishment, because of the rules supposed necessary to be observed (as to the immediate noting down of words) for the security of members. Therefore it is the duty of the House, and more particularly of the Speaker, to interfere immediately, and not to permit expressions to go unnoticed which may give a ground of complaint to the other House, and introduce proceedings and mutual accusations between the two Houses, which can hardly be terminated without difficulty and disorder. *3 Hats.*, 51.

No member may be present when a bill or any business concerning himself is debating; nor is any member to speak to the merits of it till he withdraws. *2 Hats.*, 219. The rule is, that if a charge against a member arise out of a report of a committee, or examination of witnesses in the House, as the member knows from that to what points he is to direct his exculpation, he may be heard to those points before any question is moved or stated against him. He is then to be heard, and withdraw before any question is moved. But if the question itself is the charge, as for breach of order or matter arising in the debate, then the charge must be stated, (that is, the question must be moved,) himself heard, and then to withdraw. *2 Hats.*, 121, 122.

Where the private interests of a member are concerned in a bill or question he is to withdraw. And where such an interest has appeared, his voice has been disallowed, even after a division. In a case so contrary, not only to the laws of decency, but to

the fundamental principle of the social compact, which denies to any man to be a judge in his own cause, it is for the honor of the House that this rule of immemorial observance should be strictly adhered to. *2 Hats.*, 119, 121; *6 Grey*, 368.

No member is to come into the House with his head covered, nor to remove from one place to another with his hat on, nor is he to put on his hat in coming in or removing, until he be set down in his place. *Scob.*, 6.

A question of order may be adjourned to give time to look into precedents. *2 Hats.*, 118.

In Parliament, all decisions of the Speaker may be controlled by the House. *3 Grey*, 319.

SEC. XVIII.—ORDERS OF THE HOUSE.

Of right, the door of the House ought not to be shut, but to be kept by porters, or Sergeants-at-Arms, assigned for that purpose. *Mod. ten. Parl.*, 23.

[By the rules of the Senate, on motion made and seconded to shut the doors of the Senate on the discussion of any business which may, in the opinion of a member, require secrecy, the President shall direct the gallery to be cleared; and during the discussion of such motion the doors shall remain shut. *Rule 64.*]

[No motion shall be deemed in order to admit any person or persons whatsoever within the doors of the Senate chamber to present any petition, memorial, or address, or to hear any such read. *Rule 19.*]

The only case where a member has a right to insist on anything, is where he calls for the execution of a subsisting order of the House. Here, there having

been already a resolution, any person has a right to insist that the Speaker, or any other whose duty it is, shall carry it into execution; and no debate or delay can be had on it. Thus any member has a right to have the House or gallery cleared of strangers, an order existing for that purpose; or to have the House told when there is not a quorum present. *2 Hats.*, 87, 129. How far an order of the House is binding, see *Hakew.*, 392.

But where an order is made that any particular matter be taken up on a particular day, there a question is to be put, when it is called for, whether the House will now proceed to that matter? Where orders of the day are on important or interesting matter, they ought not to be proceeded on till an hour at which the House is usually full, [*which in Senate is at noon.*]

Orders of the day may be discharged at any time, and a new one made for a different day. *3 Grey*, 48, 313.

When a session is drawing to a close, and the important bills are all brought in, the House, in order to prevent interruption by further unimportant bills, sometimes comes to a resolution that no new bill be brought in, except it be sent from the other House. *3 Grey*, 156.

All orders of the House determine with the session; and one taken under such an order may, after the session is ended, be discharged on a *habeas corpus*. *Raym.*, 120; *Jacob's L. D. by Ruffhead*; *Parliament*, *1 Lev.*, 165, *Pritchard's case*.

[Where the Constitution authorizes each House to determine the rules of its proceedings, it must mean in those cases (legislative, executive, or judiciary) submitted to them by the Constitution, or in

something relating to these, and necessary toward their execution. But orders and resolutions are sometimes entered in the journals having no relation to these, such as acceptances of invitations to attend orations, take part in processions, &c. These must be understood to be merely conventional among those who are willing to participate in the ceremony, and are therefore, perhaps, improperly placed among the records of the House.]

SEC. XIX.—PETITION.

A petition prays something. A remonstrance has no prayer. *1 Grey*, 58.

Petitions must be subscribed by the petitioners, *Scob.*, 87; *L. Parl*, *c. 22*; *9 Grey*, 362, unless they are attending, *1 Grey*, 401, or unable to sign, and averred by a member, *3 Grey*, 418. But a petition not subscribed, but which the member presenting it affirmed to be all in the handwriting of the petitioner, and his name written in the beginning, was on the question (March 14, 1800) received by the Senate. The averment of a member, or of somebody without doors, that they know the handwriting of the petitioners, is necessary, if it be questioned. *6 Grey*, 36. It must be presented by a member—not by the petitioners, and must be opened by him holding it in his hand. *10 Grey*, 57.

[Before any petition or memorial addressed to the Senate shall be received and read at the table, whether the same shall be introduced by the President or a member, a brief statement of the contents of the petition or memorial shall verbally be made by the introducer. *Rule 14.*]

Regularly a motion for receiving it must be made

and seconded, and a question put, whether it shall be received? but a cry from the House of "received," or even its silence, dispenses with the formality of this question. It is then to be read at the table and disposed of.

SEC. XX.—MOTIONS.

When a motion has been made, it is not to be put to the question or debated until it is seconded. *Scob.*, 21.

[The Senate says: No motion shall be debated until the same shall be seconded. *Rule 42.*]

It is then, and not till then, in possession of the House, and cannot be withdrawn but by leave of the House. It is to be put into writing, if the House or Speaker require it, and must be read to the House by the Speaker as often as any member desires it for his information. *2 Hats.*, 82.

[The rule of the Senate is, when a motion shall be made and seconded, it shall be reduced to writing, if desired by the President or any member, delivered in at the table, and read by the President, before the same shall be debated. *Rule 42.*]

It might be asked whether a motion for adjournment or for the orders of the day can be made by one member while another is speaking? It cannot. When two members offer to speak, he who rose first is to be heard, and it is a breach of order in another to interrupt him, unless by calling him to order if he departs from it. And the question of order being decided, he is still to be heard through. A call for adjournment, or for the order of the day, or for the question, by gentlemen from their seats, is not a motion. No motion can be made without rising and

addressing the Chair. Such calls are themselves breaches of order, which, though the member who has risen may respect, as an expression of impatience of the House against further debate, yet, if he chooses, he has a right to go on.

SEC. XXI.—RESOLUTIONS.

When the House commands, it is by an "order." But fact, principles, and their own opinions and purposes, are expressed in the form of resolutions.

[A resolution for an allowance of money to the clerks being moved, it was objected to as not in order, and so ruled by the Chair; but on appeal to the Senate, (*i. e.*, a call for their sense by the President, on account of doubt in his mind, according to Rule 6,) the decision was overruled. *Jour. Senate, June 1, 1796*. I presume the doubt was, whether an allowance of money could be made otherwise than by bill.]

SEC. XXII.—BILLS.

[Every bill shall receive three readings previous to its being passed; and the President shall give notice at each whether it be first, second, or third; which readings shall be on three different days, unless the Senate unanimously direct otherwise. *Rule 23.*]

SEC. XXIII.—BILLS, LEAVE TO BRING IN.

[One day's notice, at least, shall be given of an intended motion for leave to bring in a bill. *Rule 22.*]

When a member desires to bring in a bill on any subject, he states to the House in general terms the causes for doing it, and concludes by moving for leave to bring in a bill, entitled, &c. Leave being given, on the question, a committee is appointed to prepare and bring in the bill. The mover and seconder are always appointed of this committee, and one or more in addition. *Hakew.*, 132; *Scob.*, 40.

It is to be presented fairly written, without any erasure or interlineation, or the Speaker may refuse it. *Scob.*, 41; *1 Grey*, 82, 84.

SEC. XXIV.—BILLS, FIRST READING.

When a bill is first presented, the Clerk reads it at the table, and hands it to the Speaker, who, rising, states to the House the title of the bill; that this is the first time of reading it; and the question will be, whether it shall be read a second time? then sitting down to give an opening for objections. If none be made, he rises again, and puts the question, whether it shall be read a second time? *Hakew*, 137, 141. A bill cannot be amended on the first reading, *6 Grey*, 286; nor is it usual for it to be opposed then, but it may be done, and rejected. *D'Ewes*, 335, *col. 1*; *3 Hats.*, 198.

SEC. XXV.—BILLS, SECOND READING.

The second reading must regularly be on another day. *Hakew.*, 143. It is done by the Clerk at the table, who then hands it to the Speaker. The Speaker, rising, states to the House the title of the bill; that this is the second time of reading it; and that the

question will be, whether it shall be committed, or engrossed and read a third time? But if the bill came from the other House, as it always comes engrossed, he states that the question will be read a third time? and before he has so reported the state of the bill, no one is to speak to it. *Hakew.*, 143–146.

[In the Senate of the United States, the President reports the title of the bill; that this is the second time of reading it; that it is now to be considered as in a Committee of the Whole; and the question will be, whether it shall be read a third time? or that it may be referred to a special committee?]

SEC. XXVI.—BILLS, COMMITMENT.

If on motion and question it be decided that the bill shall be committed, it may then be moved to be referred to Committee of the Whole House, or to a special committee. If the latter, the Speaker proceeds to name the committee. Any member also may name a single person, and the Clerk is to write him down as of the committee. But the House have a controlling power over the names and number, if a question be moved against any one; and may in any case put in and put out whom they please.

Those who take exceptions to some particulars in the bill are to be of the committee, but none who speak directly against the body of the bill; for he that would totally destroy will not amend it, *Hakew.*, 146; *Town.*, *col. 208*; *D'Ewes*, 634, *col. 2*; *Scob.*, 47, or, as is said, *5 Grey*, 145, the child is not to be put to a nurse that cares not for it, *6 Grey*, 373. It is therefore a constant rule "that no man is to be employed in any matter who has declared himself against it." And when any member who is against the bill hears

himself named of its committee, he ought to ask to be excused. Thus, March 7, 1606, Mr. Hadley was, on the question being put, excused from being of a committee, declaring himself to be against the matter itself. *Scob.*, 46.

[No bill shall be committed or amended until it shall have been twice read; after which it may be referred to a committee. *Rule 24.*]

In the appointment of the standing committees, the Senate will proceed, by ballot, severally to appoint the chairman of each committee, and then, by one ballot, the other members necessary to complete the same; and a majority of the whole number of votes given shall be necessary to the choice of a chairman of a standing committee. All other committees shall be appointed by ballot, and a plurality of votes shall make a choice. When any subject or matter shall have been referred to a committee, any other subject or matter of a similar nature, may, on motion, be referred to such committee.

The Clerk may deliver the bill to any member of the committee, *Town.*, *col. 138*; but it is usual to deliver it to him who is first named.

In some cases the House has ordered a committee to withdraw immediately into the committee chamber, and act on and bring back the bill, sitting the House, *Scob.*, 48. A committee meet when and where they please, if the House has not ordered time and place for them, *6 Grey*, 370; but they can only act when together, and not by separate consultation and consent—nothing being the report of the committee but what has been agreed to in committee actually assembled.

A majority of the committee constitutes a quorum

for business. *Elsynge's Method of Passing Bills*, 11.

Any member of the House may be present at any select committee, but cannot vote, and must give place to all of the committee, and sit below them. *Elsynge*, 12; *Scob.*, 49.

The committee have full power over the bill or other paper committed to them, except that they cannot change the title or subject. *8 Grey*, 228.

The paper before a committee, whether select or of the whole, may be a bill, resolutions, draught of an address, &c., and it may either originate with them or be referred to them. In every case the whole paper is read first by the Clerk, and then by the chairman, by paragraphs, *Scob.*, 49, pausing at the end of each paragraph, and putting questions for amending, if proposed. In case of resolutions on distinct subjects, originating with themselves, a question is put on each separately, as amended or unamended, and no final question on the whole, *3 Hats.*, 276; but if they relate to the same subject, a question is put on the whole. If it be a bill, draught of an address, or other paper originating with them, they proceed by paragraphs, putting questions for amending, either by insertion or striking out, if proposed; but no question on agreeing to the paragraphs separately; this is reserved to the close, when a question is put on the whole, for agreeing to it as amended or unamended. But if it be a paper referred to them, they proceed to put questions of amendment, if proposed, but no final question on the whole; because all parts of the paper, having been adopted by the House, stand, of course, unless altered or struck out by a vote. Even if they are opposed to the whole paper, and think it cannot be made good by amendments, they cannot reject it, but must report it back to the House without amendments, and there

make their opposition.

The natural order in considering and amending any paper is, to begin at the beginning, and proceed through it by paragraphs; and this order is so strictly adhered to in Parliament, that when a latter part has been amended, you cannot recur back and make any alteration in a former part. *2 Hats.*, 90. In numerous assemblies this restraint is doubtless important. [But in the Senate of the United States, though in the main we consider and amend the paragraphs in their natural order, yet recurrences are indulged; and they seem, on the whole, in that small body, to produce advantages overweighing their inconveniences.]

To this natural order of beginning at the beginning, there is a single exception found in parliamentary usage. When a bill is taken up in committee, or on its second reading, they postpone the preamble till the other parts of the bill are gone through. The reason is, that on consideration of the body of the bill such alterations may therein be made as may also occasion the alteration of the preamble. *Scob.*, 50; *7 Grey*, 431.

On this head the following case occurred in the Senate, March 6, 1800: A resolution which had no preamble having been already amended by the House so that a few words only of the original remained in it, a motion was made to prefix a preamble, which having an aspect very different from the resolution, the mover intimated that he should afterwards propose a correspondent amendment in the body of the resolution. It was objected that a preamble could not be taken up till the body of the resolution is done with; but the preamble was received, because we are in fact through the body of the resolution; we have amended that as far as amendments have been

offered, and, indeed, till little of the original is left. It is the proper time, therefore, to consider a preamble; and whether the one offered be consistent with the resolution is for the House to determine. The mover, indeed, has intimated that he shall offer a subsequent proposition for the body of the resolution; but the House is not in possession of it; it remains in his breast, and may be withheld. The rules of the House can only operate on what is before them. [The practice of the Senate, too, allows recurrences backward and forward for the purposes of amendment, not permitting amendments in a subsequent, to preclude those in a prior part, or *e converso*.]

When the committee is through the whole, a member moves that the committee may rise, and the chairman report the paper to the House, with or without amendments, as the case may be. *2 Hats.*, 289, 292; *Scob.*, 53; *2 Hats.*, 290; *8 Scob.*, 50.

When a vote is once passed in a committee, it cannot be altered but by the House, their votes being binding on themselves. 1607, *June 4*.

The committee may not erase, interline, or blot the bill itself; but must, in a paper by itself, set down the amendments, stating the words which are to be inserted or omitted, *Scob.*, 50, and where, by references to page, line, and word of the bill. *Scob.*, 50.

SEC. XXVII.—REPORT OF COMMITTEE.

The chairman of the committee, standing in his place, informs the House that the committee to whom was referred such a bill, have, according to order, had the same under consideration, and have

directed him to report the same without any amendment, or with sundry amendments (as the case may be), which he is ready to do when the House pleases to receive it. And he or any other may move that it be now received; but the cry of "now, now," from the House, generally dispenses with the formality of a motion and question. He then reads the amendments, with the coherence in the bill, and opens the alterations and the reasons of the committee for such amendments, until he has gone through the whole. He then delivers it at the Clerk's table, where the amendments reported are read by the Clerk without the coherence; whereupon the papers lie upon the table till the House, at its convenience, shall take up the report. *Scob.*, 52; *Hakew.*, 148.

The report being made, the committee is dissolved, and can act no more without a new power. *Scob.*, 51. But it may be revived by a vote, and the same matter recommitted to them. *4 Grey*, 361.

SEC. XXVIII.—BILL, RECOMMITMENT.

After a bill has been committed and reported, it ought not, in an ordinary course, to be recommitted; but in cases of importance, and for special reasons, it is sometimes recommitted, and usually to the same committee. *Hakew.*, 151. If a report be recommitted before agreed to in the House, what has passed in committee is of no validity; the whole question is again before the committee, and a new resolution must be again moved, as if nothing had passed. *3 Hats.*, 131—*note*.

In Senate, January, 1800, the salvage bill was recommitted three times after the commitment.

A particular clause of a bill may be committed without the whole bill, *3 Hats.*, 131; or so much of a paper to one and so much to another committee.

SEC. XXIX.—BILL, REPORTS TAKEN UP.

When the report of a paper originating with a committee is taken up by the House, they proceed exactly as in committee. Here, as in committee, when the paragraphs have, on distinct questions, been agreed to *seriatim*, *5 Grey*, 366; *6 Grey*, 368; *8 Grey*, 47, 104, 360; *1 Torbuck's Deb.*, 125; *3 Hats.*, 348, no question needs be put on the whole report. *5 Grey*, 381.

On taking up a bill reported with amendments, the amendments only are read by the Clerk. The Speaker then reads the first, and puts it to the question, and so on till the whole are adopted or rejected, before any other amendment be admitted, except it be an amendment to an amendment. *Elsynge's Mem.*, 53. When through the amendments of the committee, the Speaker pauses, and gives time for amendments to be proposed in the House to the body of the bill; as he does also if it has been reported without amendments: putting no questions but on amendments proposed; and when through the whole, he puts the question whether the bill shall be read a third time?

SEC. XXX.—QUASI-COMMITTEE.

If on motion and question the bill be not committed, or if no proposition for commitment be made, then the proceedings in the Senate of the United States and in Parliament are totally different. The former shall be first stated.

[The 25th rule of the Senate says: “All bills on a second reading shall first be considered by the Senate in the same manner as if the Senate were in Committee of the Whole before they shall be taken up and proceeded on by the Senate agreeably to the standing rules, unless otherwise ordered;” (that is to say, unless ordered to be referred to a special committee.) And when the Senate shall consider a treaty, bill, or resolution, as in Committee of the Whole, the Vice-President or President *pro tempore* may call a member to fill the chair during the time the Senate shall remain in Committee of the Whole; and the chairman (so called) shall, during such time, have the powers of a President *pro tempore*.]

[The proceeding of the Senate as in a Committee of the Whole, or in quasi-committee, is precisely as in a real Committee of the Whole, taking no questions but on amendments. When through the whole, they consider the quasi-committee as risen, the House resumed without any motion, question, or resolution to that effect, and the President reports that “the House, acting as in a Committee of the Whole, have had under their consideration the bill entitled, &c., and have made sundry amendments, which he will now report to the House.” The bill is then before them, as it would have been if reported from a committee, and questions are regularly to be put again on every amendment; which being gone through, the President pauses to give time to the House to propose amendments to the body of the bill, and, when through, puts the question whether it shall be read a third time?]

[After progress in amending the bill in quasi-committee, a motion may be made to refer it to a special committee. If the motion prevails, it is equivalent in effect to the several votes, that the

committee rise, the House resume itself, discharge the Committee of the Whole, and refer the bill to a special committee. In that case, the amendments already made fall. But if the motion fails, the quasi-committee stands *in statu quo*.]

[How far does this 25th rule subject the House, when in quasi-committee, to the laws which regulate the proceedings of Committees of the Whole?] The particulars in which these differ from proceedings in the House are the following: 1. In a committee every member may speak as often as he pleases. 2. The votes of a committee may be rejected or altered when reported to the House. 3. A committee, even of the whole, cannot refer any matter to another committee. 4. In a committee no previous question can be taken: the only means to avoid an improper discussion is to move that the committee rise; and if it be apprehended that the same discussion will be attempted on returning into committee, the House can discharge them, and proceed itself on the business, keeping down the improper discussion by the previous question. 5. A committee cannot punish a breach of order in the House or in the gallery. *9 Grey*, 113. It can only rise and report it to the House, who may proceed to punish. [The first and second of these peculiarities attach to the quasi-committee of the Senate, as every day's practice proves, and it seems to be the only ones to which the 25th rule meant to subject them; for it continues to be a House, and therefore, though it acts in some respects as a committee, in others it preserves its character as a House. Thus (3) it is in the daily habit of referring its business to a special committee. 4. It admits of the previous question. If it did not, it would have no means of preventing an improper discussion: not being able, as a committee is, to avoid it by returning

into the House, for the moment it would resume the same subject there, the 25th rule declares it again a quasi-committee. 5. It would doubtless exercise its powers as a House on any breach of order. 6. It takes a question by yea and nay, as the House does. 7. It receives messages from the President and the other House. 8. In the midst of a debate it receives a motion to adjourn, and adjourns as a House, not as a committee.]

SEC. XXXI.—BILL, SECOND READING IN THE HOUSE.

In Parliament, after the bill has been read a second time, if on the motion and question it be not committed, or if no proposition for commitment be made, the Speaker reads it by paragraphs, pausing between each, but putting no question but on amendments proposed; and when through the whole, he puts the question whether it shall be read a third time? if it came from the other House; or, if originating with themselves, whether it shall be engrossed and read a third time? The Speaker reads sitting, but rises to put questions. The Clerk stands while he reads.

[[99]But the Senate of the United States is so much in the habit of making many and material amendments at the third reading, that it has become the practice not to engross a bill till it has passed—an irregular and dangerous practice; because in this way the paper which passes the Senate is not that which goes to the other House, and that which goes to the other House as the act of the Senate, has never been seen in Senate. In reducing numerous, difficult, and illegible amendments into the text, the Secretary

may, with the most innocent intentions, commit errors which can never again be corrected.]

The bill being now as perfect as its friends can make it, this is the proper stage for those fundamentally opposed to make their first attack. All attempts at earlier periods are with disjointed efforts, because many who do not expect to be in favor of the bill ultimately, are willing to let it go on to its perfect state, to take time to examine it themselves and to hear what can be said for it, knowing that after all they will have sufficient opportunities of giving it their veto. Its two last stages, therefore, are reserved for this—that is to say, on the question whether it shall be engrossed and read a third time? and, lastly, whether it shall pass? The first of these is usually the most interesting contest; because then the whole subject is new and engaging, and the minds of the members having not yet been declared by any trying vote the issue is the more doubtful. In this stage, therefore, is the main trial of strength between its friends and opponents, and it behooves every one to make up his mind decisively for this question, or he loses the main battle; and accident and management may, and often do, prevent a successful rallying on the next and last question, whether it shall pass?

When the bill is engrossed, the title is to be indorsed on the back, and not within the bill.—*Hakew.*, 250.

SEC. XXXII.—READING PAPERS.

Where papers are laid before the House or referred to a committee, every member has a right to have them once read at the table before he can be

compelled to vote on them; but it is a great though common error to suppose that he has a right, *toties quoties*, to have acts, journals, accounts, or papers on the table, read independently of the will of the House. The delay and interruption which this might be made to produce evince the impossibility of the existence of such a right. There is, indeed, so manifest a propriety of permitting every member to have as much information as possible on every question on which he is to vote, that when he desires the reading, if it be seen that it is really for information and not for delay, the Speaker directs it to be read without putting a question, if no one objects; but if objected to, a question must be put.—*2 Hats.*, 117, 118.

It is equally an error to suppose that any member has a right, without a question put, to lay a book or paper on the table, and have it read, on suggesting that it contains matter infringing on the privileges of the House.—*Ib.*

For the same reason, a member has not a right to read a paper in his place, if it be objected to, without leave of the House. But this rigor is never exercised but where there is an intentional or gross abuse of the time and patience of the House.

A member has not a right even to read his own speech, committed to writing, without leave. This also is to prevent an abuse of time, and therefore is not refused but where that is intended.—*2 Grey*, 227.

A report of a committee of the Senate on a bill from the House of Representatives being under consideration: on motion that the report of the committee of the House of Representatives on the same bill be read in the Senate, it passed in the negative.—*Feb. 28, 1793.*

Formerly, when papers were referred to a committee, they used to be first read; but of late only the titles, unless a member insists they shall be read, and then nobody can oppose it.—*2 Hats.*, 117.

SEC. XXXIII.—PRIVILEGED QUESTIONS.

[[100] While a question is before the Senate, no motion shall be received, unless for an amendment, for the previous question, or for postponing the main question, or to commit it, or to adjourn.—*Rule 8.*]

It is no possession of a bill unless it be delivered to the Clerk to read, or the Speaker reads the title.—*Lex. Parl.*, 274; *Elsynge Mem.*, 85; *Ord. House of Commons*, 64.

It is a general rule that the question first moved and seconded shall be first put. *Scob.*, 28, 22; *2 Hats.*, 81. But this rule gives way to what may be called privileged questions; and the privileged questions are of different grades among themselves.

A motion to adjourn simply takes place of all others; for otherwise the House might be kept sitting against its will, and indefinitely. Yet this motion cannot be received after another question is actually put, and while the House is engaged in voting.

Orders of the day take place of all other questions, except for adjournment—that is to say, the question which is the subject of an order is made a privileged one, *pro hac vice*. The order is a repeal of the general rule as to this special case. When any member moves, therefore, for the order of the day to be read, no further debate is permitted on the question which was before the House; for if the debate might proceed, it might continue through the day and

defeat the order. This motion, to entitle it to precedence, must be for the orders generally, and not for any particular one; and if it be carried on the question "Whether the House will now proceed to the orders of the day?" they must be read and proceeded on in the course in which they stand, *2 Hats.*, 83; for priority of order gives priority of right, which cannot be taken away but by another special order.

After these there are other privileged questions, which will require considerable explanation.

It is proper that every parliamentary assembly should have certain forms of questions, so adapted as to enable them fitly to dispose of every proposition which can be made to them. Such are, 1. The previous question. 2. To postpone indefinitely. 3. To adjourn a question to a definite day, 4. To lie on the table. 5. To commit. 6. To amend. The proper occasion for each of these questions should be understood.

1. When a proposition is moved which it is useless or inexpedient now to express or discuss, the previous question has been introduced for suppressing for that time the motion and its discussion. *3 Hats.*, 188, 189.

2. But as the previous question gets rid of it only for that day, and the same proposition may recur the next day, if they wish to suppress it for the whole of that session, they postpone it indefinitely. *3 Hats.*, 183. This quashes the proposition for that session, as an indefinite adjournment is a dissolution, or the continuance of a suit *sine die* is a discontinuance of it.

3. When a motion is made which it will be proper to act on, but information is wanted, or something

more pressing claims the present time, the question or debate is adjourned to such day within the session as will answer the views of the House. *2 Hats.*, 81. And those who have spoken before may not speak again when the adjourned debate is resumed. *2 Hats.*, 73. Sometimes, however, this has been abusively used by adjourning it to a day beyond the session, to get rid of it altogether, as would be done by an indefinite postponement.

4. When the House has something else which claims its present attention, but would be willing to reserve in their power to take up a proposition whenever it shall suit them, they order it to lie on their table. It may then be called for at any time.

5. If the proposition will want more amendment and digestion than the formalities of the House will conveniently admit, they refer it to a committee.

6. But if the proposition be well digested, and may need but few and simple amendments, and especially if these be of leading consequence, they then proceed to consider and amend it themselves.

The Senate, in their practice, vary from this regular gradation of forms. Their practice comparatively with that of Parliament stands thus:

FOR THE PARLIAMENTARY:	THE SENATE USES:
Postponement indefinite,	Postponement to a day beyond the session.
Adjournment,	Postponement to a day within the session.
Lying on the table.	Postponement indefinite.

Lying on the table.

In their eighth rule, therefore, which declares that while a question is before the Senate no motion shall be received, unless it be for the previous question, or to postpone, commit, or amend the main question, the term postponement must be understood according to their broad use of it, and not in its parliamentary sense. Their rule, then establishes as privileged questions, the previous question, postponement, commitment, and amendment.

But it may be asked: Have these questions any privilege among themselves? or are they so equal that the common principle of the "first moved first put" takes place among them? This will need explanation. Their competitions may be as follows:

1. Previous question and postpone commit amend 2. Postpone and previous question commit amend 3. Commit and previous question postpone amend 4. Amend and previous question postpone commit	In the first, second, and the third classes, and the first member of the fourth class, the rule "first moved first put" takes place.

In the first class, where the previous question is first moved, the effect is peculiar; for it not only prevents the after motion to postpone or commit

from being put to question before it, but also from being put after it; for if the previous question be decided affirmatively, to wit, that the main question shall *now* be put, it would of course be against the decision to postpone, or commit; and if it be decided negatively, to wit, that the main question shall not now be put, this puts the House out of possession of the main question, and consequently there is nothing before them to postpone or commit. So that neither voting for nor against the previous question will enable the advocates for postponing or committing to get at their object. Whether it may be amended shall be examined hereafter.

Second class. If postponement be decided affirmatively, the proposition is removed from before the House, and consequently there is no ground for the previous question, commitment, or amendment; but if decided negatively, (that it shall not be postponed,) the main question may then be suppressed by the previous question, or may be committed, or amended.

The third class is subject to the same observations as the second.

The fourth class. Amendment of the main question first moved, and afterwards the previous question, the question of amendment shall be first put.

Amendment and postponement competing, postponement is first put, as the equivalent proposition to adjourn the main question would be in Parliament. The reason is that the question for amendment is not suppressed by postponing or adjourning the main question, but remains before the House whenever the main question is resumed; and it might be that the occasion for other urgent business might go by, and be lost by length of debate

on the amendment, if the House had it not in their power to postpone the whole subject.

Amendment and commitment. The question for committing, though last moved shall be first put; because, in truth, it facilitates and befriends the motion to amend. *Scobell* is express: "On motion to amend a bill, any one may notwithstanding move to commit it, and the question for commitment shall be first put." *Scob.*, 46.

We have hitherto considered the case of two or more of the privileged questions contending for privilege between themselves, when both are moved on the original or main question; but now let us suppose one of them to be moved, not on the original primary question, but on the secondary one, *e. g.*:

Suppose a motion to postpone, commit, or amend the main question, and that it be moved to suppress that motion by putting a previous question on it. This is not allowed: because it would embarrass questions too much to allow them to be piled on one another several stories high; and the same result may be had in a more simple way—by deciding against the postponement, commitment, or amendment. *2 Hats.*, 81, 2, 3, 4.

Suppose a motion for the previous question, or commitment or amendment of the main question, and that it be then moved to postpone the motion for the previous question, or for commitment or amendment of the main question. 1. It would be absurd to postpone the previous question, commitment, or amendment, alone, and thus separate the appendage from its principal; yet it must be postponed separately from its original, if at all; because the eighth rule of Senate says that when a main question is before the House no motion shall be

received but to commit, amend, or pre-question the original question, which is the parliamentary doctrine also. Therefore the motion to postpone the secondary motion for the previous question, or for committing or amending, cannot be received. 2. This is a piling of questions one on another; which, to avoid embarrassment, is not allowed. 3. The same result may be had more simply by voting against the previous question, commitment, or amendment.

Suppose a commitment moved of a motion for the previous question, or to postpone or amend. The first, second, and third reasons, before stated, all hold good against this.

Suppose an amendment moved to a motion for the previous question. Answer: The previous question cannot be amended. Parliamentary usage, as well as the ninth rule of the Senate, has fixed its form to be, "Shall the main question be now put?"—*i. e.*, at this instant; and as the present instant is but one, it can admit of no modification. To change it to to-morrow, or any other moment, is without example and without utility. But suppose a motion to amend a motion for postponement, as to one day instead of another, or to a special instead of an indefinite time. The useful character of amendment gives it a privilege of attaching itself to a secondary and privileged motion: that is, we may amend a postponement of a main question. So, we may amend a commitment of a main question, as by adding, for example, "with instructions to inquire," &c. In like manner, if an amendment be moved to an amendment, it is admitted; but it would not be admitted in another degree, to wit, to amend an amendment to an amendment of a main question. This would lead to too much embarrassment. The line must be drawn somewhere, and usage has drawn

it after the amendment to the amendment. The same result must be sought by deciding against the amendment to the amendment, and then moving it again as it was wished to be amended. In this form it becomes only an amendment to an amendment.

[When motions are made for reference of the same subject to a select committee and to a standing committee, the question on reference to the standing committee shall be first put. *Rule 48.*]

[In filling a blank with a sum, the largest sum shall be first put to the question, by the thirteenth rule of the Senate,[101]] contrary to the rule of Parliament, which privileges the smallest sum and longest time. [*5 Grey*, 179; *2 Hats.*, 8, 83; *3 Hats.*, 132, 133.] And this is considered to be not in the form of an amendment to the question, but as alternative or successive originals. In all cases of time or number, we must consider whether the larger comprehends the lesser, as in a question to what day a postponement shall be, the number of a committee, amount of a fine, term of an imprisonment, term of irredeemability of a loan, or the terminus in quem in any other case; then the question must begin a maximo. Or whether the lesser includes the greater, as in questions on the limitation of the rate of interest, on what day the session shall be closed by adjournment, on what day the next shall commence, when an act shall commence, or the terminus a quo in any other case where the question must begin a minimo; the object being not to begin at that extreme which, and more, being within every man's wish, no one could negative it, and yet, if he should vote in the affirmative, every question for more would be precluded; but at that extreme which would unite few, and then to advance or recede till you get to a number which will unite a bare

majority. *3 Grey*, 376, 384, 385. “The fair question in this case is not that to which, and more, all will agree, but whether there shall be addition to the question.” *1 Grey*, 365.

Another exception to the rule of priority is when a motion has been made to strike out, or agree to, a paragraph. Motions to amend it are to be put to the question before a vote is taken on striking out or agreeing to the whole paragraph.

But there are several questions which, being incidental to every one, will take place of every one, privileged or not; to wit, a question of order arising out of any other question must be decided before that question. *2 Hats.*, 88.

A matter of privilege arising out of any question, or from a quarrel between two members, or any other cause, supersedes the consideration of the original question, and must be first disposed of. *2 Hats.*, 88.

Reading papers relative to the question before the House. This question must be put before the principal one. *2 Hats.*, 88.

Leave asked to withdraw a motion. The rule of Parliament being that a motion made and seconded is in the possession of the House, and cannot be withdrawn without leave, the very terms of the rule imply that leave may be given, and, consequently, may be asked and put to the question.

SEC. XXXIV.—THE PREVIOUS QUESTION.

When any question is before the House, any member may move a previous question, “Whether that question (called the main question) shall now be

put?" If it pass in the affirmative, then the main question is to be put immediately, and no man may speak anything further to it, either to add or alter. *Memor. in Hakew.*, 28; *4 Grey*, 27.

The previous question being moved and seconded, the question from the Chair shall be, "Shall the main question be now put?" and if the nays prevail, the main question shall not then be put.

This kind of question is understood by Mr. Hatsell to have been introduced in 1604. *2 Hats.*, 80. Sir Henry Vane introduced it. *2 Grey*, 113, 114; *3 Grey*, 384. When the question was put in this form, "Shall the main question be put?" a determination in the negative suppressed the main question during the session; but since the words "now put" are used, they exclude it for the present only; formerly, indeed, only till the present debate was over, *4 Grey*, 43, but now for that day and no longer. *2 Grey*, 113, 114.

Before the question "Whether the main question shall now be put?" any person might formerly have spoken to the main question, because otherwise he would be precluded from speaking to it at all. *Mem. in Hakew.*, 28.

The proper occasion for the previous question is when a subject is brought forward of a delicate nature as to high personages, &c., or the discussion of which may call forth observations which might be of injurious consequences. Then the previous question is proposed; and in the modern usage, the discussion of the main question is suspended, and the debate confined to the previous question. The use of it has been extended abusively to other cases; but in these it has been an embarrassing procedure; its uses would be as well answered by other more simple parliamentary forms, and therefore it should not be

favored, but restricted within as narrow limits as possible.

Whether a main question may be amended after the previous question on it has been moved and seconded? *2 Hats.*, 88, says, if the previous question has been moved and seconded, and also proposed from the Chair, (by which he means stated by the Speaker for debate,) it has been doubted whether an amendment can be admitted to the main question. He thinks it may, after the previous question moved and seconded; but not after it has been proposed from the Chair. In this case, he thinks the friends to the amendment must vote that the main question be not now put; and then move their amended question, which being made new by the amendment, is no longer the same which has been just suppressed, and therefore may be proposed as a new one. But this proceeding certainly endangers the main question, by dividing its friends, some of whom may chose it unamended, rather than lose it altogether; while others of them may vote, as Hatsell advises, that the main question be not now put, with a view to move it again in an amended form. The enemies of the main question, by this maneuver to the previous question, get the enemies to the amendment added to them on the first vote, and throw the friends of the main question under the embarrassment of rallying again as they can. To support this opinion, too, he makes the deciding circumstance, whether an amendment may or may not be made, to be, that the previous question has been proposed from the Chair. But, as the rule is that the House is in possession of a question as soon as it is moved and seconded, it cannot be more than possessed of it by its being also proposed from the Chair. It may be said, indeed, that the object of the previous question being to get rid of

a question, which it is not expedient should be discussed, this object may be defeated by moving to amend; and in the discussion of that motion, involving the subject of the main question. But so may the object of the previous question be defeated, by moving the amended question, as Mr. Hatsell proposes, after the decision against putting the original question. He acknowledges, too, that the practice has been to admit previous amendments, and only cites a few late instances to the contrary. On the whole, I should think it best to decide it ab inconvenienti, to wit: Which is most inconvenient, to put it in the power of one side of the House to defeat a proposition by hastily moving the previous question, and thus forcing the main question to be put unamended; or to put it in the power of the other side to force on, incidentally at least, a discussion which would be better avoided? Perhaps the last is the least inconvenience; inasmuch as the Speaker, by confining the discussion rigorously to the amendment only, may prevent their going into the main question; and inasmuch also as so great a proportion of the cases in which the previous question is called for, are fair and proper subjects of public discussion, and ought not to be obstructed by a formality introduced for questions of a peculiar character.

SEC. XXXV.—AMENDMENTS.

On an amendment being moved, a member who has spoken to the main question may speak again to the amendment. *Scob.*, 23.

If an amendment be proposed inconsistent with one already agreed to, it is a fit ground for its

rejection by the House, but not within the competence of the Speaker to suppress as if it were against order. For were he permitted to draw questions of consistence within the vortex of order, he might usurp a negative on important modifications, and suppress, instead of subserving, the legislative will.

Amendments may be made so as totally to alter the nature of the proposition; and it is a way of getting rid of a proposition, by making it bear a sense different from what it was intended by the movers, so that they vote against it themselves. *2 Hats.*, 79; 4, 82, 84. A new bill may be ingrafted, by way of amendment, on the words “Be it enacted,” &c. *1 Grey*, 190, 192.

If it be proposed to amend by leaving out certain words, it may be moved, as an amendment to this amendment, to leave out a part of the words of the amendment, which is equivalent to leaving them in the bill. *2 Hats.*, 80, 9. The parliamentary question is, always, whether the words shall stand part of the bill.

When it is proposed to amend by inserting a paragraph, or part of one, the friends of the paragraph may make it as perfect as they can by amendments before the question is put for inserting it. If it be received, it cannot be amended afterward, in the same stage, because the House has, on a vote, agreed to it in that form. In like manner, if it is proposed to amend by striking out a paragraph, the friends of the paragraph are first to make it as perfect as they can by amendments, before the question is put for striking it out. If on the question it be retained, it cannot be amended afterward, because a vote against striking out is equivalent to a vote agreeing to it in that form.

When it is moved to amend by striking out certain words and inserting others, the manner of stating the question is first to read the whole passage to be amended as it stands at present, then the words proposed to be struck out, next those to be inserted, and lastly the whole passage as it will be when amended. And the question, if desired, is then to be divided, and put first on striking out. If carried, it is next on inserting the words proposed. If that be lost, it may be moved to insert others. *2 Hats.*, 80, 7.

A motion is made to amend by striking out certain words and inserting others in their place, which is negatived. Then it is moved to strike out the same words and to insert others of a tenor entirely different from those first proposed. It is negatived. Then it is moved to strike out the same words and insert nothing, which is agreed to. All this is admissible, because to strike out and insert A is one proposition. To strike out and insert B is a different proposition. And to strike out and insert nothing is still different. And the rejection of one proposition does not preclude the offering a different one. Nor would it change the case were the first motion divided by putting the question first on striking out, and that negatived; for, as putting the whole motion to the question at once would not have precluded, the putting the half of it cannot do it.

[The practice in the United States Senate in this respect is now fixed by the 31st rule, as follows: If the question in debate contains several points, any Senator may have the same divided; but on a motion to strike out and insert, it shall not be in order to move for a division of the question; but the rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition, nor prevent a subsequent

motion simply to strike out; nor shall the rejection of a motion simply to strike out prevent a subsequent motion to strike out and insert.]

But if it had been carried affirmatively to strike out the words and to insert A, it could not afterward be permitted to strike out A and insert B. The mover of B should have notified, while the insertion of A was under debate, that he would move to insert B; in which case those who preferred it would join in rejecting A.

After A is inserted, however, it may be moved to strike out a portion of the original paragraph, comprehending A, provided the coherence to be struck out be so substantial as to make this effectively a different proposition; for then it is resolved into the common case of striking out a paragraph after amending it. Nor does anything forbid a new insertion, instead of A and its coherence.

In Senate, January 25, 1798 a motion to postpone until the second Tuesday in February some amendments proposed to the Constitution; the words "until the second Tuesday in February," were struck out by way of amendment. Then it was moved to add, "until the first day of June." Objected that it was not in order, as the question should be first put on the longest time; therefore, after a shorter time decided against, a longer cannot be put to question. It was answered that this rule takes place only in filling blanks for time. But when a specific time stands part of a motion, that may be struck out as well as any other part of the motion; and when struck out, a motion may be received to insert any other. In fact, it is not until they are struck out, and a blank for the time thereby produced, that the rule can begin to operate, by receiving all the

propositions for different times, and putting the questions successively on the longest. Otherwise it would be in the power of the mover, by inserting originally a short time, to preclude the possibility of a longer; for till the short time is struck out, you cannot insert a longer; and if, after it is struck out, you cannot do it, then it cannot be done at all. Suppose the first motion had been made to amend by striking out "the second Tuesday in February," and inserting instead thereof "the first of June," it would have been regular, then, to divide the question, by proposing first the question to strike out and then that to insert. Now this is precisely the effect of the present proceeding; only, instead of one motion and two questions, there are two motions and two questions to effect it—the motions being divided as well as the question.

When the matter contained in two bills might be better put into one, the manner is to reject the one, and incorporate its matter into another bill by way of amendment. So if the matter of one bill would be better distributed into two, any part may be struck out by way of amendment, and put into a new bill. If a section is to be transposed, a question must be put on striking it out where it stands and another for inserting it in the place desired.

A bill passed by the one House with blanks. These may be filled up by the other by way of amendments, returned to the first as such, and passed. *3 Hats.*, 83.

The number prefixed to the section of a bill, being merely a marginal indication, and no part of the text of the bill, the Clerk regulates that—the House or committee is only to amend the text.

SEC. XXXVI.—DIVISION OF THE QUESTION.

If a question contains more parts than one, it may be divided into two or more questions. *Mem. in Hakew.*, 29. But not as the right of an individual member, but with the consent of the House. For who is to decide whether a question is complicated or not —where it is complicated—into how many propositions it may be divided? The fact is that the only mode of separating a complicated question is by moving amendments to it; and these must be decided by the House, on a question, unless the House orders it to be divided; as, on the question, December 2, 1640, making void the election of the knights for Worcester, on a motion it was resolved to make two questions of it, to wit, one on each knight. *2 Hats.*, 85, 86. So, wherever there are several names in a question, they may be divided and put one by one.

9 Grey, 444. So, 1729, April 17, on an objection that a question was complicated, it was separated by amendment. *2 Hats.*, 79.

The soundness of these observations will be evident from the embarrassments produced by the twelfth rule of the Senate, which says, "if the question in debate contains several points, any member may have the same divided."

1798, May 30, the alien bill in quasi-committee. To a section and proviso in the original, had been added two new provisos by way of amendment. On a motion to strike out the section as amended, the question was desired to be divided. To do this it must be put first on striking out either the former proviso, or some distinct member of the section. But when nothing remains but the last member of the section and the provisos, they cannot be divided so as to put the last member to question by itself; for the provisos might thus be left standing alone as exceptions to a rule when the rule is taken away; or the new

provisos might be left to a second question, after having been decided on once before at the same reading, which is contrary to rule. But the question must be on striking out the last member of the section as amended. This sweeps away the exceptions with the rule, and relieves from inconsistence. A question to be divisible must comprehend points so distinct and entire that one of them being taken away, the other may stand entire. But a proviso or exception, without an enacting clause, does not contain an entire point or proposition.

May 31.—The same bill being before the Senate. There was a proviso that the bill should not extend—1. To any foreign minister; nor, 2. To any person to whom the President should give a passport; nor, 3. To any alien merchant conforming himself to such regulations as the President shall prescribe; and a division of the question into its simplest elements was called for. It was divided into four parts, the 4th taking in the words “conforming himself,” &c. It was objected that the words “any alien merchant,” could not be separated from their modifying words, “conforming,” &c., because these words, if left by themselves, contain no substantive idea, will make no sense. But admitting that the divisions of a paragraph into separate questions must be so made as that each part may stand by itself, yet the House having, on the question, retained the two first divisions, the words “any alien merchant” may be struck out, and their modifying words will then attach themselves to the preceding description of persons, and become a modification of that description.

When a question is divided, after the question on the 1st member, the 2d is open to debate and amendment; because it is a known rule that a person

may rise and speak at any time before the question has been completely decided, by putting the negative as well as the affirmative side. But the question is not completely put when the vote has been taken on the first member only. One-half of the question, both affirmative and negative, remains still to be put. See *Execut. Jour., June 25, 1795*. The same decision by President Adams.

SEC. XXXVII.—COEXISTING QUESTIONS.

It may be asked whether the House can be in possession of two motions or propositions at the same time? so that, one of them being decided, the other goes to question without being moved anew? The answer must be special. When a question is interrupted by a vote of adjournment, it is thereby removed from before the House, and does not stand *ipso facto* before them at their next meeting, but must come forward in the usual way. So, when it is interrupted by the order of the day. Such other privileged questions also as dispose of the main question, (*e. g.*, the previous question, postponement, or commitment,) remove it from before the House. But it is only suspended by a motion to amend, to withdraw, to read papers, or by a question of order or privilege, and stands again before the House when these are decided. None but the class of privileged questions can be brought forward while there is another question before the House, the rule being that when a motion has been made and seconded, no other can be received except it be a privileged one.

SEC. XXXVIII.—EQUIVALENT QUESTIONS.

If, on a question for rejection, a bill be retained, it passes, of course, to its next reading. *Hakew.*, 141; *Scob.*, 42. And a question for a second reading determined negatively, is a rejection without further question. *4 Grey*, 149. And see *Elsynge's Memor.*, 42, in what cases questions are to be taken for rejection.

Where questions are perfectly equivalent, so that the negative of the one amounts to the affirmative of the other, and leaves no other alternative, the decision of the one concludes necessarily the other. *4 Grey*, 157. Thus the negative of striking out amounts to the affirmative of agreeing; and therefore to put a question on agreeing after that on striking out, would be to put the same question in effect twice over. Not so in questions of amendments between the two Houses. A motion to recede being negatived, does not amount to a positive vote to insist, because there is another alternative, to wit, to adhere. A bill originating in one House is passed by the other with an amendment. A motion in the originating House to agree to the amendment is negatived. Does there result from this vote of disagreement, or must the question on disagreement be expressly voted? The question respecting amendments from another House are—1st, to agree; 2d, disagree; 3d, recede; 4th, insist; 5th, adhere,

1st. To agree. 2d. To disagree.	Either of these concludes the other necessarily, for the positive of either is exactly the equivalent of the negative of the other, and no other alternative remains. On either motion amendments to the amendment may be proposed; *e. g.*, if it be moved to disagree, those who are for the amendment have a right to propose amendments, and to make it as perfect as they can, before the question of disagreeing is put. You may then either insist or adhere. You may then either recede or adhere. You may then either recede or insist.
3d. To recede. 4th. To insist. 5th. To adhere.	Consequently the negative of these is not equivalent to a positive vote, the other way. It does not raise so necessary an implication as may authorize the Secretary by inference to enter another vote; for two alternatives still remain, either of which may be adopted by the House.

SEC. XXXIX.—THE QUESTION.

The question is to be put first on the affirmative, and then on the negative side.

After the Speaker has put the affirmative part of the question, any member who has not spoken before to the question may rise and speak before the negative be put; because it is no full question till the negative part be put. *Scob.*, 23; *2 Hats.*, 73.

But in small matters, and which are of course, such as receiving petitions, reports, withdrawing motions,

reading papers, &c., the Speaker most commonly supposes the consent of the House where no objection is expressed, and does not give them the trouble of putting the question formally. *Scob.*, 22; *2 Hats.*, 87; *5 Grey*, 129; *9 Grey*, 301.

SEC. XL.—BILLS, THIRD READING.

To prevent bills from being passed by surprise, the House, by a standing order, directs that they shall not be put on their passage before a fixed hour, naming one at which the House is commonly full. *Hakew.*, 153.

[The usage of the Senate is, not to put bills on their passage till noon.]

A bill reported and passed to the third reading, cannot on that day be read the third time and passed; because this would be to pass on two readings in the same day.

At the third reading the Clerk reads the bill and delivers it to the Speaker, who states the title, that it is the third time of reading the bill, and that the question will be whether it shall pass. Formerly the Speaker, or those who prepared a bill, prepared also a breviate or summary statement of its contents, which the Speaker read when he declared the state of the bill, at the several readings. Sometimes, however, he read the bill itself, especially on its passage. *Hakew.*, 136, 137, 153; *Coke*, 22, 115. Latterly, instead of this, he, at the third reading, states the whole contents of the bill *verbatim*, only, instead of reading the formal parts, “Be it enacted,” &c., he states that “preamble recites so and so—the 1st section enacts that, &c.; the 2d section enacts,” &c.

[But in the Senate of the United States, both of these formalities are dispensed with; the breviate presenting but an imperfect view of the bill, and being capable of being made to present a false one; and the full statement being a useless waste of time, immediately after a full reading by the Clerk, and especially as every member has a printed copy in his hand.]

A bill on the third reading is not to be committed for the matter or body thereof, but to receive some particular clause or proviso, it hath been sometimes suffered, but as a thing very unusual. *Hakew.*, 156. Thus, 27 *El.*, 1584, a bill was committed on the third reading, having been formerly committed on the second, but is declared not usual. *D'Ewes*, 337, *col. 2*; 414, *col. 2*.

When an essential provision has been omitted, rather than erase the bill and render it suspicious, they add a clause on a separate paper, engrossed and called a rider, which is read and put to the question three times. *Elsynge's Memo.*, 59; *6 Grey*, 335; *1 Blackst.*, 183. For examples of riders, see *3 Hats.*, 121, 122, 124, 156. Every one is at liberty to bring in a rider without asking leave. *10 Grey*, 52.

It is laid down as a general rule, that amendments proposed at the second reading shall be twice read, and those proposed at the third reading thrice read; as also all amendments from the other House. *Town.*, *col. 19, 23, 24, 25, 26, 27, 28*.

It is with great and almost invincible reluctance that amendments are admitted at this reading, which occasion erasures or interlineations. Sometimes a proviso has been cut off from a bill; sometimes erased. *9 Grey*, 513.

This is the proper stage for filling up blanks; for if

filled up before, and now altered by erasure, it would be peculiarly unsafe.

At this reading the bill is debated afresh, and for the most part is more spoken to at this time than on any of the former readings. *Hakew.*, 153.

The debate on the question whether it should be read a third time, has discovered to its friends and opponents the arguments on which each side relies, and which of these appear to have influence with the House; they have had time to meet them with new arguments, and to put their old ones into new shapes. The former vote has tried the strength of the first opinion, and furnished grounds to estimate the issue; and the question now offered for its passage is the last occasion which is ever to be offered for carrying or rejecting it.

When the debate is ended, the Speaker, holding the bill in his hand, puts the question for its passage, by saying, "Gentlemen, all you who are of opinion that this bill shall pass, say aye;" and after the answer of the ayes, "All those of the contrary opinion, say no." *Hakew.*, 154.

After the bill is passed, there can be no further alteration of it in any point. *Hakew.*, 159.

SEC. XLI.—DIVISION OF THE HOUSE.

The affirmative and negative of the question having been both put and answered, the Speaker declares whether the yeas or nays have it by the sound, if he be himself satisfied, and it stands as the judgment of the House. But if he be not himself satisfied which voice is the greater, or if before any other member comes into the House, or before any new motion made, (for it is too late after that,) any

member shall rise and declare himself dissatisfied with the Speaker's decision, then the Speaker is to divide the House. *Scob.*, 24; *2 Hats.*, 140.

When the House of Commons is divided, the one party goes forth, and the other remains in the House. This has made it important which go forth and which remain; because the latter gain all the indolent, the indifferent, and inattentive. Their general rule, therefore, is, that those who give their vote for the preservation of the orders of the House shall stay in; and those who are for introducing any new matter or alteration, or proceeding contrary to the established course, are to go out. But this rule is subject to many exceptions and modifications. *2 Hats.*, 134; *1 Rush.*, *p. 3*, *fol. 92*; *Scob.*, 43, 52; *Co.*, 12, 116; *D'Ewes*, 505, *col. 1*; *Mem. in Hakew.*, 25, 29; as will appear by the following statement of who go forth:

Petition that it be received Read	Ayes.
Lie on the table Rejected after refusal to lie on table	Noes.
Referred to a committee, for further proceeding	Ayes.
Bill, that it be brought in Read first or second time Engrossed or read third time Proceeding on every other stage Committed	Ayes.
To Committee of the whole	Noes.

To a select committee	Ayes.	
Report of bill to lie on table	Noes.	
Be *now* read	Ayes. 30,	P.J.
Be taken into consideration three months hence	251.	
Amendments to be read a second time	Noes.	
Clause offered on report of bill to be read second time	Ayes.	
For receiving a clause		334.
With amendments be engrossed		395.
That a bill be *now* read a third time	Noes.	398.
Receive a rider	Ayes.	260.
Pass		259.
Be printed		
Committees. That A take the chair	Noes.	291.
To agree to the whole or any part of report		
That the House do *now* resolve into committee		
Speaker. That he now leave the chair, after order to go into committee		
That he issue warrant for a new writ		
Member. That none be absent without leave		
Witness. That he be further examined	Ayes.	344.

Previous question	Noes.
Blanks. That they be filled with the largest sum. Amendments. That words stand part of	Ayes.
Lords. That their amendment be read a second time	Noes.
Messenger be received Orders of day to be now read, if before 2 o'clock	Ayes.
If after 2 o'clock	Noes.
Adjournment. Till the next sitting day, if before 4 o'clock	Ayes.
If after 4 o'clock	Noes.
Over a sitting day, (unless a previous resolution.)	Ayes.
Over the 30th of January	Noes.
For sitting on Sunday, or any other day not being a sitting day	Ayes.

The one party being gone forth, the Speaker names two tellers from the affirmative and two from the negative side, who first count those sitting in the House and report the number to the Speaker. Then they place themselves within the door, two on each side, and count those who went forth as they come in, and report the number to the Speaker. *Mem. in*

Hakew., 26.

A mistake in the report of the tellers may be rectified after the report made. *2 Hats.*, 145, *note*.

[But in both Houses of Congress all these intricacies are avoided. The ayes first rise, and are counted standing in their places by the President or Speaker. Then they sit, and the noes rise and are counted in like manner.]

[In Senate, if they be equally divided, the Vice-President announces his opinion, which decides.]

[The Constitution, however, has directed that "the yeas and nays of the members of either House on any question, shall at the desire of one-fifth of those present, be entered on the journal." And again: that in all cases of reconsidering a bill disapproved by the President, and returned with is objections, "the votes of both Houses shall be determined by yeas and nays, and the names of persons voting for and against the bill shall be entered on the journals of each House respectively."]

[By the 16th and 17th rules of the Senate, when the yeas and nays shall be called for by one-fifth of the members present, each member called upon shall, unless for special reasons he be excused by the Senate, declare openly, and without debate, his assent or dissent to the question. In taking the yeas and nays, and upon the call of the House, the names of the members shall be taken alphabetically.]

[When the yeas and nays shall be taken upon any question in pursuance of the above rule, no member shall be permitted, under any circumstances whatever, to vote after the decision is announced from the Chair.]

[When it is proposed to take the vote by yeas and nays, the President or Speaker states that "the

question is whether, *e. g.*, the bill shall pass—that it is proposed that the yeas and nays shall be entered on the journal. Those, therefore, who desire it, will rise." If he finds and declares that one-fifth have risen, he then states that "those who are of opinion that the bill shall pass are to answer in the affirmative; those of the contrary opinion in the negative." The Clerk then calls over the names, alphabetically, note the yea or nay of each, and gives the list to the President or Speaker, who declares the result. In the Senate, if there be an equal division, the Secretary calls on the Vice-President and notes his affirmative or negative, which becomes the decision of the House.]

In the House of Commons, every member must give his vote the one way or the other, *Scob.*, 24, as it is not permitted to any one to withdraw who is in the House when the question is put, nor is any one to be told in the division who was not in when the question was put. *2 Hats.*, 140.

This last position is always true when the vote is by yeas and nays; where the negative as well as affirmative of the question is stated by the President at the same time, and the vote of both sides begins and proceeds *pari passu*. It is true also when the question is put in the usual way, if the negative has also been put; but if it has not, the member entering, or any other member, may speak, and even propose amendments, by which the debate may be opened again, and the question be greatly deferred. And as some who have answered ay may have been changed by the new arguments, the affirmative must be put over again. If, then, the member entering may, by speaking a few words, occasion a repetition of a question, it would be useless to deny it on his simple call for it.

While the House is telling, no member may speak or move out of his place; for if any mistake be suspected, it must be told again. *Mem. in Hakew.*, 26; *2 Hats.*, 143.

If any difficulty arises in point of order during the division, the speaker is to decide peremptorily, subject to the future censure of the House if irregular. He sometimes permits old experienced members to assist him with their advice, which they do sitting in their seats, covered, to avoid the appearance of debate; but this can only be with the Speaker's leave, else the division might last several hours. *2 Hats.*, 143.

The voice of the majority decides; for the *lex majoris partis* is the law of all councils, elections, &c., where not otherwise expressly provided. *Hakew.*, 93. But if the House be equally divided, *semper presumatur pro negante*; that is, the former law is not to be changed but by a majority. *Towns.*, *col. 134*.

[But in the Senate of the United States, the Vice-President decides when the House is divided. *Const. U. S.*, I, 3.]

When from counting the House on a division it appears that there is not a quorum, the matter continues exactly in the state in which it was before the division, and must be resumed at that point on any future day. *2 Hats.*, 126.

1606, May 1, on a question whether a member having said yea may afterwards sit and change his opinion, a precedent was remembered by the Speaker, of Mr. Morris, attorney of the wards, in *39 Eliz.*, who in like case changed his opinion. *Mem. in Hakew.*, 27.

SEC. XLII.—TITLES.

After the bill has passed, and not before, the title may be amended, and is to be fixed by a question; and the bill is then sent to the other House.

SEC. XLIII.—RECONSIDERATION.

[When a question has been once made and carried in the affirmative or negative, it shall be in order for any member of the majority to move for the reconsideration thereof; but no motion for the reconsideration of any vote shall be in order after a bill, resolution, message, report, amendment, or motion upon which the vote was taken shall have gone out of the possession of the Senate announcing their decision; nor shall any motion for reconsideration be in order unless made on the same day on which the vote was taken, or within the two next days of actual session of the Senate thereafter. *Rule 20.*]

[1798, Jan. A bill on its second reading being amended, and on the question whether it shall be read a third time negatived, was restored by a decision to reconsider that question. Here the votes of negative and reconsideration, like positive and negative quantities in equation, destroy one another, and are as if they were expunged from the journals. Consequently the bill is open for amendment, just so far as it was the moment preceding the question for the third reading; that is to say, all parts of the bill are open for amendment except those on which votes have been already taken in its present stage. So, also, it may be recommitted.]

[[102]The rule permitting a reconsideration of a question affixing to it no limitation of time or circumstance, it may be asked whether there is no

limitation? If, after the vote, the paper on which it is passed has been parted with, there can be no reconsideration; as if a vote has been for the passage of a bill, and the bill has been sent to the other House. But where the paper remains, as on a bill rejected; when, or under what circumstances, does it cease to be susceptible of reconsideration? This remains to be settled; unless a sense that the right of reconsideration is a right to waste the time of the House in repeated agitations of the same question, so that it shall never know when a question is done with, should induce them to reform this anomalous proceeding.]

In Parliament a question once carried cannot be questioned again at the same session, but must stand as the judgment of the House. *Towns.*, *col. 67*; *Mem. in Hakew.*, 33. And a bill once rejected, another of the same substance cannot be brought in again the same session. *Hakew.*, 158; *6 Grey*, 392. But this does not extend to prevent putting the same question in different stages of a bill; because every stage of a bill submits the whole and every part of it to the opinion of the House, as open for amendment, either by insertion or omission, though the same amendment has been accepted or rejected in a former stage. So in reports of committees, *e. g.*, report of an address, the same question is before the House, and open for free discussion. *Towns.*, *col. 26*; *2 Hats.*, 98, 100, 101. So orders of the House, or instructions to committees, may be discharged. So a bill, begun in one House, and sent to the other, and there rejected, may be renewed again in that other, passed and sent back *Ib.*, 92: *3 Hats.*, 161. Or if, instead of being rejected, they read it once and lay it aside or amend it, and put it off a month, they may order in another to the same effect, with the same or a different title.

Hakew., 97, 98.

Divers expedients are used to correct the effects of this rule; as, by passing an explanatory act, if anything has been omitted or ill expressed, *3 Hats.*, 278, or an act to enforce, and make more effectual an act, &c., or to rectify mistakes in an act, &c., or a committee on one bill may be instructed to receive a clause to rectify the mistakes of another. Thus, June 24, 1685, a clause was inserted in a bill for rectifying a mistake committed by a clerk in engrossing a bill of supply. *2 Hats.*, 194, 6. Or the session may be closed for one, two, three or more days, and a new one commenced. But then all matters depending must be finished, or they fall, and are to begin de novo. *2 Hats.*, 94, 98. Or a part of the subject may be taken up by another bill, or taken up in a different way. *6 Grey*, 304, 316.

And in cases of the last magnitude, this rule has not been so strictly and verbally observed as to stop indispensable proceedings altogether. *2 Hats.*, 92, 98. Thus when the address on the preliminaries of peace in 1782 had been lost by a majority of one, on account of the importance of the question, and smallness of the majority, the same question in substance, though with some words not in the first, and which might change the opinion of some members, was brought on again and carried, as the motives for it were thought to outweigh the objection of form. *2 Hats.*, 99, 100.

A second bill may be passed to continue an act of the same session, or to enlarge the time limited for its execution. *2 Hats.*, 95, 98. This is not in contradiction to the first act.

SEC. XLIV.—BILLS SENT TO THE OTHER HOUSE.

[All bills passed in the Senate shall, before they are sent to the House of Representatives, be examined by a committee, consisting of three members, whose duty it shall be to examine all bills, amendments, resolutions, or motions, before they go out of the possession of the Senate, and to make report that they are correctly engrossed; which report shall be entered on the journal. *Rule 34.*]

A bill from the other House is sometimes ordered to lie on the table. *2 Hats.*, 97.

When bills, passed in one House and sent to the other, are grounded on special facts requiring proof, it is usual, either by message or at a conference, to ask the grounds and evidence; and this evidence, whether arising out of papers, or from the examination of witnesses, is immediately communicated. *3 Hats.*, 48.

SEC. XLV.—AMENDMENTS BETWEEN THE HOUSES.

When either House, *e. g.*, the House of Commons, send a bill to the other, the other may pass it with amendments. The regular progression in this case is, that the Commons disagree to the amendment; the Lords insist on it; the Commons insist on their disagreement; the Lords adhere to their amendment; the Commons adhere to their disagreement. The term of insisting may be repeated as often as they choose to keep the question open. But the first adherence by either renders it necessary for the other to recede or adhere also; when the matter is usually suffered to fall. *10 Grey*, 148. Latterly, however, there are instances of their having gone to a second adherence. There must be an absolute conclusion of the subject

somewhere, or otherwise transactions between the Houses would become endless. *3 Hats.*, 268, 270. The term of insisting, we are told by Sir John Trevor, was then (1679) newly introduced into parliamentary usage, by the Lords. *7 Grey*, 94. It was certainly a happy innovation, as it multiplies the opportunities of trying modifications which may bring the Houses to a concurrence. Either House, however, is free to pass over the term of insisting, and to adhere in the first instance; *10 Grey*, 146; but it is not respectful to the other. In the ordinary parliamentary course, there are two free conferences, at least, before an adherence. *10 Grey*, 147.

Either House may recede from its amendment and agree to the bill; or recede from their disagreement to the amendment, and agree to the same absolutely, or with an amendment; for here the disagreement and receding destroy one another, and the subject stands as before the agreement. *Elsynge*, 23, 27; *9 Grey*, 476.

But the House cannot recede from or insist on its own amendment, with an amendment; for the same reason that it cannot send to the other House an amendment to its own act after it has passed the act. They may modify an amendment from the other House by ingrafting an amendment on it, because they have never assented to it; but they cannot amend their own amendment, because they have, on the question, passed it in that form. *9 Grey*, 363; *10 Grey*, 240. In the Senate, March 29, 1798. Nor where one House has adhered to their amendment, and the other agrees with an amendment, can the first House depart from the form which they have fixed by an adherence.

In the case of a money bill, the Lords' proposed amendments, become, by delay, confessedly

necessary. The Commons, however, refused them, as infringing on their privilege as to money bills; but they offered themselves to add to the bill a proviso to the same effect, which had no coherence with the Lords' amendments; and urged that it was an expedient warranted by precedent, and not unparliamentary in a case become impracticable, and irremediable in any other way. *3 Hats.*, 256, 266, 270, 271. But the Lords refused, and the bill was lost. *1 Chand.*, 288. A like case, *1 Chand.*, 311. So the Commons resolved that it is unparliamentary to strike out, at a conference, anything in a bill which hath been agreed and passed by both Houses. *6 Grey*, 274; *1 Chand.*, 312.

A motion to amend an amendment from the other House takes precedence of a motion to agree or disagree.

A bill originating in one House is passed by the other with an amendment.

The originating House agrees to their amendment with an amendment. The other may agree to their amendment with an amendment, that being only in the 2d and not the 3d degree; for, as to the amending House, the first amendment with which they passed the bill is a part of its text; it is the only text they have agreed to. The amendment to that text by the originating House, therefore, is only in the 1st degree, and the amendment to that again by the amending House is only in the 2d, to wit, an amendment to an amendment, and so admissible. Just so, when, on a bill from the originating House, the other, at its second reading, makes an amendment; on the third reading this amendment is become the text of the bill, and if an amendment to it be moved, an amendment to that amendment may also be moved, as being only in the 2d degree.

SEC. XLVI.—CONFERENCES.

It is on the occasion of amendments between the Houses that conferences are usually asked; but they may be asked in all cases of difference of opinion between the two Houses on matters depending between them. The request of a conference, however, must always be by the House which is possessed of the papers. *3 Hats.*, 31; *1 Grey*, 425.

Conferences may be either simple or free. At a conference simply, written reasons are prepared by the House asking it, and they are read and delivered, without debate, to the managers of the other House at the conference; but are not then to be answered. *4 Grey*, 144. The other House then, if satisfied, vote the reasons satisfactory, or say nothing; if not satisfied, they resolve them not satisfactory and ask a conference on the subject of the last conference, where they read and deliver, in like manner, written answers to those reasons. *3 Grey*, 183. They are meant chiefly to record the justification of each House to the nation at large, and to posterity, and in proof that the miscarriage of a necessary measure is not imputable to them. *3 Grey*, 255. At free conferences, the managers discuss, viva voce and freely, and interchange propositions for such modifications as may be made in a parliamentary way, and may bring the sense of the two Houses together. And each party reports in writing to their respective Houses the substance of what is said on both sides, and it is entered on their journals. *9 Grey*, 220; *3 Hats.*, 280. This report cannot be amended or altered, as that of a committee may be. *Journal Senate, May 24, 1796.*

A conference may be asked, before the House asking it has come to a resolution of disagreement,

insisting or adhering. *3 Hats.*, 269, 341. In which case the papers are not left with the other conferees, but are brought back to be the foundation of the vote to be given. And this is the most reasonable and respectful proceeding; for, as was urged by the Lords on a particular occasion, “it is held vain, and below the wisdom of Parliament, to reason or argue against fixed resolutions, and upon terms of impossibility to persuade.” *3 Hats.*, 226. So the Commons say, “an adherence is never delivered at a free conference, which implies debate.” *10 Grey*, 137. And on another occasion the Lords made it an objection that the Commons had asked a free conference after they had made resolutions of adhering. It was then affirmed, however, on the part of the Commons, that nothing was more parliamentary than to proceed with free conferences after adhering, *3 Hats.*, 269, and we do in fact see instances of conference, or of free conference, asked after the resolution of disagreeing, *3 Hats.*, 251, 253, 260, 286, 291, 316, 349; of insisting, *ib.*, 280, 296, 299, 319, 322, 355; of adhering, 269, 270, 283, 300; and even of a second or final adherence. *3 Hats.*, 270. And in all cases of conference asked after a vote of disagreement, &c., the conferees of the House asking it are to leave the papers with the conferees of the other; and in one case where they refused to receive them, they were left on the table in the conference chamber. *ib.*, 271, 317, 323, 354; *10 Grey*, 146.

After a free conference, the usage is to proceed with free conferences, and not to return again to a conference. *3 Hats.*, 270; *9 Grey*, 229.

After a conference denied, a free conference may be asked. *1 Grey*, 45.

When a conference is asked, the subject of it must be expressed, or the conference not agreed to. *Ord. H*

Com., 89; *Grey*, 425; *7 Grey*, 31. They are sometimes asked to inquire concerning an offense or default of a member of the other House. *6 Grey*, 181; *1 Chand.*, 304. Or the failure of the other House to present to the King a bill passed by both Houses, *8 Grey*, 302. Or on information received, and relating to the safety of the nation. *10 Grey*, 171. Or when the methods of Parliament are thought by the one House to have been departed from by the other, a conference is asked to come to a right understanding thereon. *10 Grey*, 148. So when an unparliamentary message has been sent, instead of answering it, they ask a conference. *3 Grey*, 155. Formerly an address or articles of impeachment, or a bill with amendments, or a vote of the House, or concurrence in a vote, or a message from the King, were sometimes communicated by way of conference. *6 Grey*, 128, 300, 387; *7 Grey*, 80; *8 Grey*, 210, 255; *1 Torbuck's Deb.*, 278; *10 Grey*, 293; *1 Chandler*, 49, 287. But this is not the modern practice. *8 Grey*, 255.

A conference has been asked after the first reading of a bill. *1 Grey*, 194. This is a singular instance.

SEC. XLVII.—MESSAGES.

Messages between the Houses are to be sent only while both Houses are sitting. *3 Hats.*, 15. They are received during a debate without adjourning the debate. *3 Hats.*, 22.

[In Senate the messengers are introduced in any state of business, except, 1. While a question is being put. 2. While the yeas and nays are being called. 3. While the ballots are being counted. *Rule 51.* The first case is short; the second and third are cases where any interruption might occasion errors

difficult to be corrected. So arranged June 15, 1798.]

In the House of Representatives, as in Parliament, if the House be in committee when a messenger attends, the Speaker takes the chair to receive the message, and then quits it to return into committee, without any question or interruption. *4 Grey*, 226.

Messengers are not saluted by the members, but by the Speaker for the House. *2 Grey*, 253, 274.

If messengers commit an error in delivering their message, they may be admitted or called in to correct their message. *4 Grey*, 41. Accordingly, March 13, 1800, the Senate having made two amendments to a bill from the House of Representatives, their Secretary, by mistake, delivered one only; which being inadmissible by itself, that House disagreed, and notified the Senate of their disagreement. This produced a discovery of the mistake. The Secretary was sent to the other House to correct his mistake, the correction was received, and the two amendments acted on de novo.

As soon as the messenger, who has brought bills from the other House, has retired, the Speaker holds the bills in his hand, and acquaints the House "that the other House have by their messenger sent certain bills," and then reads their titles, and delivers them to the Clerk, to be safely kept till they shall be called for to be read. *Hakew.*, 178.

It is not the usage for one House to inform the other by what numbers a bill is passed. *10 Grey*, 150. Yet they have sometimes recommended a bill, as of great importance, to the consideration of the House to which it is sent. *3 Hats.*, 25. Nor when they have rejected a bill from the other House, do they give notice of it; but it passes sub silentio, to prevent unbecoming altercations. *1 Blackst.*, 183.

[But in Congress the rejection is notified by message to the House in which the bill originated.]

A question is never asked by the one House of the other by way of message, but only at a conference; for this is an interrogatory, not a message. *3 Grey*, 151, 181.

When a bill is sent by one House to the other, and is neglected, they may send a message to remind them of it. *3 Hats.*, 25; *5 Grey*, 154. But if it be mere inattention, it is better to have it done informally by communications between the Speakers or members of the two Houses.

Where the subject of a message is of a nature that it can properly be communicated to both Houses of Parliament, it is expected that this communication should be made to both on the same day. But where a message was accompanied with an original declaration, signed by the party to which the message referred, its being sent to one House was not noticed by the other, because the declaration, being original, could not possibly be sent to both Houses at the same time. *2 Hats.*, 260, 261, 262.

The King having sent original letters to the Commons, afterward desires they may be returned, that he may communicate them to the Lords. *1 Chandler*, 303.

SEC. XLVIII.—ASSENT.

The House which has received a bill and passed it may present it for the King's assent, and ought to do it, though they have not by message notified to the other their passage of it. Yet the notifying by message is a form which ought to be observed between the two Houses from motives of respect and

good understanding. *2 Hats.*, 242. Were the bill to be withheld from being presented to the King, it would be an infringement of the rules of Parliament. *Ib.*

[When a bill has passed both Houses of Congress, the House last acting on it notifies its passage to the other, and delivers the bill to the Joint Committee of Enrolment, who see that it is truly enrolled in parchment]. When the bill is enrolled, it is not to be written in paragraphs, but solidly, and all of a piece, that the blanks between the paragraphs may not give room for forgery. *9 Grey*, 143. [It is then put into the hands of the Clerk of the House of Representatives to have it signed by the Speaker. The Clerk then brings it by way of message to the Senate to be signed by their President. The Secretary of the Senate returns it to the Committee of Enrolment, who present it to the President of the United States. If he approve, he signs, and deposits it among the rolls in the office of the Secretary of State, and notifies by message the House in which it originated that he has approved and signed it; of which that House informs the other by message. If the President disapproves, he is to return it, with his objections, to that House in which it shall have originated; who are to enter the objections at large on their journal, and proceed to reconsider it. If, after such reconsideration, two-thirds of that House shall agree to pass the bill, it shall be sent, together with the President's objections, to the other House, by which it shall likewise be reconsidered; and if approved by two-thirds of that House, it shall become a law. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner after he had signed it, unless the Congress, by their adjournment, prevent its return; in which

case it shall not be a law. *Const.*, I, 7.]

[Every order, resolution, or vote, to which the concurrence of the Senate and House of Representatives may be necessary, (except on a question of adjournment), shall be presented to the President of the United States, and, before the same shall take effect, shall be approved by him; or, being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill. *Const.*, I, 7.]

SEC. XLIX.—JOURNALS.

[Each House shall keep a journal of its proceedings, and from time to time publish the same, excepting such parts as may, in their judgment, require secrecy. *Const.*, I, 5.]

[The proceedings of the Senate, when not acting as in a Committee of the Whole, shall be entered on the journals as concisely as possible, care being taken to detail a true account of the proceedings. Every vote of the Senate shall be entered on the journals, and a brief statement of the contents of each petition, memorial, or paper presented to the Senate, be also inserted on the journal. *Rule 5.*]

[The titles of bills, and such parts thereof, only, as shall be affected by proposed amendments, shall be inserted on the journals. *Rule 5.*]

If a question is interrupted by a vote to adjourn, or to proceed to the orders of the day, the original question is never printed in the journal, it never having been a vote, nor introductory to any vote; but when suppressed by the previous question, the first question must be stated, in order to introduce and

make intelligible the second. *2 Hats.*, 83.

So also when a question is postponed, adjourned, or laid on the table, the original question, though not yet a vote, must be expressed in the journals; because it makes part of the vote of postponement, adjourning, or laying it on the table.

Where amendments are made to a question, those amendments are not printed in the journals, separated from the question; but only the question as finally agreed to by the House. The rule of entering in the journals only what the House has agreed to, is founded in great prudence and good sense; as there may be many questions proposed, which it may be improper to publish to the world in the form in which they are made. *2 Hats.*, 85.

[In both Houses of Congress, all questions whereon the yeas and nays are desired by one-fifth of the members present, whether decided affirmatively or negatively, must be entered in the journals. *Const.*, I, 5.]

The first order for printing the votes of the House of Commons was October 30, 1685. *1 Chandler*, 387.

Some judges have been of opinion that the journals of the House of Commons are no records, but only remembrances. But this is not law. *Hob.*, 110, 111; *Lex Parl.*, 114, 115; *Jour. H. C., Mar. 17, 1592*; *Hale, Parl.*, 105. For the Lords in their House have power of judicature, the Commons in their House have power of judicature, and both Houses together have power of judicature; and the book of the Clerk of the House of Commons is a record, as is affirmed by act of Parl., *6 H.* 8, *c. 16*; *4 Inst.*, 23, 24; and every member of the House of Commons hath a judicial place. *4 Inst.*, 15. As records they are open to every person, and a printed vote of either House is

sufficient ground for the other to notice it. Either may appoint a committee to inspect the journals of the other, and report what has been done by the other in any particular case. *2 Hats.*, 261; *3 Hats.*, 27–30. Every member has a right to see the journals and to take and publish votes from them. Being a record, every one may see and publish them. *6 Grey*, 118, 119.

On information of a mis-entry or omission of an entry in the journal, a committee may be appointed to examine and rectify it, and report it to the House. *2 Hats.*, 194, 1195.

SEC. L.—ADJOURNMENT.

The two Houses of Parliament have the sole, separate, and independent power of adjourning each their respective Houses. The King has no authority to adjourn them; he can only signify his desire, and it is in the wisdom and prudence of either House to comply with his requisition, or not, as they see fitting. *2 Hats.*, 232; *1 Blackst.*, 186; *5 Grey*, 122.

[By the Constitution of the United States, a smaller number than a majority may adjourn from day to day. I, 5. But "neither House, during the Session of Congress, shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting." I, 5. And in case of disagreement between them, with respect to the time of adjournment, the President may adjourn them to such time as he shall think proper. *Const.*, II, 3.]

A motion to adjourn, simply, cannot be amended, as by adding "to a particular day;" but must be put simply "that this House do now adjourn;" and if

carried in the affirmative, it is adjourned to the next sitting day, unless it has come to a previous resolution, "that at its rising it will adjourn to a particular day," and then the House is adjourned to that day. *2 Hats.*, 82.

Where it is convenient that the business of the House be suspended for a short time, as for a conference presently to be held, &c., it adjourns during pleasure; *2 Hats.*, 305; or for a quarter of an hour. *5 Grey*, 331.

If a question be put for adjournment, it is no adjournment till the Speaker pronounces it. *5 Grey*, 137. And from courtesy and respect, no member leaves his place till the Speaker has passed on.

SEC. LI.—A SESSION.

Parliament have three modes of separation, to wit: by adjournment, by prorogation or dissolution by the King, or by the efflux of the term for which they were elected. Prorogation or dissolution constitutes there what is called a session; provided some act was passed. In this case all matters depending before them are discontinued, and at their next meeting are to be taken up *de novo*, if taken up at all. *1 Blackst.*, 186. Adjournment, which is by themselves, is no more than a continuance of the session from one day to another, or for a fortnight, a month, &c., *ad libitum*. All matters depending remain in *statu quo*, and when they meet again, be the term ever so distant, are resumed, without any fresh commencement, at the point at which they were left. *1 Lev.*, 165; *Lex. Parl.*, *c. 2*; *1 Ro. Rep.*, 29; *4 Inst.*, 7, 27, 28; *Hutt.*, 61; *1 Mod.*, 252; *Ruffh. Jac.*, *L. Dict. Parliament*; *1 Blackst.*, 186. Their whole session is

considered in law but as one day, and has relation to the first day thereof. *Bro. Abr. Parliament*, 86.

Committees may be appointed to sit during a recess by adjournment, but not by prorogation. *5 Grey*, 374; *9 Grey*, 350; *1 Chandler*, 50. Neither House can continue any portion of itself in any parliamentary function beyond the end of the session, without the consent of the other two branches. When done, it is by a bill constituting them commissioners for the particular purpose.

[Congress separate in two ways only, to wit: by adjournment, or dissolution by the efflux of their time. What, then, constitutes a session with them? A dissolution certainly closes one session, and the meeting of the new Congress begins another. The Constitution authorizes the President "on extraordinary occasions, to convene both Houses, or either of them." I, 3. If convened by the President's proclamation, this must begin a new session, and of course determine the preceding one to have been a session. So if it meets under the clause of the Constitution, which says, "the Congress shall assemble at least once in every year, and such meeting shall be on the first Monday in December, unless they shall by law appoint a different day." I, 4. This must begin a new session; for even if the last adjournment was to this day, the act of adjournment is merged in the higher authority of the Constitution, and the meeting will be under that, and not under their adjournment. So far we have fixed landmarks for determining sessions. In other cases it is declared by the joint vote authorizing the President of the Senate and the Speaker to close the session on a fixed day, which is usually in the following form: "Resolved by the Senate and House of Representatives, that the President of the Senate and

the Speaker of the House of Representatives be authorized to close the present session by adjourning their respective Houses on the —— day of ——."]

When it was said above that all matters depending before Parliament were discontinued by the determination of the session, it was not meant for judiciary cases depending before the House of Lords, such as impeachments, appeals, and writs of error. These stand continued, of course, to the next session. *Raym.*, 120, 381; *Ruffh. Jac.*, *L. D. Parliament*.

[Impeachments stand, in like manner, continued before the Senate of the United States.]

SEC. LII.—TREATIES.

[The President of the United States has power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur. *Const.*, II, 2.]

[Resolved, that all confidential communications made by the President of the United States to the Senate shall be, by the members thereof, kept secret; and that all treaties which may hereafter be laid before the Senate shall also be kept secret, until the Senate shall, by their resolution, take off the injunction of secrecy. *Rule 67.*[103]]

[Treaties are legislative acts. A treaty is the law of the land. It differs from other laws only as it must have the consent of a foreign nation, being but a contract with respect to that nation. In all countries, I believe, except England, treaties are made by the legislative power; and there, also, if they touch the laws of the land, they must be approved by Parliament. Ware *v.* Hylton, *3 Dallas's Rep.*, 223. It is acknowledged, for instance, that the King of Great

Britain cannot by a treaty make a citizen of an alien. *Vattel, b. 1, c. 19, sec. 214.* An act of Parliament was necessary to validate the American treaty of 1783. And abundant examples of such acts can be cited. In the case of the treaty of Utrecht, in 1712, the commercial articles required the concurrence of Parliament; but a bill brought in for that purpose was rejected. France, the other contracting party, suffered these articles, in practice, to be not insisted on, and adhered to the rest of the treaty. *4 Russell's Hist. Mod. Europe*, 457; *2 Smollet*, 242, 246.]

[By the Constitution of the United States this department of legislation is confined to two branches only of the ordinary legislature—the President originating and the Senate having a negative. To what subjects this power extends has not been defined in detail by the Constitution; nor are we entirely agreed among ourselves. 1. It is admitted that it must concern the foreign nation party to the contract, or it would be a mere nullity, res inter alias acta. 2. By the general power to make treaties, the Constitution must have intended to comprehend only those subjects which are usually regulated by treaty, and cannot be otherwise regulated. 3. It must have meant to except out of these the rights reserved to the States; for surely the President and Senate cannot do by treaty what the whole Government is interdicted from doing in any way. 4. And also to except those subjects of legislation in which it gave a participation to the House of Representatives. This last exception is denied by some on the ground that it would leave very little matter for the treaty power to work on. The less the better, say others. The Constitution thought it wise to restrain the Executive and Senate from entangling and embroiling our affairs with those of Europe. Besides, as the

negotiations are carried on by the Executive alone, the subjecting to the ratification of the Representatives such articles are within their participation is no more inconvenient than to the Senate. But the ground of this exception is denied as unfounded. For examine, *e. g.*, the treaty of commerce with France, and it will be found that, out of thirty-one articles, there are not more than small portions of two or three of them which would not still remain as subjects of treaties, untouched by these exceptions.]

[Treaties being declared, equally with the laws of the United States, to be the supreme law of the land, it is understood that an act of the legislature alone can declare them infringed and rescinded. This was accordingly the process adopted in the case of France in 1798.]

[It has been the usage for the Executive, when it communicates a treaty to the Senate for their ratification, to communicate also the correspondence of the negotiators. This having been omitted in the case of the Prussian treaty, was asked by a vote of the House of February 12, 1800, and was obtained. And in December, 1800, the convention that year between the United States and France, with the report of the negotiations by the envoys, but not their instructions, being laid before the Senate, the instructions were asked for and communicated by the President.]

[The mode of voting on questions of ratification is by nominal call.]

[Whenever a treaty shall be laid before the Senate for ratification, it shall be read a first time for information only; when no motion to reject, ratify, or modify the whole or any part, shall be received. Its

second reading shall be for consideration, and on a subsequent day, when it shall be taken up as in a Committee of the Whole, and every one shall be free to move a question on any particular article in this form: “Will the Senate advise and consent to the ratification of this article?” or to propose amendments thereto, either by inserting or by leaving out words, in which last case the question shall be, “Shall the words stand part of the article?” And in every of the said cases the concurrence of two-thirds of the Senators present shall be requisite to decide affirmatively. And, when through the whole, the proceedings shall be stated to the House, and questions be again severally put thereon, for confirmation, or new ones proposed, requiring in like manner a concurrence of two-thirds for whatever is retained or inserted.]

[The votes so confirmed shall, by the House, or a committee thereof, be reduced into the form of a ratification, with or without modifications, as may have been decided, and shall be proposed on a subsequent day, when every one shall again be free to move amendments, either by inserting or leaving out words; in which last case the question shall be, “Shall the words stand part of the resolution?” And in both cases the concurrence of two-thirds shall be requisite to carry the affirmative; as well as on the final question to advise and consent to the ratification in the form agreed to. *Rule 69.*[104]]

[When any question may have been decided by the Senate, in which two-thirds of the members present are necessary to carry the affirmative, any member who voted on that side which prevailed in the question, may be at liberty to move for a reconsideration; and a motion for a reconsideration shall be decided by a majority of votes. *Rule 20.*]

SEC. LIII.—IMPEACHMENT.

[The House of Representatives shall have the sole power of impeachment. *Const.*, I, 3.]

[The Senate shall have the sole power to try all impeachments. When sitting for that purpose they shall be on oath or affirmation. When the President of the United States is tried the Chief Justice shall preside; and no person shall be convicted without the concurrence of two-thirds of the members present. Judgment in cases of impeachment shall not extend further than to removal from office and disqualification to hold and enjoy any office of honor, trust, or profit under the United States. But the party convicted shall, nevertheless, be liable and subject to indictment, trial, judgment, and punishment according to law. *Const.*, I, 3.]

[The President, Vice-President, and all civil officers of the United States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors. *Const.*, II, 4.]

[The trial of crimes, except in cases of impeachment, shall be by jury. *Const.*, III, 2.]

These are the provisions of the Constitution of the United States on the subject of impeachments. The following is a sketch of some of the principles and practices of England on the same subject:

Jurisdiction. The Lords cannot impeach any to themselves, nor join in the accusation, because they are the judges. *Seld. Judic. in Parl.*, 12, 63. Nor can they proceed against a commoner but on complaint of the Commons. *Ib.*, 84. The Lords may not, by the law, try a commoner for a capital offense, on the information of the King or a private person, because

the accused is entitled to a trial by his peers generally; but on accusation by the House of Commons, they may proceed against the delinquent, of whatsoever degree, and whatsoever be the nature of the offense; for there they do not assume to themselves trial at common law. The Commons are then instead of a jury, and the judgment is given on their demand, which is instead of a verdict. So the Lords do only judge, but not try the delinquent. *Ib.*, 6, 7. But Wooddeson denies that a commoner can now be charged capitally before the Lords, even by the Commons; and cites Fitzharris's case, 1681, impeached of high treason, where the Lords remitted the prosecution to the inferior court. *8 Grey's Deb.*, 325–7; *2 Wooddeson*, 576, 601; *3 Seld.*, 1604, 1610, 1618, 1619, 1641; *4 Blackst.*, 257; *9 Seld.*, 1656.

Accusation. The Commons, as the grand inquest of the nation, become suitors for penal justice. *2 Wood.*, 597; *6 Grey*, 356. The general course is to pass a resolution containing a criminal charge against the supposed delinquent, and then to direct some member to impeach him by oral accusation, at the bar of the House of Lords, in the name of the Commons. The person signifies that the articles will be exhibited, and desires that the delinquent may be sequestered from his seat, or be committed, or that the peers will take order for his appearance. *Sachev. Trial*, 325; *2 Wood.*, 602, 605; *Lords' Journ., 3 June, 1701*; *1 Wms.*, 616; *6 Grey*, 324.

Process. If the party do not appear, proclamations are to be issued, giving him a day to appear. On their return they are strictly examined. If any error be found in them, a new proclamation issues, giving a short day. If he appear not, his goods may be arrested, and they may proceed. *Seld. Jud.*, 98, 99.

Articles. The accusation (articles) of the Commons

is substituted in place of an indictment. Thus, by the usage of Parliament, in impeachment for writing or speaking, the particular words need not be specified. *Sach. Tr.*, 325; *2 Wood.*, 602, 605; *Lords' Journ., 3 June, 1701*; *1 Wms.*, 616.

Appearance. If he appear, and the case be capital, he answers in custody; though not if the accusations be general. He is not to be committed but on special accusations. If it be for a misdemeanor only, he answers, a lord in his place, a commoner at the bar, and not in custody, unless, on the answer, the Lords find cause to commit him, till he find sureties to attend, and lest he should fly. *Seld. Jud.*, 98, 99. A copy of the articles is given him and a day fixed for his answer. *T. Ray.*; *1 Rushw.*, 268; *Fost.*, 232; *1 Clar. Hist of the Reb.*, 379. On a misdemeanor, his appearance may be in person, or he may answer in writing, or by attorney. *Seld. Jud.*, 100. The general rule on accusation for a misdemeanor is, that in such a state of liberty or restraint as the party is when the Commons complain of him, in such he is to answer. *Ib.*, 101. If previously committed by the Commons, he answers as a prisoner. But this may be called in some sort judicium parium suorum. *Ib.* In misdemeanors the party has a right to counsel by the common law, but not in capital cases. *Seld. Jud.*, 102, 105.

Answer. The answer need not observe great strictness of form. He may plead guilty as to part, and defend as to the residue; or, saving all exceptions, deny the whole or give a particular answer to each article separately. *1 Rush.*, 274; *2 Rush.*, 1374; *12 Parl. Hist.*, 442; *3 Lords' Journ., 13 Nov., 1643*; *2 Wood.*, 607. But he cannot plead a pardon in bar to the impeachment. *2 Wood.*, 615; *2 St. Tr.*, 735.

Replication, rejoinder, &c. There may be a replication, rejoinder, &c. *Sel. Jud.*, 114; *8 Grey's Deb.*, 233; *Sach. Tr.*, 15; *Journ. H. of Commons, 6 March, 1640–1*.

Witnesses. The practice is to swear the witnesses in open House, and then examine them there; or a committee may be named who shall examine them in committee, either on interrogatories agreed on in the House, or such as the committee in their discretion shall demand. *Seld. Jud.*, 120, 123.

Jury. In the case of Alice Pierce, *1 R.*, 2, a jury was impaneled for her trial before a committee. *Seld. Jud.*, 123. But this was on a complaint, not on impeachment by the Commons. *Seld. Jud.*, 163. It must also have been for a misdemeanor only, as the Lords spiritual sat in the case, which they do on misdemeanors, but not in capital cases. *Id.*, 148. The judgment was a forfeiture of all her lands and goods. *Id.*, 188. This, Selden says, is the only jury he finds recorded in Parliament for misdemeanors; but he makes no doubt, if the delinquent doth put himself on the trial of his country, a jury ought to be impaneled, and he adds that it is not so on impeachment by the Commons; for they are in loco proprio, and there no jury ought to be impaneled. *Id.*, 124. The Ld. Berkeley, *6 E.*, 3, was arraigned for the murder of L. 2, on an information on the part of the King, and not on impeachment of the Commons; for then they had been patria sua. He waived his peerage and was tried by a jury of Gloucestershire and Warwickshire. *Id.*, 125. In 1 H., 7, the Commons protest that they are not to be considered as parties to any judgment given or hereafter to be given in Parliament. *Id.*, 133. They have been generally and more justly considered, as is before stated, as the grand jury; for the conceit of Selden is certainly not

accurate, that they are the patria sua of the accused, and that the Lords do only judge, but not try. It is undeniable that they do try; for they examine witnesses as to the facts, and acquit or condemn, according to their own belief of them. And Lord Hale says, “the peers are judges of law as well as of fact”; *2 Hale, P. C.*, 275; consequently of fact as well as of law.

Presence of Commons. The Commons are to be present at the examination of witnesses. *Seld. Jud.*, 124. Indeed, they are to attend throughout, either as a committee of the whole House, or otherwise, at discretion, appoint managers to conduct the proofs. *Rushw. Tr. of Straff.*, 37; *Com. Journ., 4 Feb., 1709–10*; *2 Wood.*, 614. And judgment is not to be given till they demand it. *Seld. Jud.*, 124. But they are not to be present on impeachment when the Lords consider of the answer or proofs and determine of their judgment. Their presence, however, is necessary at the answer and judgment in cases capital, *Id.* 58, 159 as well as not capital; 162. The Lords debate the judgment among themselves. Then the vote is first taken on the question of guilty or not guilty; and if they convict, the question, or particular sentence, is out of that which seemeth to be most generally agreed on. *Seld. Jud.*, 167; *2 Wood.*, 612.

Judgment. Judgments in Parliament, for death, have been strictly guided per legem terræ, which they cannot alter; and not at all according to their discretion. They can neither omit any part of the legal judgment, nor add to it. Their sentence must be secundum, non ultra legem. *Seld. Jud.*, 168, 171. This trial, though it varies in external ceremony, yet differs not in essentials from criminal prosecutions before inferior courts. The same rules of evidence, the same legal notion of crimes and punishments,

prevailed; for impeachments are not framed to alter the law, but to carry it into more effectual execution against too powerful delinquents. The judgment, therefore, is to be such as is warranted by legal principles or precedents. *6 Sta. Tr.*, 14; *2 Wood.*, 611. The Chancellor gives judgment in misdemeanors; the Lord High Steward formerly in cases of life and death. *Seld. Jud.*, 180. But now the Steward is deemed not necessary. *Fost.*, 144; *2 Wood.*, 613. In misdemeanors the greatest corporal punishment hath been imprisonment. *Seld. Jud.*, 184. The King's assent is necessary in capital judgments, (but *2 Wood.*, 614, contra,) but not in misdemeanors. *Seld. Jud.*, 136.

Continuance. An impeachment is not discontinued by the dissolution of Parliament, but may be resumed by the new Parliament. *T. Ray.*, 383; *4 Com. Journ., 23 Dec., 1790*; *Lords' Jour., May 15, 1791*; *2 Wood.*, 618.

AMERICAN POLITICS.

BOOK V.
TABULATED HISTORY OF THE GENERAL GOVERNMENT.

ESTIMATE of VALUES of FOREIGN COINS.

Country.	Monetary unit.	Standard	Value in United States money.	Standard coin
Austria	Florin	Silver	$0 40.6	

Belgium	Franc	Gold and silver	19.3	5, 10, and 20 francs.
Bolivia	Boliviano	Silver	82.3	Boliviano.
Brazil	Milreis of 1,000 reis	Gold	54.6	
British Possessions in North America.	Dollar	do	1 00	
Chili	Peso	Gold and silver	91.2	Condor, doubloon, and escudo.
Cuba	do	do	93.2	1/16, ⅛, ¼, ½, and 1 doubloon.
Denmark	Crown	Gold	26.8	10 and 20 crowns.
Ecuador	Peso	Silver	82.3	Peso.
Egypt	Piaster	Gold	04.9	5, 10, 25, 50, and 100 piasters.
France	Franc	Gold and silver	19.3	5, 10, and 20 francs.
Great Britain	Pound Sterling	Gold	4 86.6½	½ sovereign and sovereign.
Greece	Drachma	Gold and silver	19.3	5, 10, 20, 50, and 100 drachmas.
German Empire	Mark	Gold	23.8	5, 10, and 20 marks.

Hayti	Gourde	Gold and silver	96.5	1, 2, 5, and 10 gourdes.
India	Rupee of 16 annas	Silver	39	
Italy	Lira	Gold and silver	19.3	5, 10, 20, 50, and 100 lire.
Japan	Yen	Silver	88.7	1, 2, 5, 10, and 20 yen; gold and silver yen.
Liberia	Dollar	Gold	1 00	
Mexico	do	Silver	89.4	Peso or dollar 5, 10, 25, and 50 centavo.
Netherlands	Florin	Gold and silver	40.2	
Norway	Crown	Gold	26.8	10 and 20 crowns.
Peru	Sol	Silver	82.3	Sol.
Portugal	Milreis of 1,000 reis	Gold	1 08	2, 5, and 10 milreis.
Russia	Rouble of 100 copecks	Silver	65.8	¼, ½, and 1 rouble.
Sandwich Islands	Dollar	Gold	1 00	
Spain	Peseta of 100 centimes	Gold and silver	19.3	5, 10, 20, 60, and 100 pesetas.

Sweden	Crown	Gold	26.8	10 and 20 crowns.
Switzerland	Franc	Gold and silver	19.3	5, 10, and 20 francs.
Tripoli	Mahbub of 20 piasters	Silver	74.3	
Turkey	Piaster	Gold	04.4	25, 50, 100, 250, and 500 piasters.
United States of Colombia	Peso	Silver	82.3	Peso.
Venezuela	Bolivar	Gold and silver	19.3	5, 10, 20, 50, and 100 Bolivar.

INTEREST LAWS OF ALL THE STATES AND TERRITORIES IN THE UNITED STATES.

STATES & TERRITORIES.	PENALTY OF USURY.	LEGAL.	SPECIAL.
Alabama	Loss of interest	8%	
Arizona	No penalty	10	No limit.

Arkansas	Forfeiture of principal and interest	6	No limit.
California	No penalty	10	No limit.
Colorado	No penalty	10	No limit.
Connecticut	Forfeiture of all interest	6	No limit.
Dakota	Forfeiture of contract	7	18%
Delaware	Forfeiture of contract	6	6
District of Columbia	Forfeiture of all interest	6	10
Florida	No penalty	8	No limit.
Georgia	Forfeiture of excess	7	12
Idaho[105]	$300 fine, or imprisonment six months, or both	10	24
Illinois	Forfeiture of all interest	6	8
Indiana	Forfeiture of interest and costs	6	10
Iowa	Forfeiture of interest and costs	6	10
Kansas	Forfeiture of excess over 12%	7	12

Kentucky	Forfeiture of all interest	6	8
Louisiana	Forfeiture of interest	5	8
Maine	No penalty	6	No limit.
Maryland	Forfeiture of excess	6	6
Massachusetts	No penalty; 6% on judgments	6	No limit.
Michigan	Forfeiture of excess	7	10
Minnesota	Forfeiture of excess over 7%	7	12
Mississippi	No penalty	6	No limit.
Missouri	Forfeiture of all interest	6	10
Montana	No penalty	10	
Nebraska	Forfeiture of all interest and costs	10	12
Nevada	No penalty	10	No limit.
New Hampshire	Forfeit of three times interest received	6	6
New Jersey	Forfeit of all interest	6	7
New Mexico	No penalty	6	12
New York[106]	Forfeiture of contract	7	7

North Carolina	Forfeiture of double amount of principal, and $1,000 fine	6%	8%
Ohio	Forfeiture of excess	6	8
Oregon	Forfeiture of principal, interest and costs	10	12
Pennsylvania	Forfeiture of excess, Act of 1858	6	6
Rhode Island[107]	Forfeiture, unless by contract	6	No limit.
South Carolina	No penalty	7	No limit.
Tennessee	Forfeiture of over 6%, and $100 fine	6	10
Texas	No penalty	8	12
Utah	No penalty	10	7
Vermont	Forfeit of excess on Railroad Bonds only	6	
Virginia	Forfeit of excess. No corporation can plead usury	6	No limit.
Washington Territory	No penalty	10	6
West Virginia	Forfeit of excess	6	6

Wisconsin	Forfeit of all interest	7	10
Wyoming Territory	No penalty	10	No limit.

AGGREGATE ISSUES OF PAPER MONEY IN WAR TIMES.

The following table exhibits the amount *per capita* issued of the Continental money, the French *assignats*, the Confederate currency, and the legal-tender greenbacks and National bank notes of the United States.

	POPULATION.	AMOUNT ISSUED.	AMOUNT PER HEAD.
Continental money	3,000,000 in 1780.	$359,546,825	$119.84
French assignats	26,500,000 (France in 1790).	9,115,600,000	343.98
Confederate currency	9,103,332 (11 Confederate States, 1860).	654,465,963	71.89
Greenbacks and National bank notes	31,443,321 (United States in 1860).	750,820,228	23.87

Highest amount in circulation, Jan. ’66	750,820,228	

ELECTORAL VOTES FOR PRESIDENTS AND VICE-PRESIDENTS

	CANDIDATES.	Maine	N. Hamp.	Vermont	Mass.	R. Island	Conn.	N. York	N. Jersey
1788	Washington, Va. (Fed.)		5		10		7		6
	John Adams, Mass. (Fed.)		5		10		5		1
	Scattering						2		5
1792	Washington, Va. (Fed.)		6	4	16	4	9	12	7
	John Adams, Mass. (Fed.)		6	4	16	4	9		7
	George Clinton, N. Y. (Rep.)							12	
1796	Adams, Mass. (Fed.)		6	4	16	4	9	12	7
	Jefferson, Va. (Rep.)								
	Pinckney, S. C. (Fed)			4	13		4	12	7
	Burr. N. Y. (Rep.)								
	Scattering		6		3	4	5		
1800	Jefferson, Va. (Rep.)							12	
	Adams, Mass. (Fed.)		6	4	16	4	9		7
	Burr, N.Y. (Rep.)					sc		12	
	Pinckney, S. C. (Rep.)		6	4	16	3	9		7
1804 Pres.	Jefferson, Va. (Rep.)		7	6	19	4		19	8

	Pinckney, S. C. (Fed.)						9		
Vice-Pres.	Clinton, N. Y. (Rep.)		7	6	19	4		19	8
	King, N. Y. (Fed.)						9		
1808 Pres.	Madison, Va. (Rep.)			6				13	8
	Pinckney, S. C. (Fed.)		7		19	4	9	sc	
Vice-Pres.	Clinton, N. Y. (Rep.)							13	8
	King, N. Y. (Fed.)		7	sc	19	4	9	sc	
1812 Pres.	Madison, Va. (Rep.)			8					
	De Witt Clinton, N. Y. (Cl. Dem.)		8		22	4	9	29	8
Vice-Pres.	Gerry, Mass. (Rep.)		1	8	2				
	Ingersoll, Pa. (Cl. Dem)		7		20	4	9	29	8
1816 Pres.	Monroe, Va. (Dem.)		8	8		4		29	8
	King, N. Y. (Fed.)				22		9		
Vice-Pres.	Daniel D. Tompkins, N. Y. (Dem.)		8	8	sc	4	sc	29	8
1820 Pres.	James Monroe, Va. (Dem.)	9	7 sc	8	15	4	9	29	8
Vice-Pres.	Daniel D. Tompkins, N. Y. (Dem.)	9	7 sc	8	7 sc	4	9	29	8
1824 Pres.	Jackson, Tenn. (Dem.)							1	8
	John Q. Adams, Mass. (Fed.)	9	8	7	15	4	8	26	
	Crawford, Ga. (Dem.)							5	
	Clay, Ky. (Whig)	8						4	
Vice-Pres.	Calhoun, S. C. (Dem.)	9	7	7	15	3		29	8
	Sanford, N. Y		sc				sc	7	
Vote House Rep. States	Adams (Fed.)	7	6	5	12	2	6	18	1
	Jackson (Dem.)							2	5
	Crawford (Dem.)				1			14	

1828 Pres.	Jackson, Tenn. (Dem.)	1						20	
	Adams, Mass. (Fed.)	8	8	7	15	4	8	16	8
Vice-Pres.	J. C. Calhoun, S. C. (Dem.)	1						20	
	Rush, Pa. (Fed.)	8	8	7	15	4	8	16	8
	Smith, S. C.								
1832 Pres.	Jackson, Tenn. (Dem.)	10	7					42	8
	Clay, Ky. (Whig.)			sc	14	4	8		
Vice-Pres.	Van Buren, N. Y. (Dem.)	10	7					42	8
	Sergeant, Pa. (Whig.)			sc	14	4	8		
1836 Pres.	Van Buren, N. Y. (Dem.)	10	7			4	8	42	
	Harrison, Ohio (Whig)			7	sc				8
Vice-Pres.	Johnson, Ky. (Dem.)	10	7			4	8	42	
	Francis Granger, N. Y. (Whig)			7	14				8
1840 Pres.	Harrison, Ohio (Whig)	10		7	14	4	8	42	8
	Van Buren, N. Y. (Dem.)		7						
Vice-Pres.	Tyler, Va. (Whig)	10		7	14	4	8	42	8
	Johnson, Ky. (Dem.)								
1844 Pres.	Polk, Tenn. (Dem.)	9	6					36	
	Clay, Ky. (Whig)			6	12	4	6		7
Vice-Pres.	Dallas, Pa. (Dem.)	9	6					36	
	Frelinghuysen, N. Y. (Whig)			6	12	4	6		7
1848 Pres.	Taylor, La. (Whig)			6	12	4	6		7
	Cass, Mich. (Dem.)	9	6						
Vice-Pres.	Fillmore N. Y. (Whig)			6	12	4	6	36	7
	Butler, Ky. (Dem.)	9	6						
1852 Pres.	Pierce, N. H. (Dem.)	8	5			4	6	35	7

	Scott, Va. (Whig)			5	13				
Vice-Pres.	King, Ala. (Dem.) Graham, N. C. (Whig)	8	5	5	13	4	6	35	7
1856 Pres.	Buchanan, Pa. (Dem.) J. C. Fremont, N. Y. (Rep.) Fillmore, N. Y. (Am.)	8	5	5	13	4	6	35	7
Vice-Pres.	Breckinridge, Ky. (Dem.) Dayton, Ohio (Rep.) Donnelson, Tenn. (Am.)	8	5	5	13	4	6	35	7
1860 Pres.	Lincoln, Ill. (Rep) Breckinridge, Ky. (Dem.) Bell, Tenn. (Am.) Douglas, Ill. (Dem.)	8	5	5	13	4	6	35	4 3
Vice-Pres.	Hamlin, Me. (Rep.) Lane, Oregon (Dem.) Everett, Mass. (Am.) Johnson, Geo. (Dem.)	8	5	5	13	4	6	35	4 3
1864 Pres.	Lincoln, Ill. (Rep.) J McClellan, N. J. (Dem.) Vacancies. Seceded States	7	5	5	12	4	6	33	7
Vice-Pres.	Johnson, Tenn. (Rep.) Pendleton, Ohio (Dem.) Vacancies	7	5	5	12	4	6	33	7
1868 Pres.	Grant, Ill. (Rep.) Seymour, N. Y. (Dem.) Vacancies	7	5	5	2	4	6	33	7
	Colfax Ind. (Rep.)	7	5	5	12	4	6		

	Blair, Me. (Dem.)							33	7
	Vacancies								
1872 Pres.	Grant, Ill. (Rep.) Hendricks, Ind. (Dem.) Brown, Mo. (Lib. Rep.) Perkins, Ga. (Dem.) Davis, Ill. (Lib. Rep.) Not counted Horace Greeley, N. Y. (Lib. Rep.) died before meeting of electoral college	7	5	5	13	4	6	35	9
Vice-Pres.	Wilson, Mass. (Rep.) Brown, Mo. (Lib. Rep.) Julian, Ind. (Dem.) Colquitt, Ga. (Dem.) Palmer, Ill. (Dem.) Bramlette, Ky. (Dem.) Groesbeck, Ohio (Dem.) Macken, Ky. (Dem.) Banks, Mass. (Lib. Rep.) Not counted	7	5	5	13	4	6	35	9
1876 Pres.	Hayes, Ohio (Rep.) Tilden, N. Y. (Dem.)	7	5	5	13	4	6	35	9
Vice-Pres.	Wheeler, N. Y. (Rep.) Hendricks, Ind. (Dem.)	7	5	5	13	4	6	35	9
1880 Pres.	Garfield, Ohio (Rep.) Hancock, N. Y. (Dem.)	7	5	5	13	4	6	35	9

	Weaver, Iowa (Gr.)								
	Arthur, N. Y. (Rep.)	7	5	5	13	4	6	35	
Vice-Pres.	English, Ind. (Dem.)								9
	Chambers, Tex. (Gr.)								
	Cleveland, N. Y. (Dem.)						6	36	9
1884 Pres.	Blaine, Me. (Rep.)	6	4	4	14	4			
	Harrison, Ind. (Rep.)	6	4	4	14	4		36	
1888 Pres.	Cleveland, N. Y. (Dem.)						6		9

STATES AND TERRITORIAL GOVERNMENTS.

States and Territories.	Area in sq. miles.	Capitals.	Governor's salary.
Alabama	50,722	Montgomery	$4,000
Alaska Territory	577,380	Sitka	
Arizona Territory	113,916	Tucson	2,600
Arkansas	52,198	Little Rock	5,000
California	188,981	Sacramento	7,000
Colorado	104,500	Denver	
Connecticut	4,750	Hartford	2,000
Dakota, North }	15,200	Bismarck	3,000
Dakota, South }		Pierre	2,500
Delaware	2,120	Dover	2,000
District of Columbia	60	Washington	
Florida	59,248	Tallahassee	5,000
Georgia	58,000	Atlanta	4,000
Idaho	90,932	Boise City	
Illinois	55,410	Springfield	6,000
Indian Territory	68,091	Tahlequah	1,000
Iowa	55,045	Des Moines	2,500
Kansas	88,318	Topeka	3,000
Kentucky	37,680	Frankfort	5,000
Louisiana	41,346	Baton Rouge	7,000
Maine	35,000	Augusta	2,500

Maryland	11,124	Annapolis	4,500
Massachusetts	7,800	Boston	5,000
Michigan	56,451	Lansing	1,000
Minnesota	83,531	St. Paul	3,000
Mississippi	47,156	Jackson	3,000
Missouri	65,350	Jefferson City	5,000
Montana	143,776	Helena	5,000
Nebraska	75,995	Lincoln	1,000
Nevada	81,539	Carson City	6,000
New Hampshire	9,280	Concord	1,000
New Jersey	8,320	Trenton	10,000
New Mexico Territory	121,201	Santa Fe	
New York	47,000	Albany	10,000
North Carolina	50,704	Raleigh	5,000
Ohio	39,964	Columbus	4,000
Oregon	95,274	Salem	1,500
Pennsylvania	46,000	Harrisburg	10,000
Rhode Island	1,306	Newport and Providence	1,000
South Carolina	34,000	Columbia	4,000
Tennessee	45,000	Nashville	3,000
Texas	274,356	Austin	5,000
Utah Territory	88,056	Salt Lake City	2,600
Vermont	10,212	Montpelier	1,000
Virginia	38,352	Richmond	5,000
Washington	69,994	Olympia	4,000
West Virginia	23,000	Wheeling	2,700
Wisconsin	53,924	Madison	5,000
Wyoming	85,000	Cheyenne	2,600

States and Territories.	Legislatures meet.	Time of Election i State.

Alabama	2d Monday	November	1st Monday	
Alaska Territory				
Arizona Territory		January	Tuesday after 1st Mon.	N
Arkansas	Tuesday after 2d Mon.	November	1st Monday	Se
California	1st Monday	December	Tuesday after 1st Mon.	N
Colorado	1st Wednesday	January	Tuesday after 1st Mon.	N
Connecticut	Wednesday after 1st Mon.	January	Tuesday after 1st Mon.	N
Dakota, North }	1st Monday	January	Tuesday after 1st Mon.	N
Dakota, South }	1st Tuesday	January	Tuesday after 1st Mon.	N
Delaware	1st Tuesday	January	Tuesday after 1st Mon.	N
District of Columbia				
Florida	Tuesday after 1st Mon.	January	Tuesday after 1st Mon.	N
Georgia	2d Wednesday	January	1st Wednesday	
Idaho				
Illinois	Wednesday after 1st Mon.	January	Tuesday after 1st Mon.	N
Indiana	1st Wednesday	January	Tuesday after 1st Mon.	N
Indian Territory				
Iowa	2d Monday	January	2d Tuesday	
Kansas	2d Tuesday	January	Tuesday after 1st Mon.	N
Kentucky	1st Monday	December	1st Monday	

Louisiana	1st Monday	January	Tuesday after 1st Mon.
Maine	1st Wednesday	January	2d Monday
Maryland	1st Wednesday	January	Tuesday after 1st Mon.
Massachusetts	1st Wednesday	January	Tuesday after 1st Mon.
Michigan	1st Wednesday	January	Tuesday after 1st Mon.
Minnesota	Tuesday after 1st Mon.	January	Tuesday after 1st Mon.
Mississippi	1st Monday	January	Tuesday after 1st Mon.
Missouri	Last Monday	December	Tuesday after 1st Mon.
Montana	1st Monday	January	
Nebraska	Tuesday after 1st Mon.	January	Tuesday after 1st Mon.
Nevada	1st Monday	January	Tuesday after 1st Mon.
New Hampshire	1st Monday	January	Tuesday after 1st Mon.
New Jersey	Monday before 3d Tues.	January	Tuesday after 1st Mon.
New Mexico Territory			
New York	1st Tuesday	January	Tuesday after 1st Mon.
North Carolina	Wednesday after 1st Mon.	January	Tuesday after 1st Mon.
Ohio	2d Monday	January	Tuesday after 1st Mon.
Oregon	2d Monday	September	1st Monday

Pennsylvania	1st Tuesday	January	Tuesday after 1st Mon.	N
Rhode Island		May and January	1st Wednesday	
South Carolina	4th Tuesday	November	Tuesday after 1st Mon.	N
Tennessee	1st Monday	January	Tuesday after 1st Mon.	N
Texas	2d Tuesday	January	Tuesday after 1st Mon.	N
Utah Territory				
Vermont	1st Wednesday	October	1st Tuesday	Se
Virginia	1st Monday	December	Tuesday after 1st Mon.	N
Washington				
West Virginia	1st Monday	December	Tuesday after 1st Mon.	N
Wisconsin	1st Wednesday	January	Tuesday after 1st Mon.	N
Wyoming			Tuesday after 1st Mon.	N

THE CUSTOMS TARIFF OF GREAT BRITAIN.

No protective duties are now levied on goods imported, Customs duties being charged solely for the sake of revenue. Formerly the articles subject to duty numbered nearly a thousand; now they are only twenty-two, the chief being tobacco, spirits, tea, and wine. The following is a complete list:

Articles.	Duty.		
	£	s.	d.
Ale or beer, spec. gravity not exceeding 1065°, per bbl.	0	8	0
Ale or beer, spec. gravity not exceeding 1090°, per bbl.	0	11	0
Ale or beer, spec. gravity exceeding 1090°, per bbl.	0	16	0
Beer, Mum, per bbl.	1	1	0
Beer, spruce, spec. gravity not exceeding 1190°, per bbl.	1	1	0
Beer, spruce, exceeding 1190°, per barrel	1	4	0
Cards, playing, per doz. packs	0	3	9
Chicory (raw or kiln-dried), cwt.	0	13	3
Chicory (roasted or ground), lb.	0	0	2
Chloral hydrate, pound	0	1	3
Chloroform, pound	0	3	0
Cocoa, pound	0	0	1
Cocoa, cwt., husks and shells	0	2	0
Cocoa paste and chocolate, pound	0	0	2
Coffee, raw, cwt.	0	14	0
Coffee, kiln-dried, roasted or ground, per pound	0	0	2
Collodion, gallon	0	1	4
Essence of spruce, 10 per cent. ad valorem Ethyl, iodide of, gallon	0	13	0
Ether, gallon	0	1	5
Fruit, dried, cwt.	0	7	0
Malt, per quarter	1	4	9
Naphtha, purified, gallon	0	10	5
Pickles, in vinegar, gallon	0	0	1

Plate, gold, ounce	0	17	0
Plate, silver, ounce	0	1	6
Spirits, brandy, Geneva, rum, etc., gallon	0	10	5
Spirits, rum, from British Colonies, gallon	0	10	2
Spirits, cologne water, gallon	0	16	6
Tea, pound	0	0	6
Tobacco, unmanufactured, lb.	0	3	1¾
Tobacco, containing less than ten per ct. of moisture, lb.	0	3	6
Cavendish or Negro head	0	4	6
Other manufactured tobacco	0	4	0
Snuff, containing more than 13 per cent. of moisture, lb.	0	3	9
Snuff, less than 13 per cent. of moisture, lb.	0	4	6
Tobacco, cigars, pound	0	5	0
Varnish, containing alcohol, gallon	0	12	0
Vinegar, gallon	0	0	3
Wine, containing less than 26° proof spirit, gallon	0	1	0
Wine, containing more than 26° and less than 42 spirit, gallon	0	2	6
Wine, for each additional degree of strength beyond 42°, gallon	0	0	3

PRESIDENTS AND VICE-PRESIDENTS.

	PRESIDENTS.		VICE-PRESIDE	
Term	Name.	Qualified.	Name.	
[108]1	George Washington	April 30, 1789	John Adams	Jun
2	„ „	March 4, 1793	„ „	Dec.
3	John Adams	March 4, 1797	Thomas Jefferson	Mar
4	Thomas Jefferson	March 4, 1801	Aaron Burr	Mar
5	„ „	March 4, 1805	George Clinton	Mar
6	James Madison	March 4, 1809	„ „	Mar
7	„ „	March 4, 1813	Elbridge Gerry	Mar
			John Gaillard	Nov
8	James Monroe	March 4, 1817	Daniel D. Tompkins	Mar
9	„ „	March 5, 1821	„ „	Mar
10	John Q. Adams	March 4, 1825	John C. Calhoun	Mar
11	Andrew Jackson	March 4, 1829	„ „	Mar
12	„ „	March 4, 1833	Martin Van Buren	Mar
13	Martin Van Buren	March 4, 1837	Richard M. Johnson	Mar
14	Wm. H. Harrison	March 4, 1841	John Tyler	Mar
14a	John Tyler	April 6, 1841	[109]Samuel L. Southard	Apr.

				[109]Willie Mangum	P. May
15	James K. Polk	March	4, 1845	George Dallas	M. Mar
16	Zachary Taylor	March	5, 1849	Millard Fillmore	Mar
16a	Millard Fillmore	July	10, 1850	[109]William King	R. July
17	Franklin Pierce	March	4, 1853	William King	R. Mar
				[109]David Atchison	R. Apr.
				[109]Jesse Bright	D. Dec.
18	James Buchanan	March	4, 1857	John Breckinridge	C. Mar
19	Abraham Lincoln	March	4, 1861	Hannibal Hamlin	Mar
20	„ „	March	4, 1865	Andrew Johnson	Mar
20a	Andrew Johnson	April	15, 1865	[109]Lafayette S. Foster	Apr.
				[109]Benjamin F. Wade	Mar
21	Ulysses S. Grant	March	4, 1869	Schuyler Colfax	Mar
22	„ „	March	4, 1873	Henry Wilson	Mar
				[109]Thomas W. Ferry	Nov
23	Rutherford B. Hayes	Mar.	5, 1877	William A. Wheeler	Mar
24	James A. Garfield	March	4, 1881	Chester A. Arthur	Mar

24a	Chester A. Arthur	Oct.	20, 1881	[109]Thomas F. Bayard	Oct.
				[109]David Davis	Oct.
25	Grover Cleveland	March	4, 1885	Thomas A. Hendricks	Mar
				[109]John Sherman	Dec.
26	Benjamin Harrison	March	4, 1889	Levi P. Morton	Mar

SUMMARY OF POPULAR AND ELECTORAL VOTES IN PRESIDENTIAL ELECTIONS, 1789–1888.

Year.	Number of States.	Total Elect Vote.	Party.	Candidates.	States.
1789	10	73		George Washington John Adams John Jay R. R. Harrison John Rutledge John Hancock	

				George Clinton	
				Samuel Huntington	
				John Milton	
				Benjamin Lincoln	
				James Armstrong	
				Edward Telfair	
				Vacancies	
1792	15	135	Federalist	George Washington	
			Federalist	John Adams	
			Republican	George Clinton	
			Republican	Thomas Jefferson	
			Republican	Aaron Burr	
				Vacancies	
1796	16	138	Federalist	John Adams	
			Republican	Thomas Jefferson	
			Federalist	Thomas Pinckney	
			Republican	Aaron Burr	
				Samuel Adams	
				Oliver Ellsworth	
				George Clinton	
				John Jay	

				James Iredell	
				George Washington	
				John Henry	
				S. Johnson	
				Charles C. Pinckney	
1800	16	138	Republican	Thomas Jefferson	
			Republican	Aaron Burr	
			Federalist	John Adams	
			Federalist	Charles C. Pinckney	
			Federalist	John Jay	

Year.	Number of States.	Total Elect. Vote.	Party.	For President.	States.	Popular Vote.	Elect. Vote.	P
1804	21	176	Republican	Thomas Jefferson	15		162	Geor
			Federalist	Chas. C. Pinckney	2		14	Rufu
1808	17	176	Republican	James Madison	12		122	Geor
			Republican	George Clinton			6	Jame
			Federalist	Chas. C. Pinckney	5		47	Rufu
								John
								Jame
				Vacancy			1	
1812	18	218	Republican	James Madison	11		128	Elbri
			Federalist	De Witt Clinton	7		89	Jare
				Vacancy			1	
1816	19	221	Republican	James Monroe	16		183	D. D
			Federalist	Rufus King	3		34	John
								Jame

								John
								Robt
				Vacancies			4	
1820	24	235	Republican	James Monroe	24		231	D. D
				John Q. Adams			1	Rich
								Dani
								Robt
								Rich
				Vacancies			3	
1824	24	261	Republican	Andrew Jackson	10	155,872	99	John Ca
			Republican	John Q. Adams	8	105,321	84	Nath
			Republican	Wm. H. Crawford	3	44,282	41	Nath Ma
			Republican	Henry Clay	3	46,587	27	Andr Ja
								M. V
								Henr
				Vacancy				
1828	24	261	Democratic	Andrew Jackson	15	647,231	178	John Ca
			Nat.	John Q. Adams	9	509,097	83	Rich
			Republican					
								Willi
1832	24	288	Democratic	Andrew Jackson	15	687,502	219	M. V
			Nat.	Henry Clay	7	530,189	49	John
			Republican					
			Anti-Mason	William Wirt	1	33,108	7	Amo
				John Floyd	1		11	Henr
								Willi
				Vacancies			2	
1836	26	294	Democratic	Martin Van Buren	15	761,549	170	R. M
			Whig	Wm. H. Harrison	7	736,656	73	Fran
				Hugh L. White	2		26	John
				Daniel Webster	1		14	Willi
				W. P. Mangum	1		11	

1840	26	294	Whig	Wm. H. Harrison	19	1,275,017	234	John
			Democratic	Martin Van Buren	7	1,128,702	60	R. M
			Liberty	James G. Birney		7,059		
								L. W
								Jame
1844	26	275	Democratic	James K. Polk	15	1,337,243	170	Geo.
			Whig	Henry Clay	11	1,299,068	105	T. Fr
			Liberty	James G. Birney		62,300		
1848	30	290	Whig	Zachary Taylor	15	1,360,101	163	Milla Fil
			Democratic	Lewis Cass	15	1,220,544	127	Wm.
			Free Soil	Martin Van Buren		291,263		Chas
1852	31	296	Democratic	Franklin Pierce	27	1,601,474	254	Wm.
			Whig	Winfield Scott	4	1,386,578	42	Wm.
			Free Democracy	John P. Hale		156,149		Geo.
1856	31	296	Democratic	James Buchanan	19	1,838,169	174	J. Br
			Republican	John C. Fremont	11	1,341,264	114	Wm.
			American	Millard Fillmore	1	874,534	8	A. J.
1860	33	303	Republican	Abraham Lincoln	17	1,866,352	180	Hanı Ha
			Democratic	J. C. Breckinridge	11	845,763	72	Jose
			Democratic	S. A. Douglas	2	1,375,157	12	H. V
			“Const. Union”	John Bell	3	589,581	39	Edw
1864	36	314	Republican	Abraham Lincoln	22	2,216,067	212	Andı Jo
			Democratic	Geo. B. McClellan	3	1,808,725	21	Geo. Pe
				Vacancies[110]	11		81	
1868	37	317	Republican	Ulysses S. Grant	26	3,015,071	214	Schu
			Democratic	Horatio Seymour	8	2,709,613	80	F. P.

				Vacancies[111]	3		23	
1872	37	366	Republican	Ulysses S. Grant	31	3,597,070	286	Henı
			Dem. and Lib. Rep.	Horace Greeley	6	2,834,079		B. Gı
			Democratic	Chas. O'Conor		29,408		John
			Temperance	James Black		5,608		A. H
				T. A. Hendricks			42	Iohn
				B. Gratz Brown			18	Geo.
				David Davis			1	W. S
								Willi Mı
								N. P.
				Not counted[112]			17	
1876	38	369	Republican	R. B. Hayes	21	4,033,950	185	Wm. Wl
			Democratic	S. J. Tilden	17	4,284,885	184	T. A.
			"Greenback"	Peter Cooper		81,740		S. F.
			"Prohibition"	Green C. Smith		9,522		R. T.
1880	38	369	Republican	James A. Garfield	19	4,442,950	214	Ches Ar
			Democratic	W. S. Hancock	19	4,442,035	155	Wm.
			"Greenback"	James B. Weaver		306,867		B. J.
				Scattering		12,576		
1884	38	401	Democratic	Grover Cleveland	20	4,911,017	219	T. A.
			Republican	James G. Blaine	18	4,848,334	182	John
			Prohibition	John P. St. John		151,809		Willi
			Greenback	Benj. F. Butler		133,825		A. M
				Scattering		11,362		
1888	38	401	Republican	Benjamin Harrison	20	5,438,157	233	Levi
			Democratic	Grover Cleveland	18	5,535,626	168	Allar Th
			Prohibition	Clinton B. Fisk		250,157		John
			Labor	R. H. Cowdrey		150,624		W. V

CABINET OFFICERS OF THE ADMINISTRATIONS.

George Washington, President.

I. and II.; 1789–1797.

Secretary of State, Thomas Jefferson, Virginia, September 26th, 1789; Edmund Randolph, Virginia, January 2d, 1794; Timothy Pickering, Pennsylvania, December 10th, 1795. *Secretary of Treasury*, Alexander Hamilton, New York, September 11th, 1789; Oliver Wolcott, Connecticut February 2d, 1795. *Secretary of War*, Henry Knox, Massachusetts, September 12th, 1789; Timothy Pickering, Pennsylvania, January 2d, 1795; James McHenry, Maryland, January 27th, 1796. *Attorney-General*, Edmund Randolph, Virginia, September 26th, 1789; William Bradford, Pennsylvania, January 27th, 1794; Charles Lee, Virginia, December 10th, 1795. *Postmaster-General*,[113] Samuel Osgood, Massachusetts, September 26th, 1789; Timothy Pickering, Pennsylvania, August 12th, 1791; Joseph Habersham, Georgia, February 25th, 1795.

John Adams, President.

III.; 1797–1801.

Secretary of State, Timothy Pickering, continued; John Marshall, Virginia, May 13th, 1800. *Secretary of Treasury*, Oliver Wolcott, continued; Samuel Dexter, Massachusetts, January 1st, 1801. *Secretary of War*, James McHenry, continued; Samuel Dexter, Massachusetts, May 13th, 1800; Roger Griswold,

Connecticut, February 3d, 1801. *Secretary of Navy*, [114] George Cabot, Massachusetts, May 3d, 1798; Benjamin Stoddert, Maryland, May 21st, 1798. *Attorney-General*, Charles Lee, continued; Theophilus Parsons, Massachusetts, February 20th, 1801. *Postmaster-General*, Joseph Habersham, continued.

Thomas Jefferson, President.

IV. and V.; 1801–1809.

Secretary of State, James Madison, Virginia, March 5th, 1801. *Secretary of Treasury*, Samuel Dexter, continued; Albert Gallatin, Pennsylvania, May 14th, 1801. *Secretary of War*, Henry Dearborn, Massachusetts, March 5th, 1801. *Secretary of Navy*, Benjamin Stoddert, continued; Robert Smith, Maryland, July 15th, 1801; Jacob Crowninshield, Massachusetts, May, 3d, 1805. *Attorney-General*, Levi Lincoln, Massachusetts, March 5th, 1801; Robert Smith, Maryland, March 3d, 1805; John Breckinridge, Kentucky, August 7th, 1805; Cæsar A. Rodney, Pennsylvania, January 20th, 1807. *Postmaster-General*, Joseph Habersham, continued; Gideon Granger, Connecticut, November 28th, 1801.

James Madison, President.

VI. and VII.; 1809–1817.

Secretary of State, Robert Smith, Maryland, March 6th, 1809; James Monroe, Virginia, April 2d, 1811. *Secretary of Treasury*, Albert Gallatin, continued; George W. Campbell, Tennessee, February 9th, 1814; A. J. Dallas, Pennsylvania, October 6th, 1814; William H. Crawford, Georgia, October 22d, 1816.

Secretary of War, William Eustis, Massachusetts, March 7th, 1809; John Armstrong, New York, January 13th, 1813; James Monroe, Virginia, September 27th, 1814; William H. Crawford, Georgia, August 1st, 1815. *Secretary of Navy*, Paul Hamilton, South Carolina, March 7th. 1809; William Jones, Pennsylvania, January 12th, 1813; B. W. Crowninshield, Massachusetts, December 19th, 1814. *Attorney-General*, C. A. Rodney, continued; William Pinckney, Maryland, December 11th, 1811; Richard Rush, Pennsylvania, February 10th, 1814. *Postmaster-General*, Gideon Granger, continued; Return J. Meigs, Ohio, March 17th, 1814.

James Monroe, President.

VIII. and IX.; 1817–1825.

Secretary of State, John Quincy Adams, Massachusetts, March 5th, 1817. *Secretary of Treasury*, William H. Crawford, continued. *Secretary of War*, George Graham, Virginia, April 7th, 1817; John C. Calhoun, South Carolina, October 8th, 1817. *Secretary of Navy*, B. W. Crowninshield, continued; Smith Thompson, New York, November 9th, 1818; John Rogers, Massachusetts, September 1st, 1823; Samuel L. Southard, New Jersey, September 16th, 1823. *Attorney-General*, Richard Rush, continued; William Wirt, Virginia, November 13th, 1817. *Postmaster-General*, R. J. Meigs, continued; John McLean, Ohio, June 26th, 1823.

John Quincy Adams, President.

X.; 1825–1829.

Secretary of State, Henry Clay, Kentucky, March 7th, 1825. *Secretary of Treasury*, Richard Rush, Pennsylvania, March 7th, 1825. *Secretary of War*, James Barbour, Virginia, March 7th, 1825; Peter B. Porter, New York, May 26th 1828. *Secretary of Navy*, S. L. Southard, continued. *Attorney-General*, William Wirt, continued. *Postmaster-General*, John McLean, continued.

Andrew Jackson, President.

XI. and XII.; 1829–1837.

Secretary of State, Martin Van Buren, New York, March 6th, 1829; Edward Livingston, Louisiana, May 24th, 1831; Louis McLane, Delaware, May 29th, 1833; John Forsyth, Georgia, June 27th, 1834. *Secretary of Treasury*, Samuel D. Ingham, Pennsylvania, March 6th, 1829; Louis McLane, Delaware, August 8th, 1831; William J. Duane, Pennsylvania, May 29th, 1833; Roger B. Taney, Maryland, September 23d, 1833; Levi Woodbury, New Hampshire, June 27th, 1834. *Secretary of War*, John H. Eaton, Tennessee, March 9th, 1829; Lewis Cass, Michigan, August 1st, 1831; Benjamin F. Butler, New York, March 3d, 1837. *Secretary of Navy*, John Branch, North Carolina, March 9th, 1829; Levi Woodbury, New Hampshire, May 23d, 1831; Mahlon Dickerson, New Jersey, June 30th, 1834. *Attorney-General*, John M. Berrien, Georgia, March 9th, 1829; Roger B. Taney, Maryland, July 20th, 1831; Benjamin F. Butler, New York, November 15th, 1833. *Postmaster-General*, William T. Barry, Kentucky, March 9th, 1829; Amos Kendall, Kentucky, May 1st, 1835.

Martin Van Buren, President.

XIII.; 1837–1841.

Secretary of State, John Forsyth, continued. *Secretary of Treasury*, Levi Woodbury, continued. *Secretary of War*, Joel R. Poinsett, South Carolina, March 7th, 1837. *Secretary of Navy*, Mahlon Dickerson, continued; James K. Paulding, New York, June 25th, 1838. *Attorney-General*, Benjamin F. Butler; Felix Grundy, Tennessee, July 5th, 1838; Henry D. Gilpin, Pennsylvania, January 11th, 1810. *Postmaster-General*, Amos Kendall, continued; John M. Niles, Connecticut, May 19th, 1840.

Wm. H. Harrison and John Tyler, Presidents.

XIV.; 1841–1845.

Secretary of State, Daniel Webster, Massachusetts, March 5th, 1841; Hugh S. Legare, South Carolina, May 9th, 1843; A. P. Upshur, Virginia, July 24th, 1843; John C. Calhoun, South Carolina, March 6th, 1844. *Secretary of Treasury*, Thomas Ewing, Ohio, March 5th, 1841; Walter Forward, Pennsylvania, September 13th, 1841; John C. Spencer, New York, March 3d, 1843; George M. Bibb, Kentucky, June 15th, 1844. *Secretary of War*, John Bell, Tennessee, March 5th, 1841; John McLean, Ohio, September 13th, 1841; John C. Spencer, New York, October 12th, 1841; James M. Porter, Pennsylvania, March 8th, 1843; William Wilkins, Pennsylvania, February 15th, 1844. *Secretary of Navy*, G. E. Badger, North Carolina, March 5th, 1841; A. P. Upshur, Virginia, September 13th, 1841; David Henshaw, Massachusetts, July 24th, 1843; T. W. Gilmer, Virginia, February 15th, 1844; John Y. Mason,

Virginia, March 14th, 1844. *Attorney-General*, John J. Crittenden, Kentucky, March 5th, 1841; Hugh S. Legare, South Carolina, September 13th, 1841; John Nelson, Maryland, July 1st, 1843. *Postmaster-General*, Francis Granger, Now York, March 6th, 1841; Charles A. Wickliffe, Kentucky, September 13th, 1841.

James K. Polk, President.

XV.; 1845–1849.

Secretary of State, James Buchanan, Pennsylvania, March 6th, 1845. *Secretary of Treasury*, Robert J. Walker, Mississippi, March 6th, 1845. *Secretary of War*, William L. Marcy, New York, March 6th, 1845. *Secretary of Navy*, George Bancroft, Massachusetts, March 10th, 1845; John Y. Mason, September 9th, 1846. *Attorney-General*, John Y. Mason, Virginia, March 5th, 1845; Nathan Clifford, Maine, October 17th, 1846. *Postmaster-General*, Cave Johnson, Tennessee, March 6th, 1845.

Zachary Taylor and Millard Fillmore, Presidents.

XVI.; 1849–1853.

Secretary of State, John M. Clayton, Delaware, March 7th, 1840; Daniel Webster, Massachusetts, July 22d, 1850; Edward Everett, Massachusetts, December 6th, 1852. *Secretary of Treasury*, W. M. Meredith, Pennsylvania, March 8th, 1849; Thomas Corwin, Ohio, July 23d, 1850. *Secretary of War*, George W. Crawford, Georgia, March 8th, 1849; Winfield Scott (*ad interim*), July 23d, 1850; Charles M. Conrad, Louisiana, August 15th, 1850. Secretary

of Navy, William B. Preston, Virginia, March 8th, 1849; William A. Graham, North Carolina, July 22d, 1850; J. P. Kennedy, Maryland, July 22d, 1852. *Secretary of Interior*, Thomas H. Ewing, Ohio, March 8th, 1849; A. H. H. Stuart, Virginia, September 12th, 1850. *Attorney-General*, Reverdy Johnson, Maryland, March 8th, 1849; John J. Crittenden, Kentucky, July 22d, 1850. *Postmaster-General*, Jacob Collamer, Vermont, March 8th, 1849; Nathan K. Hall, New York, July 23d, 1850; S. D. Hubbard, Connecticut, August 31st, 1852.

Franklin Pierce, President.

XVII.; 1853–1857.

Secretary of State, William L. Marcy, New York, March 7th, 1853. *Secretary of Treasury*, James Guthrie, Kentucky, March 7th, 1853. *Secretary of War*, Jefferson Davis, Mississippi, March 7th, 1853. *Secretary of Navy*, James C. Dobbin, North Carolina, March 7th, 1853. *Secretary of Interior*, Robert McClelland, Michigan, March 7th, 1853; Jacob Thompson, Mississippi, March 6th, 1856. *Attorney-General*, Caleb Cushing, Massachusetts, March 7th, 1853. *Postmaster-General*, James Campbell, Pennsylvania, March 7th, 1853.

James Buchanan, President.

XVIII.; 1857–1861.

Secretary of State, Lewis Cass, Michigan, March 6th, 1857; J. S. Black, Pennsylvania, December 17th, 1860. *Secretary of Treasury*, Howell Cobb, Georgia, March 6th, 1857; Philip F. Thomas, Maryland,

December 12th, 1860; John A. Dix, New York, January 11th, 1861. *Secretary of War*, John B. Floyd, Virginia, March 6th, 1857; Joseph Holt, Kentucky, January 18th, 1861. *Secretary of Navy*, Isaac Toucey, Connecticut, March 6th, 1857. *Secretary of Interior*, Jacob Thompson, continued. *Attorney-General*, J. S. Black, Pennsylvania, March 6th, 1857; E. M. Stanton, Pennsylvania, December 20th, 1860. *Postmaster-General*, Aaron V. Brown, Tennessee, March 6th, 1857; Joseph Holt, Kentucky, March 14th, 1859; Horatio King, Maine, February 12th, 1861.

Abraham Lincoln and Andrew Johnson, Presidents.

XIX. and XX.: 1861–1869.

Secretary of State, William H. Seward, New York, March 5th, 1861. *Secretary of Treasury*, S. P. Chase, Ohio, March 5th, 1861; W. P. Fessenden, Maine, July 1st, 1864; Hugh McCulloch, Indiana, March 7th, 1865. *Secretary of War*, Simon Cameron, Pennsylvania, March 5th, 1861; Edwin M. Stanton, Pennsylvania, January 15th, 1862; U. S. Grant (*ad interim*), August 12th, 1867; Edwin M. Stanton (reinstated), January 14th, 1868; J. M. Schofield, Illinois, May 28th, 1868. *Secretary of Navy*, Gideon Welles, Connecticut, March 5th, 1861. *Secretary of Interior*, Caleb P. Smith, March 5th, 1861; John P. Usher, Indiana, January 8th, 1863; James Harlan, Iowa, May 15th, 1865; O. H. Browning, Illinois, July 27th, 1866. *Attorney-General*, Edward Bates, Missouri, March 5th, 1861; Titian J. Coffee, June 22d, 1863; James Speed, Kentucky, December 2d, 1864; Henry Stanbery, Ohio, July 23d, 1866; William M. Evarts, New York, July 15th, 1868.

Postmaster-General, Montgomery Blair, Maryland, March 5th, 1861; William Dennison, Ohio, September 24th, 1864; Alexander W. Randall, Wisconsin, July 25th, 1866.

Ulysses S. Grant, President.

XXI. and XXII.; 1869–1877.

Secretary of State, E. B. Washburne, Illinois, March 5th, 1869; Hamilton Fish, New York, March 11th, 1869. *Secretary of Treasury*, George S. Boutwell, Massachusetts, March 11th, 1869; William A. Richardson, Massachusetts, March 17th, 1873; Benjamin H. Bristow, Kentucky, June 2d, 1874; Lot M. Morrill, Maine, June 21st, 1876. *Secretary of War*, John A. Rawlins, Illinois, March 11th, 1869; William T. Sherman, Ohio, September 9th, 1869; William W. Belknap, Iowa, October 25th, 1869; Alphonso Taft, Ohio, March 8th, 1876; J. D. Cameron, Pennsylvania, May 22d, 1876. *Secretary of Navy*, Adolph E. Borie, Pennsylvania, March 5th, 1869; George M. Robeson, New Jersey, June 25th, 1869. *Secretary of Interior*, Jacob D. Cox, Ohio, March 5th, 1869; Columbus Delano, Ohio, November 1st, 1870; Zachariah Chandler, Michigan, October 19th, 1875. *Attorney-General*, E. R. Hoar, Massachusetts, March 5th, 1869; Amos T. Akerman, Georgia, June 23d, 1870; George H. Williams, Oregon, December 14th, 1871; Edwards Pierrepont, New York, April 26th, 1875; Alphonso Taft, Ohio, May 22d, 1876. *Postmaster-General*, J. A. J. Creswell, Maryland, March 5th, 1869; Marshall Jewell, Connecticut, August 24th, 1874; James M. Tyner, Indiana, July 12th, 1876.

Rutherford B. Hayes, President.

XXIII.; 1877–1881.

Secretary of State, William M. Evarts, New York, March 12th, 1877. *Secretary of Treasury*, John Sherman, Ohio, March 8th, 1877. *Secretary of War*, George W. McCrary, Iowa, March 12th, 1877; Alexander Ramsey, Minnesota, December 12th, 1879. *Secretary of Navy*, Richard W. Thompson, Indiana, March 12th, 1877; Nathan Goff, Jr., West Virginia, January 6th, 1881. *Secretary of Interior*, Carl Schurz, Missouri, March 12th, 1877. *Attorney-General*, Charles Devens, Massachusetts, March 12th, 1877. *Postmaster-General*, David M. Key, Tennessee, March 12th, 1877; Horace Maynard, Tennessee, August 25th, 1880.

James A. Garfield and Chester A. Arthur.

Presidents.

XXIV.; 1881–1885.

Secretary of State, James G. Blaine, Maine, March 5th, 1881; Frederick T. Frelinghuysen, New Jersey, December 12th, 1881. *Secretary of Treasury*, William H. Windom, Minnesota, March 5th, 1881; Charles J. Folger, New York, October 27th, 1881; Walter Q. Gresham, Indiana, September 24th, 1884; Hugh McCulloch, Indiana, October 28th, 1884. *Secretary of War*, Robert T. Lincoln, Illinois, March 5th, 1881. *Secretary of Navy*, W. H. Hunt, Louisiana, March 5th, 1881; William E. Chandler, New Hampshire, April 1st, 1882. *Secretary of Interior*, S. J. Kirkwood, Iowa, March 5th, 1881; Henry M. Teller, Colorado, *Attorney-General*, Wayne McVeagh, Pennsylvania,

March 5th, 1881; Benjamin H. Brewster, Pennsylvania, December 16th, 1881. *Postmaster-General*, Thomas L. James, New York, March 5th, 1881; Timothy O. Howe, Wisconsin, December 20th, 1881; Walter Q. Gresham, Indiana, April 3d, 1883; Frank Hatton, Wisconsin, October 14th, 1884.

Grover Cleveland, President.

XXV.; 1885–1889.

Secretary of State, James A. Bayard, Delaware, March 5th, 1885. *Secretary of Treasury*, Daniel J. Manning, New York, March 5th, 1885. *Secretary of War*, W. C. Endicott, Massachusetts, March 5th, 1885. *Secretary of Navy*, William C. Whitney, New York, March 5th, 1885. *Postmaster-General*, William H. Vilas, Wisconsin, March 5th, 1885. *Secretary of Interior*, Lucius Q. C. Lamar, Mississippi, March 5th, 1885. *Attorney-General*, Augustus H. Garland, Arkansas, March 5th, 1885.

Benjamin Harrison, President.

XXVI.; 1889–1893.

Secretary of State, James G. Blaine, Maine, March 5th, 1889. *Secretary of Treasury*, William Windom, Minnesota, March 5th, 1889.[115] *Secretary of War*, Redfield Proctor, Vermont, March 5th, 1889. *Secretary of Navy*, Benjamin Tracy, New York, March 5th, 1889. *Postmaster-General*, John Wanamaker, Pennsylvania, March 5th, 1889. *Secretary of Interior*, John W. Noble, Missouri, March 5th, 1889. *Attorney-General*, W. H. H. Miller, Indiana, March 5th, 1889. *Secretary of Agriculture*, Jeremiah Rusk, Wisconsin,

March 5th, 1889.

SIGNERS OF THE DECLARATION OF INDEPENDENCE. IN CONGRESS ASSEMBLED JULY 4th, 1776.

The following list of members of the Continental Congress, who signed the Declaration of Independence (although the names are included in the general list of that Congress, from 1774 to 1778), is given separately for the purpose of showing the places and dates of their birth, and the times of their respective deaths, for convenient reference:

Names of the Signers.	Born at	Delegated From	Died.
Adams, John	Braintree, Mass., 19 Oct. 1735	Massachusetts	4 July, 1826.
Adams, Samuel	Boston, Mass., 27 Sept. 1722	Massachusetts	2 Oct. 1803.
Bartlett, Josiah	Amesbury, Mass., in Nov. 1729	New Hampshire	19 May 1795.
Braxton, Carter.	Newington, Va., 10 Sept. 1736	Virginia	10 Oct. 1797.
Carroll, Chas of Carrollton	Annapolis, Md., 20 Sept. 1737	Maryland	14 Nov. 1832.
Chase, Samuel	Somerset Co., Md., 17 Apr. 1741	Maryland	19 June, 1811.

Clark, Abraham	Elizabethtown, N. J., 15 Feb. 1726	New Jersey	— Sept. 1794.
Clymer, George	Philadelphia, Pa., in 1739	Pennsylvania	23 Jan. 1813.
Ellery, William	Newport, R. I., 22 Dec. 1727	R. I. & Prov. Pl.	15 Feb., 1820.
Floyd, William	Suffolk Co., N. Y., 17 Dec. 1734	New York	4 Aug., 1821.
Franklin, Benjamin	Boston, Mass., 17 Jan. 1706	Pennsylvania	17 Apr. 1790.
Gerry, Elbridge	Marblehead, Mass., 1 July 1744	Massachusetts	23 Nov. 1814.
Gwinnet, Button	England, in 1732	Georgia	27 May, 1777.
Hall, Lyman	Connecticut, in 1731	Georgia	— Feb. 1790.
Hancock, John	Braintree, Mass., in 1737	Massachusetts	8 Oct. 1793.
Harrison, Benjamin	Berkley, Va., —— ——	Virginia	— Apr. 1791.
Hart, John	Hopewell, N. J., in 1715	New Jersey	1880.
Heyward, Thomas, Jr.	St. Luke's, S. C., in 1746	S. Carolina	— Mar. 1809.
Hewes, Joseph	Kingston, N. J., in 1730	N. Carolina	10 Oct. 1779.
Hooper, William	Boston, Mass., 17 June, 1742	N. Carolina	— Oct. 1790.
Hopkins, Stephen	Scituate, Mass., 7 Mar., 1707	R. I. & Prov. Pl.	13 July, 1785.

Huntington, Samuel	Windham, Conn., 3 July 1732	Connecticut	5 Jan. 1796.
Hopkinson, Francis	Philadelphia, Pa., in 1737	New Jersey	9 May, 1790.
Jefferson, Thomas	Shadwell, Va., 13 Apr. 1734	Virginia	4 July, 1826.
Lee, Richard Henry	Stratford, Va., 20 Jan. 1732	Virginia	19 June, 1794.
Lee, Francis Lightfoot	Stratford, Va., 14 Oct. 1734	Virginia	— Apr. 1797.
Lewis, Francis F	Landaff, Wales, in Mar. 1713	New York	30 Dec. 1803.
Livingston, Philip	Albany, N. Y., 15 Jan. 1716	New York	12 June, 1778.
Lynch, Thomas, Jr	St. George's, S. C., 5 Aug. 1749	S. Carolina	Lost at sea, 1779.
McKean, Thomas	Chester Co., Pa., 19 Mar. 1734	Delaware	24 June, 1817.
Middleton, Arthur	Middleton Place, S. C., in 1743	S. Carolina	1 Jan. 1787.
Morris, Lewis	Morrissianna, N. Y., in 1726	New York	22 Jan. 1798.
Morris, Robert	Lancashire, Eng., Jan. 1733–4	Pennsylvania	8 May, 1806.
Morton, John	Ridley, Pa., in 1724	Pennsylvania	— Apr. 1777.
Nelson, Thomas, Jr	York, Va., 26 Dec. 1738	Virginia	4 Jan. 1789.
Paca, Wm.	Wye-Hill, Md., 31 Oct. 1740	Maryland	— ——, 1799.

Paine, Robert Treat	Boston, Mass., in 1731	Massachusetts	11 May, 1804.
Penn, John	Caroline Co., Va., 17 May 1741	N. Carolina	26 Oct. 1809.
Read, George	Cecil Co., Md., in 1734	Delaware	— ——, 1798.
Rodney, Cæsar	Dover, Del., in 1730	Delaware	— ——, 1783.
Ross, George	New Castle, Del., in 1730	Pennsylvania	— July, 1779.
Rush, Benjamin, M. D.	Byberry, Pa., 24 Dec. 1745	Pennsylvania	19 Apr. 1813.
Rutledge, Edward	Charleston, S. C., in Nov. 1749	S. Carolina	23 Jan. 1800.
Sherman, Roger	Newton, Mass., 19 Apr. 1721	Connecticut	23 July, 1793.
Smith, James	——, Ireland, —— ——	Pennsylvania	11 July, 1806.
Stockton, Richard	Princeton, N. J., 1 Oct. 1730	New Jersey	28 Feb. 1781.
Stone, Thomas	Charles Co., Md., in 1742	Maryland	5 Oct. 1787.
Taylor, George	——, Ireland, in 1716	Pennsylvania	23 Feb. 1781.
Thornton, Matthew	——, Ireland, in 1714	New Hampshire	24 June, 1803.
Walton, George	Frederick Co., Va., in 1740	Georgia	2 Feb. 1804.
Whipple, Wm.	Kittery, Maine, in 1730	New Hampshire	28 Nov. 1785.

Williams, Wm	Lebanon, Conn., 8 Apr. 1731	Connecticut	2 Aug. 1811.
Wilson, James	Scotland, about 1742	Pennsylvania	28 Aug. 1798.
Witherspoon, John	Yester, Scotland, 5 Feb. 1722	New Jersey	15 Nov. 1794.
Wolcott, Oliver	Windsor, Conn., 26 Nov. 1726	Connecticut	1 Dec. 1797.
Wythe, George	Elizabeth City Co., Va., in 1726	Virginia	8 June, 1806.

ANTE-WAR DEBTS OF THE SEVERAL STATES.

Table showing the Debts of the several States before the war (1860–61).

STATES.	In 1860–61.
Maine	$699,500
New Hampshire	31,669
Vermont	none.
Massachusetts	7,132,627
Rhode Island	none.
Connecticut	none.
New York	34,182,976
New Jersey	104,000
Pennsylvania	37,964,602
Delaware	none.
Maryland	
Ohio	14,250,173

Indiana	7,770,233
Michigan	2,388,843
Illinois	10,277,161
Wisconsin	100,000
Minnesota	250,000
Iowa	200,000
Missouri	24,734,000
Kansas	150,000
Kentucky	4,729,234
California	
Oregon	55,372
Virginia	33,248,141
North Carolina	9,129,505
South Carolina	3,691,574
Georgia	2,670,750
Florida	383,000
Alabama	5,048,000
Mississippi	none.
Louisiana	10,023,903
Texas	
Arkansas	3,092,622
Tennessee	16,643,666

CANDIDATES FOR PRESIDENT AND VICE PRESIDENT,

Since the adoption of the *Federal Constitution*, March 1st, 1789.

The following is a *list* of the *Presidents* and *Vice-Presidents* of the *United States*, as well as those who

were candidates for each office, since the organization of the Government: (*vide* pp. 21–25, 62.)

1789—George Washington[116] and John Adams, two terms, no opposition.

1797—John Adams, opposed by Thomas Jefferson[116] who, having the next highest electoral vote, became Vice-President.

1801—Thomas Jefferson[116] and Aaron Burr; beating John Adams and Charles C. Pinckney.[116]

1805—Thomas Jefferson[116] and George Clinton; beating Charles C. Pinckney[116] and Rufus King.

1809—James Madison[116] and George Clinton; beating Charles C. Pinckney.[116]

1813—James Madison[116] and Eldridge Gerry; beating De Witt Clinton.

1817—James Monroe[116] and Daniel D. Tompkins; beating Rufus King.

1821—James Monroe[116] and Daniel D. Tompkins; beating John Quincy Adams.

1825—John Quincy Adams and John C. Calhoun; [116] beating Andrew Jackson,[116] Henry Clay,[116] and William H. Crawford;[116] there being four candidates for President, and Albert Gallatin for Vice-President.

1829—Andrew Jackson[116] and John C. Calhoun[116]; beating John Quincy Adams and Richard Rush.

1833—Andrew Jackson[116] and Martin Van Buren; beating Henry Clay,[116] John Floyd,[116] and William Wirt for President; and William Wilkins, John Sergeant, and Henry Lee[116] for Vice-President.

1837—Martin Van Buren and Richard M. Johnson[116]; beating William H. Harrison, Hugh L. White, and Daniel Webster for President, and John

Tyler[116] for Vice-President.

1841—William H. Harrison and John Tyler[116]; beating Martin Van Buren and Littleton W. Tazewell. [116] Harrison died one month after his inauguration, and John Tyler[116] became President for the rest of the term.

1845—James K. Polk[116] and George M. Dallas; beating Henry Clay[116] and Theodore Frelinghuysen.

1849—Zachary Taylor[116] and Millard Fillmore; beating Lewis Cass and Martin Van Buren for President, and William O. Butler[116] and C. F. Adams, for Vice-President.

1853—Franklin Pierce and William R. King[116]; beating Winfield Scott and William A. Graham.[116]

1857—James Buchanan and John C. Breckinridge[116]; beating John C. Fremont and Millard Fillmore for President, and William L. Dayton and A. J. Donaldson[116] for Vice-President.

1861—Abraham Lincoln and Hannibal Hamlin; beating John Bell, Stephen A. Douglas, and J. C. Breckinridge[116] for President.

1865—Abraham Lincoln and Andrew Johnson,[116] Union candidates; beating G. B. McClellan and G. H. Pendleton.

1869—Ulysses S. Grant and Schuyler Colfax; beating Horatio Seymour and Frank P. Blair, jr.

1873—Ulysses S. Grant and Henry Wilson; beating Horace Greeley and B. Gratz Brown, for President and Vice-President.

1877—Rutherford B. Hayes and Wm. A. Wheeler; beating Samuel Tilden and Thomas A. Hendricks.

1881—James A. Garfield and Chester A. Arthur; beating General W. S. Hancock and W. H. English. Arthur succeeded Garfield, after his death from

assassination, Sept. 19, 1881, and David Davis is now Acting Vice-President.

1885—Grover Cleveland and Thomas A. Hendricks, who defeated James G. Blaine and John A. Logan.

1889—Benjamin Harrison and Levi P. Morton, who defeated Grover Cleveland and Allen G. Thurman.

NUMBER OF ELECTORAL VOTES TO WHICH EACH STATE HAS BEEN ENTITLED, AT EACH ELECTION, 1789–1880.

States.	1789	1792	1796	1800	1804	1808	1812	1816	1820	1824	1
Alabama									3	5	
Arkansas											
California											
Colorado											
Connecticut	7	9	9	9	9	9	9	9	9	8	
Delaware	3	3	3	3	3	3	4	4	4	3	
Florida											
Georgia	5	4	4	4	6	6	8	8	8	9	
Illinois									3	3	
Indiana								3	3	5	
Iowa											
Kansas											
Kentucky		4	4	4	8	8	12	12	12	14	
Louisiana							3	3	3	5	
Maine									9	9	
Maryland	8	10	10	10	11	11	11	11	11	11	
Massachusetts	10	16	16	16	19	19	22	22	15	15	
Michigan											
Minnesota											
Mississippi									3	3	

Missouri									3	3
Nebraska										
Nevada										
New Hampshire	5	6	6	6	7	7	8	8	8	8
New Jersey	6	7	7	7	8	8	8	8	8	8
New York	8	12	12	12	19	19	29	29	29	36
North Carolina	7	12	12	12	14	14	15	15	15	15
Ohio					3	3	8	8	8	16
Oregon										
Pennsylvania	10	15	15	15	20	20	25	25	25	28
Rhode Island	3	4	4	4	4	4	4	4	4	4
South Carolina	7	8	8	8	10	10	11	11	11	11
Tennessee			3	3	5	5	8	8	8	11
Texas										
Vermont		4	4	4	6	6	8	8	8	7
Virginia	12	21	21	21	24	24	25	25	25	24
West Virginia										
Wisconsin										
Total	91	135	138	138	176	176	218	221	235	261
Number of States	13	15	16	16	17	17	18	19	24	24

SUPREME COURT OF THE UNITED STATES.

	Chief Justices.	Associate Justices.	State Whence Appointed.	Term of Service.	S
1	John Jay[117]		New York	1789–1795	
		John Rutledge[117]	South Carolina	1789–1791	
		William Cushing	Massachusetts	1789–1810	
		James Wilson	Pennsylvania	1789–1798	
		John Blair[117]	Virginia	1789–1796	
		Robert H. Harrison[117]	Maryland	1789–1790	
		James Iredell	North Carolina	1790–1799	
		Thomas Johnson[117]	Maryland	1791–1793	
		William Patterson	New Jersey	1793–1806	
2	John Rutledge[118]		South Carolina	1795–1795	
		Samuel Chase	Maryland	1796–1811	

3	Oliver Ellsworth[117]		Connecticut	1796–1801
		Bushr'd Washington	Virginia	1798–1829
		Alfred Moore[117]	North Carolina	1799–1804
4	John Marshall		Virginia	1801–1835
		William Johnson	South Carolina	1804–1834
		Brockh't Livingston	New York	1806–1823
		Thomas Todd	Kentucky	1807–1826
		Joseph Story	Massachusetts	1811–1845
		Gabriel Duval[117]	Maryland	1811–1836
		Smith Thompson	New York	1823–1845
		Robert Trimble	Kentucky	1826–1828
		John McLean	Ohio	1829–1861
		Henry Baldwin	Pennsylvania	1830–1846
		James M. Wayne[119]	Georgia	1835–1867
5	Roger B. Taney		Maryland	1836–1864
		Philip P. Barbour	Virginia	1836–1841
		John Catron	Tennessee	1837–1865

		John McKinley	Alabama	1837–1852
		Peter V. Daniel	Virginia	1841–1860
		Samuel Nelson[117]	New York	1845–1872
		Levi Woodbury	New Hampshire	1845–1851
		Robert C. Grier[117]	Pennsylvania	1846–1869
		Benjamin R. Curtis[117]	Massachusetts	1851–1857
		John A. Campbell[117]	Alabama	1853–1861
		Nathan Clifford	Maine	1858–
		Noah H. Swayne[117]	Ohio	1861–
		Samuel F. Miller	Iowa	1862–
		David Davis[117]	Illinois	1862–1877
		Stephen J. Field	California	1866–
6	Salmon P. Chase		Ohio	1864–1873
		William Strong[117]	Pennsylvania	1870–1880
		Joseph P. Bradley	New Jersey	1870–
		Ward Hunt[117]	New York	1872–
7	Morrison R. Waite		Ohio	1874–1887

		John M. Harlan	Kentucky	1877–
		William B. Woods	Georgia	1880–
		Horace Gray	Massachusetts	1881–
		Roscoe Conkling[117]	New York	1882–
		Samuel Blatchford	New York	1882–
8	Melville W. Fuller		Illinois	1887–
		Lucius Q. C. Lamar	Mississippi	1887–
		David J. Brewer	Kansas	1890–

TOTAL NUMBER OF TROOPS CALLED INTO SERVICE DURING THE REBELLION.

[120]

The various calls of the President for men were as follows:

1861—3 months' men	75,000
1861—3 years' men	500,000
1862—3 years' men	300,000
1862—9 months' men	300,000
1864—3 years' men, February	500,000
1864—3 years' men, March	200,000

1864—3 years' men, July	500,000
1864—3 years' men, December	300,000
Total	2,675,000

LENGTH OF SESSIONS OF CONGRESS, 1789–1891.

No. of Congress.	No. of Session.	Time of Session.
1st	1st	March 4, 1789—September 29, 1789
	2d	January 4, 1790—August 12, 1790
	3d	December 6, 1790—March 3, 1791
2d	1st	October 24, 1791—May 8, 1792
	2d	November 5, 1792—March 2, 1793
3d	1st	December 2, 1793—June 9, 1794
	2d	November 3, 1794—March 3, 1795
4th	1st	December 7, 1795—June 1, 1796
	2d	December 5, 1796—March 3, 1797

5th	1st	May 15, 1797—July 10, 1797
	2d	November 13, 1797—July 16, 1798
	3d	December 3, 1798—March 3, 1799
6th	1st	December 2, 1799—May 14, 1800
	2d	November 17, 1880—March 3, 1801
7th	1st	December 7, 1801—May 3, 1802
	2d	December 6, 1802—March 3, 1803
8th	1st	October 17, 1803—March 27, 1804
	2d	November 5, 1804—March 3, 1805
9th	1st	December 2, 1805—April 21, 1806
	2d	December 1, 1806—March 3, 1807
10th	1st	October 26, 1807—April 25, 1808
	2d	November 7, 1808—March 3, 1809
11th	1st	May 22, 1809—June 28, 1809
	2d	November 27, 1809—May 1, 1810
	3d	December 3, 1810—March 3, 1811
12th	1st	November 4, 1811—July 6, 1812

	2d	November 2, 1812—March 3, 1813
13th	1st	May 24, 1813—August 2, 1813
	2d	December 6, 1813—April 18, 1814
	3d	September 19, 1814—March 3, 1815
14th	1st	December 4, 1815—April 30, 1816
	2d	December 2, 1816—March 3, 1817
15th	1st	December 1, 1817—April 20, 1818
	2d	November 16, 1818—March 3, 1819
16th	1st	December 6, 1819—May 15, 1820
	2d	November 13, 1820—March 3, 1821
17th	1st	December 3, 1821—May 8, 1822
	2d	December 2, 1822—March 3, 1823
18th	1st	December 1, 1823—May 27, 1824
	2d	December 6, 1824—March 3, 1825
19th	1st	December 5, 1825—May 22, 1826
	2d	December 4, 1826—March 3, 1827
	1st	December 3, 1827—May 26, 1828

	2d	December 1, 1828—March 3, 1829
21st	1st	December 7, 1829—May 31, 1830
	2d	December 6, 1830—March 3, 1831
22d	1st	December 5, 1831—July 16, 1832
	2d	December 3, 1832—March 3, 1833
23d	1st	December 2, 1833—June 30, 1834
	2d	December 1, 1834—March 3, 1835
24th	1st	December 7, 1835—July 4, 1836
	2d	December 5, 1836—March 3, 1837
25th	1st	September 4, 1837—October 16, 1837
	2d	December 4, 1837—July 9, 1838
	3d	December 3, 1838—March 3, 1839
26th	1st	December 2, 1839—July 21, 1840
	2d	December 7, 1840—March 3, 1841
27th	1st	May 31, 1841—September 13, 1841
	2d	December 6, 1841—August 31, 1842
	3d	December 5, 1842—March 8, 1843

28th	1st	December 4, 1843—June 17, 1844
	2d	December 2, 1844—March 3, 1845
29th	1st	December 1, 1845—August 10, 1846
	2d	December 7, 1846—March 3, 1847
30th	1st	December 6, 1847—August 14, 1848
	2d	December 4, 1848—March 3, 1849
31st	1st	December 3, 1849—September 30, 1850
	2d	December 2, 1850—March 3, 1851
32d	1st	December 1, 1851—August 31, 1852
	2d	December 6, 1852—March 3, 1853
33d	1st	December 2, 1853—August 7, 1854
	2d	December 4, 1854—March 3, 1855
34th	1st	December 5, 1855—August 18, 1856
	2d	August 21, 1856—August 30, 1856
	3d	December 1, 1856—March 3, 1857
35th	1st	December 7, 1857—June 14, 1858
	2d	December 6, 1858—March 3, 1859

36th	1st	December 5, 1859—June 25, 1860
	2d	December 3, 1860—March 4, 1861
37th	1st	July 4, 1861—August 6, 1861
	2d	December 2, 1861—July 17, 1862
	3d	December 1, 1862—March 4, 1863
38th	1st	December 7, 1863—July 4, 1864
	2d	December 5, 1864—March 4, 1865
39th	1st	December 4, 1865—July 28, 1866
	2d	December 3, 1866—March 4, 1867
40th	1st	March 4, 1867—March 30, 1867
	„	July 3, 1867—July 20, 1867
	„	November 21, 1867—December 2, 1867
	2d	December 2, 1867—July 27, 1868
	3d	December 7, 1868—March 4, 1869
41st	1st	March 4, 1869—April 23, 1869
	2d	December 6, 1869—July 15, 1870
	3d	December 5, 1870—March 4, 1871

42d	1st	March 4, 1871—April 20, 1871
	2d	December 4, 1871—June 10, 1872
	3d	December 2, 1872—March 4, 1873
43d	1st	December 1, 1873—June 23, 1874
	2d	December 7, 1874—March 4, 1875
44th	1st	December 6, 1875—August 15, 1876
	2d	December 4, 1876—March 4, 1877
45th	1st	October 15, 1877—December 3, 1877
	2d	December 3, 1877—June 20, 1878
	3d	December 2, 1878—March 4, 1879
46th	1st	March 18, 1879—July 1, 1879
	2d	December 1, 1879—June 16, 1880
	3d	December 6, 1880—March 4, 1881
47th	1st	December 5, 1881—August 8, 1882
	2d	December 4, 1882—March 4, 1883
48th	1st	December 3, 1883—July 7, 1884
	2d	December 1, 1884—March 4, 1885

49th	1st	December 7, 1885—August 5, 1886
	2d	December 6, 1886—March 4, 1887
50th	1st	December 5, 1887—October 20, 1888
	2d	December 3, 1888—March 4, 1889
51st	1st	December 2, 1889—October, 1890
	2d	December 1, 1890—March 4, 1891

CIVIL OFFICERS OF THE UNITED STATES

Number Employed in the several Departments of the Government, July 1st, 1882.

Executive Office	7
Congress	280
State Department	419
Treasury Department	12,130
War Department	1,861
Post-Office Department	52,672
Navy Department	128
Interior Department	2,813
Department of Justice	2,876
Department of Agriculture	77

Government Printing Office	1,168
Total	74,431

THE STATES AND TERRITORIES—when Admitted or Organized—with Area and Population.

STATES. [First thirteen admitted on ratifying Constitution—all others admitted by Acts of Congress.]	Date when Admitted.	Area in square miles at time of admission.	Population neare census to date o admission.	
			Population.	Yea
Delaware	December 7, 1787	2,050	59,096	179
Pennsylvania	December 12, 1787	45,215	434,373	179
New Jersey	December 18, 1787	7,815	184,139	179
Georgia	January 2, 1788	59,475	82,548	179
Connecticut	January 9, 1788	4,990	237,496	179
Massachusetts	February 6, 1788	8,315	378,787	179

Maryland	April 28, 1788	12,210	319,728	179
South Carolina	May 23, 1788	30,570	249,033	179
New Hampshire	June 21, 1788	9,305	141,885	179
Virginia	June 25, 1788	42,450	747,610	179
New York	July 26, 1788	49,170	340,120	179
North Carolina	November 21, 1789	52,250	393,751	179
Rhode Island	May 29, 1790	1,250	68,825	179
Vermont	March 4, 1791	9,565	85,339	179
Kentucky	June 1, 1792	40,400	73,077	189
Tennessee	June 1, 1796	42,050	77,202	179
Ohio	November 29, 1802	41,060	41,915	180
Louisiana	April 30, 1812	48,720	76,556	181
Indiana	December 11, 1816	36,350	63,805	181
Mississippi	December 10, 1817	46,810	75,512	181
Illinois	December 3, 1818	56,650	34,620	181
Alabama	December 14, 1819	52,250	127,901	182
Maine	March 15, 1820	33,040	298,269	182
Missouri	August 19, 1821	69,415	66,586	182

Arkansas	June 15, 1836	53,850	52,240	183
Michigan	January 26, 1837	58,915	212,267	184
Florida	March 3, 1845	58,680	54,477	184
Iowa	December 28, 1846	56,025	81,920	184
Texas	December 29, 1845	265,780	212,592	185
Wisconsin	May 29, 1848	56,040	305,391	185
California	September 9, 1850	158,360	92,597	185
Minnesota	May 11, 1858	83,365	172,023	186
Oregon	February 14, 1859	96,030	52,465	185
Kansas	January 29, 1861	82,080	107,206	186
West Virginia	June 19, 1863	24,780	442,014	187
Nevada	October 31, 1864	110,700	40,000	186
Nebraska	March 1, 1867	76,855	60,000	186
Colorado	August 1, 1876	103,926	150,000	187
District of Columbia	March 3, 1791	60		
North Dakota	July 4, 1889	149,100	135,177	188
South Dakota	July 4, 1889			
Montana	July 4, 1889	146,080	39,159	188
Washington	July 4, 1889	69,180	75,116	
Idaho		84,800	32,610	188
Wyoming		97,890	20,789	188

TERRITORIES.	Dates of organization.	Present area, square miles.	Population.	Cens of
Utah	September 9, 1850	82,090	143,963	188
New Mexico	September 9, 1850	122,580	119,565	188
Arizona	February 24, 1863	113,020	40,440	188
Indian		64,690		
Alaska		Unsurveyed		

SPEAKERS OF THE HOUSE OF REPRESENTATIVES.

Name.	State.	Congress.	Term of Service.
F. A Muhlenberg	Pennsylvania	1st Congress.	April 1, 1789, to March 4, 1791
Jonathan Trumbull	Connecticut	2d „	Oct. 24, 1791, to March 4, 1793

F. A. Muhlenberg	Pennsylvania	3d	„	Dec. 2, 1793, to March 4, 1795
Jonathan Dayton	New Jersey	4th	„	Dec. 7, 1795, to March 4, 1797
„ „	„	5th	„	May 15, 1797, to March 3, 1799
Theodore Sedgwick	Massachusetts	6th	„	Dec. 2, 1799, to March 4, 1801
Nathaniel Macon	North Carolina	7th	„	Dec. 7, 1801, to March 4, 1803
„ „	„	8th	„	Oct. 17, 1803, to March 4, 1805

„ „	„	9th „	Dec. 2, 1805, to March 4, 1807
Joseph B. Varnum	Massachusetts	10th „	Oct. 26, 1807, to March 4, 1809
„ „	„	11th „	May 22, 1809, to March 4, 1811
Henry Clay	Kentucky	12th „	Nov. 4, 1811, to March 4, 1813
„ „	„	13th „	May 24, 1813, to Jan. 19, 1814
Langdon Cheves	S C., 2d Sess.	13th „	Jan. 19, 1814, to March 4, 1815

Henry Clay	Kentucky	14th	„	Dec. 4, 1815, to March 4, 1817
„ „	„	15th	„	Dec. 1, 1817, to March 4, 1819
„ „	„	16th	„	Dec. 6, 1819, to May 15, 1820
John W. Taylor	New York, 2d Sess.	16th	„	Nov. 15, 1820, to March 4, 1821
Philip P. Barbour	Virginia	17th	„	Dec. 4, 1821, to March 4, 1823
Henry Clay	Kentucky	18th	„	Dec. 1, 1823, to March 4, 1825

John W. Taylor	New York	19th „	Dec. 5, 1825, to March 4, 1827
Andrew Stephenson	Virginia	20th „	Dec. 3, 1827, to March 4, 1829
„ „	„	21st „	Dec. 7, 1829, to March 4, 1831
„ „	„	22d „	Dec. 5, 1831, to March 4, 1833
„ „	„	23d „	Dec. 2, 1833, to June 2, 1834
John Bell	Tennessee, 2d Sess.	23d „	June 2, 1834, to March 4, 1835

James K. Polk	„ „	24th „	Dec. 7, 1835, to March 4, 1837
„ „	„ „	25th „	Sept. 5, 1837, to March 4, 1839
Robert M. T. Hunter	Virginia	26th „	Dec. 16, 1839, to March 4, 1841
John White	Kentucky	27th „	May 31, 1841, to March 4, 1843
John W. Jones	Virginia	28th „	Dec. 4, 1843, to March 4, 1845
John W. Davis	Indiana	29th „	Dec. 1, 1845, to March 4, 1847

Robert C. Winthrop	Massachusetts	30th „	Dec. 6, 1847, to March 4, 1849
Howell Cobb	Georgia	31st „	Dec. 22, 1849, to March 4, 1851
Linn Boyd	Kentucky	32d „	Dec. 1, 1851, to March 4, 1853
„ „	„	33d „	Dec. 5, 1853, to March 4, 1855
Nathaniel P. Banks	Massachusetts	34th „	Feb. 2, 1856, to March 4, 1857
James L. Orr	South Carolina	35th „	Dec. 7, 1857, to March 4, 1859

William Pennington	New Jersey	36th	„	Feb. 1, 1860, to March 4, 1861
Galusha A. Grow	Pennsylvania	37th	„	July 4, 1861, to March 4, 1863
Schuyler Colfax	Indiana	38th	„	Dec. 7, 1863, to March 4, 1865
„ „	„	39th	„	Dec. 4, 1865, to March 4, 1867
„ „	„	40th	„	March 4, 1867, to March 4, 1869
James G. Blaine	Maine	41st	„	March 4, 1869, to March 4, 1871

„ „	„	42d „	March 4, 1871, to March 4, 1873
„ „	„	43d „	Dec. 1, 1873, to March 4, 1875
Michael C. Kerr	Indiana	44th „	Dec. 6, 1875, to Aug. 20, 1876
Samuel J. Randall	Penna., 2d Sess.	44th „	Dec. 4, 1876, to March 4, 1877
„ „	„ „	45th „	Oct. 15, 1877, to March 4, 1879
„ „	„ „	46th „	March 18, 1879, to March 4, 1881

Warren B. Keifer	Ohio	47th „	Dec. 5, 1881, to March 4, 1883
John G. Carlisle	Kentucky	48th „	Dec. 3, 1883, to March 4, 1885
„ „	„	49th „	Dec. 7, 1885, to March 4, 1887
„ „	„	50th „	Dec. 5, 1888, to March 4, 1889
Thomas B. Reed	Maine	51st „	Dec. 2, 1889, to March 4, 1891

Table, exhibiting, by States, the Aggregate Troops called for by the President, and furnished to the Union

Army, from April 15th, 1861, to close of War of Rebellion

States and Territories	Aggregate			
	Quota	Men furnished	Paid commutation	Tota
Maine	73,587	70,107	2,007	72,
New Hampshire	35,897	33,937	692	34,(
Vermont	32,074	33,288	1,974	35,:
Massachusetts	139,095	146,730	5,318	152,(
Rhode Island	18,898	23,236	463	23,(
Connecticut	44,797	55,864	1,515	57,:
New York	507,148	448,850	18,197	467,(
New Jersey	92,820	76,814	4,196	81,(
Pennsylvania	385,369	337,936	28,171	366,
Delaware	13,935	12,284	1,386	13,(
Maryland	70,965	46,638	3,678	50,:
West Virginia	34,463	32,068		32,(
District of Columbia	13,973	16,534	338	16,8
Ohio	306,322	313,180	6,479	319,(
Indiana	199,788	196,363	784	197,
Illinois	244,496	259,092	55	259,
Michigan	95,007	87,364	2,008	89,:
Wisconsin	109,080	91,327	5,097	96,4
Minnesota	26,326	24,020	1,032	25,(
Iowa	79,521	76,242	67	76,:
Missouri	122,496	109,111		109,
Kentucky	100,782	75,760	3,265	79,(
Kansas	12,931	20,149	2	20,
Tennessee	1,560	31,092		31,(

Arkansas	780	8,289		8,2
North Carolina	1,500	3,156		3,1
California		15,725		15,7
Nevada		1,080		1,0
Oregon		1,810		1,8
Washington		964		9
Nebraska Territory		3,157		3,1
Colorado Territory		4,903		4,9
Dakota		206		2
New Mexico Territory		6,561		6,5
Alabama		2,576		2,5
Florida		1,290		1,2
Louisiana		5,224		5,2
Mississippi		545		5
Texas		1,965		1,9
Indian Nation		3,530		3,5
Colored Troops[121]		93,441		93,4
Total	2,763,670	2,772,408	86,724	2,859,1

STATEMENT SHOWING THE EXPENDITURES,

As far as ascertained, necessarily growing out of the War of the Rebellion, from July 1, 1861, to June 30, 1870, inclusive.

APPROPRIATION.	Gross Expenditure.	Expenditure other than for the war.	Expendi growing c the wa
Expenses of national loans and currency	$51,522,730 77		$51,52
Premiums	59,738,167 73		59,738,1
Interest on public debt	1,809,301,485 19	$45,045,286 74	1,764,25
Expenses of collecting revenue from customs	99,690,808 31	57,151,550 44	42,539,2
Judgment of Court of Claims	5,516,260 75	551,626 07	4,964,6
Payments of judgments Court of Alabama Claims	9,315,753 19		9,315,7
Salaries and expenses of Southern Claims Commission	371,321 82		371,3
Salaries and expenses of American and British Claims Commission	295,878 54		295,8
Award to British claimants	1,929,819 00		1,929,8
Tribunal of arbitration at Geneva	244,815 40		244,8
Salaries and expenses of Alabama Claims Commission	253,231 12		253,2

Salaries and contingent expenses of Pension Office	7,095,968 05	1,870,180 00	5,225,7
Salaries and contingent expenses of War Department	15,381,956 58	2,712,693 79	12,619,2
Salaries and contingent expenses of Executive Departm'nt (exclusive of Pension office and War Department)	33,944,017 67	10,110,745 70	23,833,2
Expenses of assessing and collecting internal revenue	112,803,841 31		112,80
Miscellaneous accounts	2,664,199 82	456,714 21	2,207,4
Subsistence of the Army	420,041,037 75	38,623,489 17	381,41
Quartermaster's Department	357,518,966 61	58,037,048 95	299,48
Incidental expenses of Quartermaster's Department	101,528,573 37	16,185,839 74	85,342,7
Transportation of the Army	407,463,324 81	70,669,439 25	336,79
Transportation of officers and their baggage	4,626,219 66	1,601,000 00	3,025,2
Clothing of the Army	356,651,466 31	11,107,586 11	345,54

Purchase of horses for cavalry and artillery	130,990,762 95	4,318,339 51	126,67
Barracks, quarters, etc.	49,872,669 40	18,801,822 89	31,070,8
Heating and cooking stoves	487,881 45	39,150 00	448,7
Pay, mileage, general expenses, etc., of the Army	184,473,721 26	106,388,991 79	78,084,7
Pay of two and three years' volunteers	1,041,102,702 58		1,041,10
Pay of three months' volunteers	886,305 41		886,3
Pay, etc., of one hundred days' volunteers	14,386,778 29		14,386,7
Pay of militia and volunteers	6,126,952 65		6,126,9
Pay, etc., to officers and men in the Department of the Missouri	844,150 55		844,1
Pay and supplies of one hundred days' volunteers	4,824,877 68		4,824,8
Bounty to volunteers and regulars on enlistment	38,522,046 20		38,522,0
Bounty to volunteers and their widows and legal heirs	31,760,345 95		31,760,3

Additional bounty act of July 28, 1866	69,998,786 71		69,998,7
Collect'n and payment of bounty, etc., to color'd soldiers, etc.	$268,158 11		$268,1
Reimbursing States for moneys expended for payment of military service of the United States	9,635,512 85		9,635,5
Defraying expenses of minute-men and volunteers in Pennsylvania, Maryland, Ohio, Indiana and Kentucky	597,178 30		597,1
Refunding to States expenses incurred on account of volunteers	31,297,242 60		31,297,2
Reimbursements to Baltimore for aid in construction of defensive works in 1863	96,152 00		96,1

Payment to members of certain military organizations in Kansas	296,097 28		296,0
Expenses of recruiting	2,568,639 91	1,270,673 56	1,297,9
Draft and substitute fund	9,713,873 13		9,713,8
Medical and Hospital Department	46,954,146 83	1,845,376 47	45,108,7
Medical and Surgical History and Statistics	196,048 32		196,0
Medical Museum and Library	55,000 00		55,0
Providing for comfort of sick, wounded and discharged soldiers	2,232,785 12		2,232,7
Freedmen's Hospital and Asylum	123,487 49		123,4
Artificial limbs and appliances	509,283 21		509,2
Ordnance service	6,114,533 38	1,561,001 67	4,553,5
Ordnance, ordnance stores and supplies	59,798,079 70	3,834,146 87	55,933,9
Armament of fortifications	12,336,710 88	2,118,238 79	10,218,4
National armories, arsenals, &c.	29,730,717 53	$6,127,228 21	23,603,4
Purchase of arms for volunteers and regulars	76,378,935 13		76,378,9

Traveling expenses First Michigan Cavalry and California and Nevada Volunteers	84,131 50		84,1
Payment of expenses under reconstruction acts	3,128,905 94		3,128,9
Secret Service	681,587 42		681,5
Books of tactics	172,568 15		172,5
Medals of Honor	29,890 00		29,8
Support of National Home for disabled volunteer soldiers	8,546,184 76		8,546,1
Publication of official records of war of the rebellion	170,998 98		170,9
Contingencies of the Army and Adjutant General's Department	3,291,835 14	565,136 39	2,726,6
Payments under special acts of relief	1,088,406 83		1,088,4
Copying official reports	5,000 00		5,0
Expenses of court of inquiry in 1858 and 1869	5,000 00		5,0

United States police for Baltimore	100,000 00		100,0
Preparing register of volunteers	1,015 45		1,0
Army pensions	437,744,192 80	30,315,000 00	407,42
Telegraph for military purposes	2,500,085 80		2,500,0
Maintenance of gunboat fleet proper	5,244,684 32		5,244,6
Keeping, transporting, and supplying prisoners of war	7,659,411 60		7,659,4
Permanent forts and fortifications; surveys for military defenses; contingencies of fortifications; platform for cannon of large calibre, &c., from 1862 to 1868	20,887,756 96	7,483,765 87	13,4O3,9
Construction and maintenance of steam rams	1,370,730 42		1,370,7
Signal service	222,269 79	78,472 23	143,7
Gunboats on the Western rivers	3,239,314 18		3,239,3

Supplying, transporting, and delivering arms and munitions of war to loyal citizens in States in rebellion against the Government of the United States	1,649,596 57		1,649,5
Collecting, organizing, and drilling volunteers	29,091,666 57		29,091,6
Bridge-trains and equipage	1,413,701 75		1,413,7
Tool and siege trains	702,250 00		702,2
Completing the defenses of Washington	912,283 01		912,2
Commutation of rations to prisoners of war in rebel States	320,636 62		320,6
National cemeteries	4,162,848 39		4,162,8
Purchase of Ford's Theatre	88,000 00		88,0
Temporary relief to destitute people in District of Columbia	57,000 00		57,0

Headstones, erection of headstones, pay of superintendents, and removing the remains of officers to national cemeteries	1,080,185 54		1,080,1
State of Tennessee for keeping and maintaining United States military prisoners	22,749 49		22,7
Capture of Jeff. Davis	97,031 62		97,0
Removing wreck of gunboat Oregon in Chefunct River, Louisiana	5,500 00		5,5
Support of Bureau of Refugees and Freedmen	11,454,237 30		11,454,2
Claims for quartermaster's stores and commissary supplies	850,220 91		850,2
Miscellaneous claims audited by Third Auditor	94,223 11	47,112 11	47,1

Claims of loyal citizens for supplies furnished during the rebellion	4,170,304 54		4,170,3
Payment for use of Corcoran Art Gallery	125,000 00		125,0
Expenses of sales of stores and material	5,842 43		5,8
Transportation of insane volunteer soldiers	1,000 00		1,0
Horses and other property lost in military service	4,281,724 91		4,281,7
Purchase of cemetery grounds near Columbus, Ohio	500 00		5
Fortifications on the Northern Frontier	683,748 12		683,7
Pay of the Navy	144,549,073 96	70,086,769 62	74,462,3
Provisions of the Navy	32,771,931 16	16,403,307 34	16,368,6
Clothing of the Navy	2,709,491 98	1,114,701 00	1,594,7
Construction and repair	170,007,781 25	35,829,684 80	134,17
Equipment of vessels	$25,174,614 53		$25,17
Ordnance	38,063,357 67	$6,641,263 30	31,422,0

Surgeons' necessaries	2,178,769 74	241,025 68	1,937,7
Yards and docks	33,638,156 59	3,337,854 52	30,300,3
Fuel for the Navy	19,952,754 36	8,612,521 68	11,340,2
Hemp for the Navy	2,836,916 69	1,938,664 42	898,2
Steam machinery	49,297,318 57		49,297,3
Navigation	2,526,247 00		2,526,2
Naval hospitals	875,452 34	375,789 40	499,6
Magazines	753,822 13	349,290 48	404,5
Marine corps, pay, clothing, &c.	16,726,906 00	8,969,290 82	7,757,6
Naval Academy	2,640,440 87	778,308 86	1,862,1
Naval Asylum, Philadelphia	652,049 89	65,394 00	586,6
Temporary increase of the Navy	8,123,766 21		8,123,7
Miscellaneous appropriations	2,614,044 77		2,614,0
Naval pensions	7,540,043 00	950,000 00	6,590,0
Bounties to seamen	2,821,530 10		2,821,5
Bounty for destruction of enemy's vessels	271,309 28		271,3
Indemnity for lost clothing	389,025 33		389,0
Total expenditures	$6,844,571,431 03	$654,641,522 45	$6,189,92

NOTE.—Only the appropriations from which war expenditures v made are included in the above.

NATIONAL DEBTS, EXPENDITURE AND COMMERCE, PER CAPITA.

Country.	Debt per head.	Annual expenditure per head.	Annual imports per head.	Annual exports per head.
Argentine Republic	$39.07	$12.04	$20.31	$25.66
Austria-Hungary	5.73	1.63	7.19	5.70
Austria proper	65.26	9.29		
Hungary proper	17.68	7.53		
Belgium	48.08	10.13	53.41	46.06
Bolivia	10.04	2.58	3.30	2.08
Brazil	36.43	6.70	8.71	10.31
Canada	31.16	6.69	25.87	24.94
Chili	24.49	10.66	18.21	17.95
Colombia	5.22	.94	2.35	3.38
Denmark	27.19	6.83	26.31	17.95
Ecuador	20.20	24.36	8.77	4.51
Egypt	85.82	10.42	5.52	12.94
France	127.23	14.07	24.17	26.05
German Empire	.70	3.15	21.54	14.21
Prussia	10.55	6.33		
Great Britain and Ireland	114.62	12.35	59.11	40.59
Greece	27.50	5.35	16.49	10.30
India, British	3.01	1.42	.93	1.48
Italy	71.94	10.12	9.67	8.85
Mexico	42.63	2.68	3.13	3.41

Netherlands	101.21	11.37	71.27	67.70
Norway	7.48	5.91	28.77	18.77
Paraguay	54.72	3.39	2.55	2.74
Peru	79.82	12.62		14.02
Portugal	96.84	6.70	8.60	5.97
Roumania	11.82	3.85	3.19	5.60
Russia	26.33	4.83	4.22	3.23
Servia	3.61	1.43	4.58	4.06
Spain	142.71	7.83	3.96	4.48
Sweden	8.86	4.93	19.39	14.11
Switzerland	2.25	3.08		
Turkey	31.70	4.38	2.23	1.59
United States	52.56	6.13	12.64	15.40
Uruguay	98.00	15.28	40.25	38.09
Venezuela	35.11	2.04	6.72	9.52

STATEMENT

Average Values of Gold in United States Paper Currency in the New York Market from the Suspension to the Resumption of Specie Payments, during the period of Seventeen Years, from 1862 to 1878, both inclusive—Prepared for the U. S. Treasury Department by E. B. Elliott.

Currency Value of Gold.

Table showing the Average Value in Currency of One Hundred Dollars in Gold in the New York Market, by Months, Quarter-years, Half-years, Calendar Years, and

Fiscal Years, from January 1, 1862, to December 31, 1878, both inclusive.

PERIODS.	1862.	1863.	1864.	1865.	1866.	1867.	1
January	102.5	145.1	155.5	216.2	140.1	134.6	1
February	103.5	160.5	158.6	205.5	138.4	137.4	1
March	101.8	154.5	162.9	173.8	130.5	135.	1
April	101.5	151.5	172.7	148.5	127.3	135.6	1
May	103.3	148.9	176.3	135.6	131.8	137.	1
June	106.5	144.5	210.7	140.1	148.7	137.5	1
July	115.5	130.6	258.1	142.1	151.6	139.4	1
August	114.5	125.8	254.1	143.5	148.7	109.8	1
September	118.5	134.2	222.5	143.9	145.5	143.4	1
October	128.5	147.7	207.2	145.5	148.3	143.5	1
November	131.1	148.	233.5	147.	143.8	139.6	1
December	132.3	151.1	227.5	146.2	136.7	134.8	1
First quarter-year	102.6	153.4	159.	198.5	136.3	135.7	1
Second quarter-year	103.8	148.3	186.6	141.4	135.9	136.7	1
Third quarter-year	116.2	130.2	244.9	143.2	148.6	141.2	1
Fourth quarter-year	130.6	148.9	222.7	146.2	142.9	139.3	1
First half-year	103.2	150.8	172.8	169.9	136.1	136.2	1
Second half-year	123.4	139.6	233.8	144.7	145.8	140.3	1

Calendar year	113.3	145.2	203.3	157.3	140.9	138.2	1
Fiscal year ended June 30		137.1	156.2	201.9	140.4	141.	1

PERIODS.	1870.	1871.	1872.	1873.	1874.	1875.	1
January	121.3	110.7	109.1	112.7	111.4	112.5	1
February	119.5	111.5	110.3	114.1	112.3	114.5	1
March	112.6	111.	110.1	115.5	112.1	115.5	1
April	113.1	110.6	111.1	117.8	113.4	114.8	
May	114.7	111.5	113.7	117.7	112.4	115.8	1
June	112.9	112.4	113.9	116.5	111.3	117.	1
July	116.8	112.4	114.3	115.7	110.	114.8	1
August	117.9	112.4	114.4	115.4	109.7	113.5	1
September	114.8	114.5	113.5	112.7	109.7	115.8	
October	112.8	113.2	113.2	108.9	110.	116.4	1
November	111.4	111.2	112.9	108.6	110.9	114.7	1
December	110.7	109.3	112.2	110.	111.7	113.9	1
First quarter-year	117.8	111.1	109.8	114.1	111.9	114.2	1
Second quarter-year	113.6	111.5	112.9	117.3	112.4	115.9	1
Third quarter-year	116.5	113.1	114.1	114.6	109.8	114.7	
Fourth quarter-year	111.6	111.2	112.8	109.2	110.9	115.	1

First half-year	115.7	111.3	111.4	115.7	112.2	115.1	1
Second half-year	114.	121.1	113.4	111.9	110.3	114.8	1
Calendar year	114.9	111.7	112.4	113.8	111.2	114.9	1
Fiscal year ended June 30	123.3	112.7	111.8	114.6	112.	112.7	1

CHRONOLOGICAL POLITICS.

1765.—March 8.—Parliament passes the Stamp Act. Oct. 7.—Colonial Congress met at New York.

1766.—Stamp Act repealed, Mar. 18.

1767.—June 29.—Bill passed taxing tea, glass, paper, etc., in the American colonies.

1768.—Massachusetts assembly petition the King against the late tax.

1773.—The inhabitants of Boston throw 342 chests of the taxed tea into the sea.

1774.—Mar. 31.—The Boston Port Bill passed by Parliament. Sept. 5.—The first Continental Congress meets at Philadelphia.

1775.—April 19.—The war for American Independence commences with the Battle of Lexington.

1776.—July 4.—America is declared “Free,

sovereign, and independent"—a declaration which is signed by the following States: New Hampshire, Massachusetts, Rhode Island, Connecticut, Delaware, Maryland, Virginia, North Carolina, South Carolina, New York, New Jersey, Pennsylvania, and Georgia.

1777.—Dec. 16.—France acknowledges the independence of the United States.

1778.—Feb. 6.—Treaties of Amity and Commerce adopted between the United States and France.

1781.—Feb.—Articles of Confederation ratified by the States.

1782.—Oct. 8.—Independence of United States acknowledged by Holland. Nov. 3.—Temporary Treaty of Peace signed at Paris.

1783.—Sept. 3.—Treaty of Peace signed at Paris. Nov. 3.—American army disbanded. Nov. 25.—New York evacuated by the British. Dec. 19.—Charleston evacuated by British. Dec. 23.—Washington resigns his commission to Congress.

1785.—June 1.—John Adams, first minister from U. S. to London.

1786.—Nov.—Shay's insurrection broke out in Massachusetts.

1787.—Sept. 17.—Constitution of the United States adopted by all the States, except Rhode Island.

1788.—Cotton planted in Georgia.

1789.—First Congress. Ten Amendments to the Constitution passed. Departments of Government organized. Washington appoints a National Thanksgiving. April 14.—George Washington declared the first President of the United States. Ratio of Representatives, 30,000; Members of Congress 65.

1789.—Many Treaties with the Indians. Hamilton

recommends the first Tariff; passed and approved.

1790.—The territory south of the Ohio river ceded to the United States. Naturalization Law passed. Treason defined and penalty determined. First Census, 3,929,326. System of Finance adopted; Government assumes State Debts; Public Debt funded; Seat of government removed from New York to Philadelphia.

1791.—First United States bank established at Philadelphia; Capital, $10,000,000. First Tax on Distilled Spirits.

1792.—U. S. Mint established. Apportionment Bill passed, fixing ratio of Representation at, 33,000; 103 members in Congress. Uniform system of Militia established. Post Office department organized anew.

1793.—Washington again inaugurated President. Neutrality declared in regard to France. First Fugitive Slave Law passed. French Minister Gernet recalled by request of Government; returns to organize Democratic or Jacobin Societies.

1794.—Commercial Treaty concluded with Great Britain. The Whiskey Insurrection in Pennsylvania. Regulation of Slave Trade by law. A sixty days Embargo as a retaliation on British "Order in Council."

1795.—Second Naturalization Law passed. Jay's Commercial Treaty with Great Britain. Treaty of Madrid. Disagreement of the United States with Algeria.

1796.—Washington's Farewell Address. Contest between the President and House over the British Treaty. John Adams elected President.

1797.—Congress declares the treaties with France annulled. Privateering against friendly nations forbidden.

1798.—Congress passes an Act for raising a regular army. Washington appointed Lieutenant-General and Commander-in-Chief. Congress authorizes Naval Warfare with France; Commercial Intercourse with France suspended; Navy Department organized.

1799.—Congress votes to raise an army of 40,000 men. American Navy consists of 42 vessels with 950 guns. Pennsylvania seat of government removed to Lancaster. Washington dies at Mount Vernon, Va.

1800.—Treaty of Peace with France. General Law of Bankruptcy approved. Second official census—population 5,308,483. Removal of the Capitol from Philadelphia to Washington. Election of Thomas Jefferson President.

1801.—War against Tripoli declared. The Republican party under Thomas Jefferson, comes into power with Jefferson President.

1802.—Louisiana ceded to France by Spain. Naturalization Laws made more liberal. Representatives, 141.

1803.—Louisiana purchased of France for $15,000,000. Congress gives the President extraordinary authority to maintain Free Navigation of the Mississippi. A brief war with the Barbary States.

1804.—Re-election of Jefferson as a Republican. Treaty of Peace concluded with Tripoli.

1805.—Troubles with Great Britain begin.

1806.—Congress provides the importation of certain goods. Disputes with England and France respecting Neutral Rights. England plainly claims the right to search American vessels for deserting seamen; Jefferson disputes it.

1807.—Congress lays an embargo. United States Coast Survey authorized. Conspiracy of Aaron Burr to divide the Union. English ships of war ordered to leave American waters. The first boat goes by steam.

1808.—The Slave Trade abolished by act of Congress. Madison elected President as a Republican.

1809.—Proclamation forbidding all intercourse with Great Britain and France. Embargo repealed. Madison inaugurated.

1810.—Third official census.

1811.—Population of United States 7,239,903. Ratio of Representation fixed at 35,000. Continued troubles with England. War with Tecumseh.

1812.—Congress lays an embargo on American shipping. General Land Office established. More than 6,000 cases of impressment recorded. War declared on the 18th of June against Great Britain. Madison re-elected President, as a Republican.

1813.—Congress authorizes an issue of $5,000,000 and a loan of $16,000,000. Entire American coast blockaded by British ships. Several battles on land and sea.

1814.—Treaty of peace between the United States and England signed at Ghent. A loan of $25,000,000 authorized.

1815.—A loan of $18,400,000 and an issue of $25,000,000 authorized. Government ratifies Treaty of Ghent, and President proclaims peace 18th Feb. Government ceases to pay tribute to Algiers. Battle of New Orleans. Peace followed, though treaty of peace preceded the battle.

1816.—First high Protective Tariff enacted. Second United States Bank chartered for twenty years; Capital, $35,000,000. Monroe elected

President as Republican or Democrat.

1817.—Internal Taxes abolished. DeWitt Clinton causes the Erie canal to be commenced. The Era of Peace. United States Bank opened at Philadelphia. Commencement of the Seminole war.

1818.—Pension Law enacted. National Flag re-arranged, so that the Stripes represent the Original Thirteen Colonies and the Stars the present number of States. Treaty of Commerce and Boundary with England. Seminole war in Florida and Georgia.

1819.—Congress ratifies the Treaty for the Cession of Florida. Beginning of the discussion between the North and South in regard to the Slavery Question. The "Savannah"—the first steamer from New York to Liverpool.

1820.—Missouri Compromise passed. Navigation Act restricting importation to United States vessels. Country agitated over the Slavery question. Fourth official census, 9,633,822.

1822.—Florida made a territory. Ratio of Representation fixed at 40,000; Members, 213. Commercial treaty with France. Federal party disbands. Clintonian Democratic party organized in New York.

1823.—Independence of South American Republics acknowledged. Treaty with Great Britain for mutual suppression of the Slave Traffic. The "Monroe Doctrine" advanced. Party politics quiet.

1824.—John Quincy Adams, Whig, elected by the House. Second high Protective Tariff.

1825.—Panama Mission discussed. John Quincy Adams inaugurated.

1826.—Extensive Internal Improvements under the leadership of Clay. The Fiftieth Anniversary of

American Independence. Death of Adams and Jefferson. Webster delivers his celebrated eulogy on them.

1827.—Experimenting on the construction of a railroad.

1828.—Tariff amended and Duties increased. Jackson elected President.

1829.—Webster's great speech against Nullification. Treaty of Amity and Commerce with Brazil. Jackson inaugurated. "*To the victor belongs the spoils.*"

1830.—Treaty with Turkey, securing for the United States freedom of the Black Sea. Treaty between the United States and Ottoman Porte. Fifth official census: population 12,866,020.

1831.—Building railroads actively.

1832.—Treaty of Commerce with Russia. Treaty of Commerce and Boundary with Mexico. Bill for re-chartering United States Bank vetoed by President Jackson. His proclamation against Nullifiers. Resignation of John C. Calhoun. Black Hawk War commences. South Carolina declares the doctrine of nullification. Representatives 240.

1833.—Andrew Jackson commences his second administration. Gen. Santa Anna elected President of Mexico. Public deposits removed from the United States Bank by the President, and distributed among certain State banks. Secretary of Treasury, W. P. Duane, refusing to carry out the policy, is removed. Lucifer, or Locofoco matches introduced, and the Democrats called "Locofocos."

1834.—President Jackson censured by Congress for removing Government deposits.—France and Portugal, slow in paying for injuries done United States commerce, are brought to terms by the

President.

1835.—War with Seminoles.

1836.—Office of Commissioner of Patents created. Treaty of Friendship and Commerce with Venezuela. Charter for United States Bank expires. Not renewed. Financial trouble brewing. Martin VanBuren, Democrat, elected President.

1837.—The Independence of Texas acknowledged. Issue of $10,000,000 Treasury notes authorized. President refuses to remit the regulation regarding the "Specie Circular." Financial panic follows, banks suspend Specie Payments in March, and resume in July. VanBuren inaugurated.

1838.—National debt paid—surplus revenue divided among the States. President enjoins neutrality during Canadian Rebellion.

1839.—United States Bank suspends payment. Disturbances on the Northeastern boundaries of Maine.

1840.—Sub-Treasury bill passed. Sixth official census; population 17,069,453. Gen'l Harrison, Whig, elected President. "Tippecanoe and Tyler too" campaign. **1826.**—Extensive Internal Improvements under the leadership of Clay. The Fiftieth Anniversary of American Independence. Death of Adams and Jefferson. Webster delivers his celebrated eulogy on them.

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1841.—Congress meets in extra session. Imprisonment for debts due the United States abolished. Central Bankrupt Law passed. A loan of $12,000,000 authorized. Sub-Treasury Act repealed. Revenues received from public lands ordered to be distributed among the States. Two bills for re-chartering the United States Bank vetoed. All members of the Cabinet, except Mr. Webster, resign. Failure of United States Bank under Pennsylvania charter. Harrison dies; Tyler succeeds him.

1842.—The Dover Insurrection in Rhode Island. The Seminole war terminated. Treaty with England settling NorthEastern boundary question. Senate ratifies the Ashburton-Webster Treaty. Ratio of representation fixed at 70,680; Representatives 223. United States fiscal year ordered to begin with July 1st.

1843.—$30,000 appropriated for the construction of Morse’s Electric Telegraph between Washington and Baltimore.

1844.—First message by the electric telegraph. James K. Polk, Democrat, elected President.

1845.—Anti-rent riots in New York. The first Tuesday after the first Monday in November on which to hold Presidential elections. Treaty made with China. Speech of Mr. Cass on NorthWestern boundary of Oregon. Annexation of Texas, and war with Mexico.

1846.—Hostilities commence with Mexico. New Mexico annexed to the United States, 10,000,000 voted; and 50,000 men called out, to carry on the war. The Wilmot Proviso, Tariff on Imports reduced. Treaty settling Northwestern boundary. Congress declared the war "existed by act of Mexico."

1847.—The city of Mexico taken by Americans under General Scott. War rages with Mexico.

1848.—Congress ratifies Treaty of Guadalupe Hidalgo. Postal Treaty with England negotiated; concluded in 1849. Peace with Mexico declared, July 4th. Zachary Taylor, Whig, elected President. Upper California ceded to United States. First deposit of California gold in the mint.

1849.—The French Embassador dismissed from Washington. Taylor inaugurated, dies; Fillmore succeeds him.

1850.—The Fugitive Slave Act passed. Texas boundary settled by payment of $10,000,000 to Texas. New Mexico and Utah admitted as territories. Slave trade abolished in the District of Columbia. Webster's great speech on the Union delivered in reply to Hayne. Treaty of Amity and Commerce with Switzerland. Treaty with England securing a transit over Panama. Seventh census; population 23,191,876.

1851.—Southern Rights Convention at South Carolina. A Cheap Postage Law enacted. Kossuth visits United States.

1852.—Ratio of Representation fixed at 93,423; members, 237. Dispute with England in regard to fisheries. Henry Clay and Daniel Webster died this year. Franklin Pierce, Democrat, elected President.

1853.—Pierce inaugurated. A partisan inaugural address.

1854.—Congress passes the Kansas-Nebraska bill. United States Neutral on the Eastern Question.

1854.—Treaty of Reciprocity with England. Commercial Treaty with Japan concluded through Commodore Perry. American party formed.

1855.—The Court of Claims established. Election troubles in Kansas. U. S. steamer "Waterwitch" fired on, on the Paraguay. Passmore Williamson released from three months imprisonment in the Wheeler Slave Case.

1856.—Quebec made the seat of Canadian government, P. W. Geary confirmed as Governor of Kansas. Extra session of Congress adjourns. 133 ballots required to elect Nathaniel P. Banks Speaker of the House. Mr. Brooks of S. C., assaults Senator Summer in the Senate Chamber. British envoy ordered to leave Washington. Great excitement in Congress on the Slavery question and over the admission of Kansas and Nebraska. Republican party formed. James Buchanan, Democrat, elected President.

1857.—A great Financial Panic; 5,123 Commercial Failures. Buchanan inaugurated; pays 8 and 10 per cent. for loans. The Dred Scott Decision delivered by Chief Justice Taney. R. J. Walker appointed Governor of Kansas.

1858.—Congress passes the English Kansas Bill but State refuses to accept. Treaty of amity with China.

1858.—First Atlantic Cable laid; second in 1866.

U. S. Army defeats the Mormons in Utah. Minnesota State Government organized. Nicaragua seeks the protection of the United States.

1859.—John Brown's raid at Harper's Ferry, Va., his capture and execution.

1860.—Ratio of Representation fixed at 127,000. Crittenden Compromise introduced and defeated. Prince of Wales visits the United States. Senators and Federal Officers from the South favoring disunion, resign. President Buchanan denies the right of a State to secede, and declines to receive the South Carolina Commission. Eighth census; population 31,443,321. Abraham Lincoln, Republican, elected President. The "Palmetto Flag" hoisted in Charleston harbor. Georgia appropriates $1,000,000 to another state. Maj. Anderson takes possession of Fort Sumter.

1861.—Congress meets in Special Session. The President calls the volunteers and $400,000,000 to put down the Rebellion. Jacob Thompson, Secretary of Interior, resigns. Mississippi, Florida, Alabama, Georgia, Louisiana, and Texas passed secession ordinances. John A. Dix appointed Secretary of Treasury, vice Thomas, resigned. Jeff Davis resigns his seat in the U. S. Senate.

Southern Confederacy formed at Montgomery, Ala. Peace Congress meets at Washington. Jeff Davis elected President of Southern Confederacy. Gen. Twiggs expelled from the army for treason. Peace Congress adjourned after a stormy session—accomplished nothing. Beauregard takes command at Charleston, S. C.; and stops intercourse between Fort Sumter and Charleston. President Lincoln calls for 75,000 volunteers. Jeff Davis offers letters of marque to privateers. President Lincoln declares the Southern ports in a state of blockade. Virginia proclaimed a

member of the Southern Confederacy. McClellan placed in command of the Department of Ohio. Arkansas secedes. England acknowledges the insurgent States as belligerents. North Carolina secedes; Kentucky declares neutrality. Tennessee secedes. Federal troops cross the Potomac. All postal services in the seceded States suspended. Gen. McClellan assumes command in West Virginia. The Wheeling Government, Virginia, acknowledged by the President. July 4, Congress meets in extra session. Fremont appointed to command of Western Department. Nine Southern members expelled from U. S. Senate.

Confiscation bill passed. Congress adjourns. President suspends all commerce with seceded States. President Lincoln orders Gen. Fremont to modify his emancipation proclamation. Secession members of Maryland Legislature sent to Fort McHenry. Gen. Scott resigns as Commander-in-Chief; Gen. McClellan succeeds him. C. S. Congress convened at Richmond, Va. Breckinridge expelled from U. S. Senate for treason. New York and Boston banks suspend specie payment.

1862.—Slavery prohibited in the Territories. Internal Revenue Bill passed. Polygamy forbidden in United Stales. Union Pacific Railroad chartered. Department of Agriculture organized. A draft of 300,000 men to serve for nine months, ordered by the Secretary of war; 600,000 volunteers called. Mason and Slidell delivered to the British Minister. E. M. Stanton appointed Secretary of war, vice Cameron, resigned. Cameron nominated Minister to Russia, vice Clay, resigned. Jesse D. Bright expelled from U. S. Senate. Jefferson Davis inaugurated President of the Southern Confederacy. Brigham Young elected Governor of Deseret, Utah. National

Tax Bill passed U. S. House of Representatives. Gen. Halleck (July 11) appointed commander of all land forces. Martial law declared in Cincinnati. McClellan, Sept. 7, takes command in person of Potomac Army. Sept. 22, President Lincoln issues his Emancipation Proclamation. *Habeas Corpus* suspended by U. S. Government. Nov. 5, Gen. Burnside succeeds McClellan. All political prisoners released. Nov. 22, West Virginia admitted as a state.

1863.—Jan. 1.—Lincoln declares all the slaves free. Bureau of Currency and National Banks established. Death of "Stonewall" Jackson. First colored regiment from the north leaves Boston. A loan of $900,000,000 ten-forties authorized. Proclamation issued. Gen. Grant takes command of the West. Slavery abolished by Proclamation.

1864.—Fugitive Slave Law repealed. A draft of 500,000 men ordered, and 700,000 men called for, 85,000 men accepted from Governors of Western States. Lincoln re-elected President. Gen. Grant appointed to command U. S. Armies.

1865.—The 13th Amendment passed. Amnesty Proclamation issued. Blockade of Southern ports ended. $98,000,000 subscribed to the 7:30 loan during the week ending May 13. A day of fasting on account of the death of President Lincoln. All the nation in mourning. Lee surrenders to Grant. Johnson succeeds Lincoln.

1866.—Freedman's Bureau Bill and Civil Rights Bill passed. 14th Amendment passed. Proclamation of Peace. Colorado bill vetoed. Suffrage given to colored men in District of Columbia.

1867.—Southern States organized into Military Districts. Military Government Bill and Tenure-of-Office Bill passed. Treaty with Russia for purchase of

Alaska concluded, price $7,200,000. Nebraska admitted as a State. Reconstruction bill passed over President Johnson's veto. Russian American Treaty approved by the Senate. Jeff Davis released on bail. Congress meets in extra session. Supplementary Reconstruction Bill passed, over veto.

1868.—Impeachment trial of President Johnson ends in acquittal. Fourteenth Amendment declared part of the Constitution. Proclamation of Political Amnesty issued. Grant, Republican, elected President. Congress meets. Senate bill passed for the reduction of the army. Bill passed to abolish tax on manufactures. The Chinese Embassy received by the President. Bill passed Senate for admission of S. States. Commencement of difficulties between U. S. Ambassador and the Government of Paraguay. The Senate ratifies the Chinese Treaty. Freedman's Bureau Bill passed over Johnson's veto. Laws of United States extended over Alaska. Failure of the Atlantic Cable of 1866. President Johnson issues a universal amnesty proclamation.

1869.—Central Pacific and Union Pacific railroads completed.—1,913 miles in length. United States Supreme Court decides Internal Revenue laws constitutional. The Copper Tariff Bill passed over the veto. Passage of the Reconstruction Bill. Indiana Supreme Court decide National Bank currency taxable. Female Suffrage Bill passed by Wyoming Legislature. E. M. Stanton confirmed as Judge of United States Supreme Court.

1870.—Fifteenth Amendment passed. Recall of the Russian Minister, Catacazy, requested. Proclamation against Fenian raids into Canada issued. Ninth census, population 38,555,883. Bill passed for the readmission of Virginia. Legal Tender Act declared unconstitutional. The Saint Thomas treaty expires by

limitation. The North Pacific R. R. Bill becomes a law. Bill to abolish Franking privilege defeated. The San Domingo Treaty rejected by the Senate. The new Constitution of Illinois adopted.

1871.—Congress passes Bill against Ku-Klux, also Enforcement Bill. The United States Senate passes the San Domingo Commission Bill. The $300,000, on Five Per Cent. Refunding Bill passed by the House. Congress admits the Georgia Senators. Deadlock in Indiana Legislature; thirty-four Republicans resign. The Forty-first Congress expires; Forty-second organized. Alabama Claims $12,830,384. Expenses of the United States census reported at $3,287,600. The Apportionment Bill passed by Congress.

1872.—Tax and Tariff Bill passed diminishing Revenue. Ratio of Representation fixed at 131,425; Representatives limited to 293. General Amnesty Bill signed. $15,500,000 awarded the United States by Geneva Tribunal. Emperor William of Germany decides the San Juan Question in favor of the United States. Salary Retroactive Act passed. First repeal of the Franking privilege. Federal officers are forbidden to hold State Offices. Suspension of the Bank of Jay Cook & Co., causes a financial panic. Modoc War.

1874.—Political excitement in Louisiana. Grant vetoes the Finance Bill. United States Senate passes Civil Rights Bill. Currency Bill vetoed. Fillmore and Sumner die.

1875.—Senate ratifies the Treaty with Hawaii. Civil Rights Bill passed. New Treaty with Belgium concluded. Financial trouble continued. Louisiana Legislative hall taken possession of by United States troops. Colorado admitted as a State.

1876.—Centennial Bill appropriating $15,000,000 passed. Secretary Belknap impeached by the House,

acquitted by the Senate. Postal Treaty with Japan. Termination of the English Extradition Treaty announced.

1877.—Electoral Commission decided in favor of Hays. Spanish Extradition Treaty announced. Federal troops recalled from the South. Nez Perces War.

1878.—Silver Bill. Halifax Fishing Award; Ben Butler opposes it.

1879.—Specie payment. Negro exodus begins. Ute War.

1880.—Election of Garfield as President, the October election in Ohio and Indiana virtually deciding the issue in advance.

1881.—Assassination of President Garfield by Charles J. Guiteau; Vice-President Arthur succeeds him. Resignation of Senators Conkling and Platt, of New York.

1882.—Extended trial and final conviction of Guiteau, who set up the plea that his assassination of President Garfield was due to an irresistible pressure from Deity. Nomination of Roscoe Conkling to the Supreme Court. Blaine's eulogy on Garfield. The Mormon issue revived by Edmunds' Bill; Chinese issue revived by bill to prevent their immigration for twenty years. California and Nevada make a holiday of Saturday, March 4, and devote it to mass meetings, which said "the Chinese must go." March 1, Senator Hoar, of Massachusetts, makes a great speech against Chinese Bill; Senator Miller, of California, replies.

1883.—Jefferson Davis replies to ex-Judge Jeremiah S. Black's article on "Secession Secrets." Death of ex-Attorney-General Black.

1884.—Nomination of James G. Blaine, and John A. Logan, at Chicago, for President and Vice-

President, who were defeated by Grover Cleveland and Thomas A. Hendricks. Death of Hon. Charles J. Folger, Secretary of the Treasury.

1885.—General Ulysses S. Grant, ex-President of the United States, died at Mt. McGregor, July 22d, after a lingering and most painful illness of many months. Death of Vice-President Thomas A. Hendricks, and election of Hon. John Sherman as Acting Vice-President of the United States.

1886.—Marriage of Grover Cleveland and Miss Frances Folsom at the Executive Mansion; and death of General George B. McClellan, General Winfield Scott Hancock, ex-Governor Samuel J. Tilden—all three of whom had been nominated for President of the United States; McClellan in 1864, Tilden in 1876, and Hancock in 1880.

1887.—High License Campaign in Pennsylvania; liquor men resisted and formed Personal Liberty Leagues; Republicans contended for High License and Sunday Laws, and won by 46,000 majority. Death of General Philip Sheridan. In December, at opening of Congress, President Cleveland sent in an Annual Message devoted alone to Revenue Reform; Mr. Blaine wired an answer from Paris in favor of Protection, and in this way the issue was opened.

1888.—Re-nomination of President Cleveland on Tariff for Revenue platform; the Republicans nominated General Benjamin Harrison on a Protective platform. A brilliant campaign followed and resulted in a Republican victory. Warner Miller led a High License battle for Governor of New York; beaten by Governor Hill by 18,000 majority. Delaware elected Anthony Higgins, a Republican, for United States Senator.

1889.—Admission by Congress as States of North

and South Dakota, Montana and Washington, making 42 in all. The Pan-American Congress assembled in Washington. Representatives of nearly all the Central and South American governments attended. International Marine Conference also assembled. Race troubles in the Southern States. Death of Jefferson Davis.

1890.—Death of Hon. William D. Kelly, known as "The Father of the House," after a service of thirty years in Congress.

The McKinley Tariff Bill and the Anti-Lottery Bill become laws. Democratic "tidal wave" in the fall elections, overturning the Republican majority in the House of Representatives and the State governments in many heretofore reliable Republican States.

1892.—Re-nomination of President Harrison and nomination of Whitelaw Reid at Minneapolis, for President and Vice-President. Re-nomination of ex-President Cleveland and nomination of Adlai Stevenson at Chicago, for President and Vice-President.

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1. Edwin Williams in Statesman's Manual.

2. From the Statesman's Manual, Vol. 1., by Edwin

Williams.

3. NOTE.—See Constitution, Art. 3, Sec. 4, p. 5.

4. In the Ritual the words in parentheses are omitted. In the key to the Ritual, they are written in figures—the alphabet used being the same as printed below. So throughout.

Key to Unlock Communications.

A	B	C	D	E	F	G	H	I	J	K	L	M
1	7	13	19	25	2	8	14	20	26	3	9	15
N	O	P	Q	R	S	T	U	V	W	X	Y	Z
21	4	10	16	22	5	11	17	23	6	12	18	24

5. Concerning what is said of cities, the key to the Ritual says: “Considered unnecessary to decipher what is said in regard to cities.”

6. President Buchanan’s Inaugural Address.

7. From Mr. Buchanan’s Administration on the eve of the Rebellion, published by D. Appleton & Co., 1866.

8. The Provisional Constitution adopted by the Seceded States differs from the Constitution of the United States in several important particulars. The alterations and additions are as follows:

ALTERATIONS.

1st. The Provisional Constitution differs from the other in this: That the legislative powers of the Provisional Government are vested in the Congress now assembled, and this body exercises all the functions that are exercised by either or both branches of the United States Government.

2d. The Provisional President holds his office for one year, unless sooner superseded by the establishment of a

permanent Government.

3d. Each State is erected into a distinct judicial district, the judge having all the powers heretofore vested in the district and circuit courts; and the several district judges together compose the supreme bench—a majority of them constituting a quorum.

4th. Whenever the word “Union” occurs in the United States Constitution the word “Confederacy” is substituted.

THE FOLLOWING ARE THE ADDITIONS.

1st. The President may veto any separate appropriation without vetoing the whole bill in which it is contained.

2d. The African slave-trade is prohibited.

3d. Congress is empowered to prohibit the introduction of slaves from any State not a member of this Confederacy.

4th. All appropriations must be upon the demand of the President or heads of departments.

OMISSIONS.

1st. There is no prohibition on members of Congress holding other offices of honor and emolument under the Provisional Government.

2d. There is no provision for a neutral spot for the location of a seat of government, or for sites for forts, arsenals, and dock-yards; consequently there is no reference made to the territorial powers of the Provisional Government.

3d. The section in the old Constitution in reference to capitation and other direct tax is omitted; also, the section providing that no tax or duty shall be laid on any exports.

4th. The prohibition on States keeping troops or ships of war in time of peace is omitted.

5th. The Constitution being provisional merely, no provision is made for its ratification.

AMENDMENTS.

1st. The fugitive slave clause of the old Constitution is so amended as to contain the word “slave,” and to provide for full compensation in cases of abduction or forcible rescue on the part of the State in which such abduction or rescue may take place.

2d. Congress, by a vote of two-thirds, may at any time alter or amend the Constitution.

TEMPORARY PROVISIONS.

1st. The Provisional Government is required to take immediate steps for the settlement of all matters between the States forming it and their other late confederates of the United Slates in relation to the public property and the public debt.

2d. Montgomery is made the temporary seat of government.

3d. This Constitution is to continue one year, unless altered by a two-thirds vote or superseded by a permanent Government.

9. From Lalor’s *Encyclopædia of Political Science*, published by Rand & McNally. Chicago, Ill.

10. Official Journal of the Convention, pp. 9 and 10.

11. The text of Webster’s speech in reply to Hayne, now accepted as the greatest constitutional exposition ever made by any American orator, will be found in our book devoted to Great Speeches on Great Issues.

12. These were afterwards seized.

13. The attempted removal of these heavy guns from Allegheny Arsenal, late in December, 1860, created intense excitement. A monster mass meeting assembled at the call of the Mayor of the city, and citizens of all parties aided in

the effort to prevent the shipment. Through the interposition of Hon. J. K. Moorhead, Hon. R. McKnight, Judge Shaler, Judge Wilkins, Judge Shannon, and others inquiry was instituted, and a revocation of the order obtained. The Secessionists in Congress bitterly complained of the "mob law" which thus interfered with the routine of governmental affairs.—McPherson's History.

14. Resigned January 17th, 1861, and succeeded by Hon. Lot M. Morrill.

15. Did not attend.

16. Resigned and succeeded January 2d, 1861, by Hon. Stephen Coburn.

17. From the "History of Abraham Lincoln and the Overthrow of Slavery," by Hon. Isaac N. Arnold.

18. 1864, February 15—Repealed the above act, but provided for continuing organizations of partisan rangers acting as regular cavalry and so to continue; and authorizing the Secretary of War to provide for uniting all bands of partisan rangers with other organizations and bringing them under the general discipline of the provisional army.

19. See memorandum at end of list.

20. This incident was related to the writer by Col. A. K. McClure of Philadelphia, who was in Lancaster at the time.

21. Arnold's "History of Abraham Lincoln."

22. On the 23d of July, 1861, the Attorney-General, in answer to a letter from the United States Marshal of Kansas, inquiring whether he should assist in the execution of the fugitive slave law, wrote:

ATTORNEY-GENERAL'S OFFICE, *July 23, 1861*.

J. L. MCDOWELL, *U. S. Marshal, Kansas*:

Your letter, of the 11th of July, received 19th, (under frank of Senator Lane, of Kansas,) asks advice whether you should give your official services in the execution of the fugitive slave law.

It is the President's constitutional duty to "take care that the laws be faithfully executed." That means all the laws. He has no right to discriminate, no right to execute the laws he likes, and leave unexecuted those he dislikes. And of course you and I, his subordinates, can have no wider latitude of discretion than he has. Missouri is a State in the Union. The insurrectionary disorders in Missouri are but individual crimes, and do not change the legal status of the State, nor change its rights and obligations as a member of the Union.

A refusal by a ministerial officer to execute any law which properly belongs to his office, is an official misdemeanor, of which I have no doubt the President would take notice. Very respectfully

EDWARD BATES.

23. Republicans in Roman; Democrats in italics.

24. Democrats in italics.

25. Republicans in roman; Democrats in italics.

26. In 1860 a vote was had in the State of New York on a proposition to permit negro suffrage without a property qualification. The result of the city was—yeas 1,640. nays 37,471. In the State—yeas 197,505, nays 337,984. In 1864 a like proposition was defeated—yeas 85,406, nays 224,336.

In 1862, in August, a vote was had in the State of Illinois, on several propositions relating to negroes and mulattoes, with this result:

For excluding them from the State	171,893	
Against	71,306	
		100,587
Against granting them suffrage or right to office	21,920	
For	35,649	
		176,271

For the enactment of laws to prohibit them from going to, or voting in, the State	198,938	
Against	44,414	
		154,524

—From McPherson's History of the Great Rebellion.

27. December 23, 1862—Jefferson Davis issued a proclamation of outlawry against Major General B. F. Butler, the last two clauses of which are:

Third. That all negro slaves captured in arms be at once delivered over to the executive authorities of the respective States to which they belong, to be dealt with according to the laws of said States.

Fourth. That the like orders be executed in all cases with respect to all commissioned officers of the United States when found serving in company with said slaves in insurrection against the authorities of the different States of this Confederacy.

28. McPherson's History, page 317.

29. This act is in those words:

Be it enacted, &c., That hereafter every person elected or appointed to any office of honor or profit under the government of the United States, either in the civil, military, or naval departments of the public service, excepting the President of the United States, shall, before entering upon the duties of such office, and before being entitled to any of the salary or other emoluments thereof, take and subscribe the following oath or affirmation: "I, A B, do solemnly swear (or affirm) that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have never sought nor accepted nor attempted to exercise the functions of any office whatever, under any authority or pretended authority, in hostility to the United States; that I have not yielded a voluntary support to any pretended

government, authority, power, or constitution within the United States, hostile or inimical thereto; and I do further swear (or affirm) that, to the best of my knowledge and ability, I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter; so help me God;" which said oath, so taken and signed, shall be preserved among the files of the Court, House of Congress, or Department to which the said office may appertain. And any person who shall falsely take the said oath shall be guilty of perjury, and on conviction, in addition to the penalties now prescribed for that offense, shall be deprived of his office, and rendered incapable forever after, of holding any office or place under the United States.

30. Compiled by Hon. Edward McPherson in his Hand-Book of Politics for 1868.

31. Unofficial.

32. From Greeley's Recollections of a Busy Life, page 413.

33. From the Century of Independence by John Sully, Boston.

34. The following is a correct table of the ballots in the New York Democratic Convention:

Candidates.	1.	2.	3.	4.	5.	6.	7.	
Horatio Seymour				9				
George H. Pendleton	105	104	119½	118½	122	122½	137½	15(
Andrew Johnson	65	52	34½	32	24	21	12½	
Winfield S. Hancock	33½	40½	45½	43½	46	47	42½	

Sanford E. Church	33	33	33	33	33	33	33
Asa Packer	26	26	26	26	27	27	26
Joel Parker	13	15½	13	13	13	13	7
James E. English	16	12½	7½	7½	7	6	6
James R. Doolittle	13	1½	12	12	15	12	12
Reverdy Johnson	8½	8	11	8	9½		
Thomas A. Hendricks	2½	2	9½	11½	19½	30	39½
F. P. Blair, Jr.	½	10½	4½	2		5	½
Thomas Ewing		½	1	1			
J. Q. Adams					1		
George B. McClellan							
Salmon P. Chase							
Franklin Pierce							
John T. Hoffman							
Stephen J. Field							
Thomas H. Seymour							

Candidates.	12.	13.	14.	15.	16.	17.	18.
Horatio Seymour							
George H. Pendleton	145½	134½	130	129½	107½	70½	56½
Andrew Johnson	4½	4½		5½	5½	6	10
Winfield S. Hancock	30	48½	56	79½	113½	137½	144½

Sanford E. Church							
Asa Packer	26	26	26				
Joel Parker	7	7	7	7	7	7	3½
James E. English							
James R. Doolittle	12½	13	13	12	12	12	12
Reverdy Johnson							
Thomas A. Hendricks	89	81	84½	82½	70½	80	87
F. P. Blair, Jr.	½	½					
Thomas Ewing							
J. Q. Adams							
George B. McClellan	1						
Salmon P. Chase	½	½				½	½
Franklin Pierce		1					
John T. Hoffman						3	3
Stephen J. Field							
Thomas H. Seymour							

Necessary to choice 212

35. General Blair was nominated unanimously on the first ballot.

36. One Democratic elector was defeated, being cut by over 500 voters on a local issue.

37. Commonly called “Greenbacks,” or “Legal Tender notes.”

38. Commonly called “National Bank notes.”

39. By Rand & McNally, Chicago, Ill., 1882.

40. This was partially done by the Legislature of Pennsylvania in 1881.

41. Act of March 2, 1850.

42. Act of January 19, 1866.

43. Senate doc. 181, 46th Congress.

44. Sec. 2, 258, Rev. Stat. U.S.

45. According to the affidavits of Samuel Howard and others, page 14.

46. See Report of Attorney-General United States, 1880–81.

47. Act of March 6, 1862.

48. Act of February 16, 1872.

49. Secs. 1 and 2, act of February 3, 1852.

50. See act of January 17, 1862.

51. Act of January 7, 1854, sec. 14.

52. Acts of Jan 21, 1853, and of January, 1855, sec. 29.

53. Act of February 18, 1852.

54. Act of February 18, 1852.

55. Act of January 14, 1854.

56. Sec. 106. Act March 6, 1852.

57. Enormous sums are, however, given to soldiers

who were wounded during the war, or who pretend that they were—for jobbery on an unheard of scale is practised in connection with these pensions. It is estimated that $120,000,000 (24,000,000*l.*) will have to be paid during the present fiscal year, for arrears of pension, and the number of claimants is constantly increasing, [The writer evidently got these "facts" from sensational sources.]—*Am. Pol.*

58. The undeniable facts of the case were as we have briefly indicated above, See, for example, a letter to the 'New York Nation,' Nov. 3, 1881.

59. Speech In New York, March 7, 1881.

60. 'New York Tribune,' Feb. 25, 1870.

61. Letter in New York papers, Feb. 20, 1875.

62. Mr. George William Curtis, in 'Harper's Magazine,' 1870.

63. Article I. sect. vi. 2.

64. 'Commentaries,' I. book iii. sect. 869.

65. [These are mere traditions tinged with the spirit of some of the assaults made in the "good old days" even against so illustrious a man as Washington.—*Am. Pol.*]

66. Mr. Watterson, formerly a distinguished member of Congress, is the author of the "tariff for revenue only" plank in the Democratic National Platform of 1880, and is now, as he has been for years, the chief editor of the *Louisville Courier Journal*.

67. American, 707; scattering 989.

68. In Connecticut, the vote for Sheriff is taken. In New York, the average vote on four of the five State officers chosen, excluding Secretary of State. In Nebraska, Democratic and Anti-Monopoly vote combined on Judge.

69. Scattering, 106.

70. In these States the vote on Lieutenant-Governor was taken, as being from special causes, a fairer test of party strength. In the others the principal State officer was

taken. Where State officers were not elected, the Congressional vote was taken. In Georgia, Congressmen-at-Large was taken.

71. The vote for Chief Judge.

72. The Regular and Independent Republican vote is combined.

73. Vote of the two Democratic candidates is combined.

74. One vote lacking in each.

75. One vote lacking.

76. One vote lacking.

77. 3 votes lacking.

78. Upon the resolution of Mr. Wythe, which proposed, “That the committee should ratify the constitution, and that whatsoever amendments might be deemed necessary should be recommended to the consideration of the congress, which should first assemble under the constitution, to be acted upon according to the mode prescribed therein.”

79. In answer to an address of Governor Eustis, denouncing the conduct of the peace party during the war, the House of Representatives of Massachusetts, in June, 1823, say, “The change of the political sentiments evinced in the late elections forms indeed a new era in the history of our commonwealth. It is the triumph of reason over passion; of patriotism over party spirit. Massachusetts has returned to her first love, and is no longer a stranger in the Union. We rejoice that though, during the last war, such measures were adopted in this state as occasioned double sacrifice of treasure and of life, covered the friends of the nation with humiliation and mourning, and fixed a stain on the page of our history, a redeeming spirit has at length arisen to take away our reproach, and restore to us our good name, our rank among our sister states, and our just influence in the Union.

“Though we would not renew contentions, or irritate

wantonly, we believe that there are cases when it is necessary we should 'wound to heal.' And we consider it among the first duties of the friends of our national government, on this return of power, to disavow the unwarrantable course pursued by this state, during the late war, and to hold up the measures of that period as beacons; that the present and succeeding generations may shun that career which must inevitably terminate in the destruction of the individual or party who pursues it; and may learn the important lesson, that, in all times, the path of duty is the path of safety; and that it is never dangerous to rally around the standard of our country."

80. 2d Dodson's Admiralty Reports, 48. 13th Mass. Reports, 26.

81. It appears at p. 6 of the "Account" that by a vote of the House of Representatives of Massachusetts, (260 to 290) delegates to this convention were ordered to be appointed to consult upon the subject "of their public grievances and concerns," and upon "the best means of preserving their resources," and for procuring a revision of the constitution of the United States, "more effectually to secure the support and attachment of all the people, by placing all upon the basis of fair representation."

The convention assembled at Hartford on the 15th December, 1814. On the next day it was

Resolved, That the most inviolable secrecy shall be observed by each member of this convention, including the secretary, as to all propositions, debates, and proceedings thereof, until this injunction shall be suspended or altered.

On the 24th of December, the committee appointed to prepare and report a general project of such measures as may be proper for the convention to adopt, reported among other things,—

"1. That it was expedient to recommend to the legislatures of the states the adoption of the most effectual and decisive measures to protect the militia of the states from the usurpations contained in these proceedings." [The proceedings of Congress and the executive, in relation to

the militia and the war.]

"2. That it was expedient also to prepare a statement, exhibiting the necessity which the improvidence and inability of the general government have imposed upon the states of providing for their own defence, and the impossibility of their discharging this duty, and at the same time fulfilling the requisitions of the general government, and also to recommend to the legislatures of the several states to make provision for mutual defence, and to make an earnest application to the government of the United States, with a view to some arrangement whereby the state may be enabled to retain a portion of the taxes levied by Congress, for the purpose of self-defence, and for the reimbursement of expenses already incurred on account of the United States.

"3. That it is expedient to recommend to the several state legislatures certain amendments to the constitution, viz.,—

"That the power to declare or make war, by the Congress of the United States, be restricted.

"That it is expedient to attempt to make provision for restraining Congress in the exercise of an unlimited power to make new states, and admit them into the Union.

"That an amendment be proposed respecting slave representation and slave taxation."

On the 29th of December, 1814, it was proposed "that the capacity of naturalized citizens to hold offices of trust, honor, or profit ought to be restrained," &c.

The subsequent proceedings are not given at large. But it seems that the report of the committee was adopted, and also a recommendation of certain measures (of the character of which we are not informed) to the states for their mutual defence; and having voted that the injunction of secrecy, in regard to all the debates and proceedings of the convention, (except so far as relates to the report finally adopted,) be continued, the convention adjourned *sine die*, but as was supposed, to meet again when

circumstances should require it.

82. I refer to the authority of Chief Justice Marshall in the case of Jonathan Robbins. I have not been able to refer to the speech, and speak from memory.

83. In this extended abstracts are given and data references omitted not applicable to these times.

84. Speech at the Tabernacle, New York, February 10, 1843, in public debate on this resolution:—

Resolved, That a Protective Tariff is conducive to our National Prosperity.

Affirmative: JOSEPH BLUNT,
HORACE GREELEY.

Negative: SAMUEL J. TILDEN,
PARKE GODWIN.

From Greeley's "Recollections of a Busy Life."

85. All the series were published in 1860 by Follet, Foster & Co., Columbus, Ohio.

86. The dominion of Canada has since imposed compound duties upon a large number of articles.

87. In the British Almanac of 1881 it is stated that meat is eaten in Ireland by only 59 per cent. of the farm laborers, and in quantity only four and one-half ounces per week.

88. The portion of this clause within brackets has been amended by the 14th amendment, 2nd section.

89. This clause has been superseded and annulled by the 12th amendment.

90. From W. J. McDonald's "Constitution, Rules and Manual."

91. New Jersey withdrew her consent to the ratification April —, 1868.

92. Oregon withdrew her consent to the ratification October 15, 1868.

93. Ohio withdrew her consent to the ratification January —, 1868.

94. North Carolina, South Carolina, Georgia, and Virginia had previously rejected the amendment.

95. New York withdrew her consent to the ratification January 5, 1870.

96. Ohio had previously rejected the amendment May 4, 1869.

97. New Jersey had previously rejected the amendment.

98. This arrangement is changed by the 8th rule.

99. The former practice of the Senate referred to in this paragraph has been changed by the following rule:

[The final question upon the second reading of every bill, resolution, constitutional amendment, or motion, originating in the Senate and requiring three readings previous to being passed, shall be, "whether it shall be engrossed and read a third time?" and no amendment shall be received for discussion at the third reading of any bill, resolution, amendment, or motion, unless by unanimous consent of the members present; but it shall at all times be in order before the final passage of any such bill, resolution, constitutional amendment, or motion, to move its commitment; and should such commitment take place, and any amendment be reported by the committee, the said bill, resolution, constitutional amendment, or motion, shall be again read a second time, and considered as in Committee of the Whole, and then the aforesaid question shall be again put.—*Rule 26.*]

100. This rule has been modified so as to specify the questions entitled to preference. The rule is now as follows:

RULE 43. When a question is under debate, no motion shall be received but to adjourn, to adjourn to a day certain, or that, when the Senate adjourn, it shall be to a day certain; to take a recess, to proceed to the consideration of the executive business, to lay on the table, to postpone indefinitely, to postpone to a day certain, to

commit, or to amend: which several motions shall have precedence in the order in which they stand arranged, and the motions relating to adjournment, to proceed to the consideration of executive business, and to lay on the table, shall be decided without debate.

101. In filling up blanks, the largest sum and longest time shall be first put. *Rule 32.*

102. The rule now fixes a limitation.

103. This rule has been so amended as to except Indian treaties; which shall be considered and acted upon in open Senate, unless the same shall be transmitted by the President to the Senate in confidence.

104. This rule has since been modified by the U. S. Senate.

105. Liable to arrest for misdemeanor.

106. Also punishable as a misdemeanor. Banks forfeit interest only, or double the interest if charged in advance.

107. Also 6% on judgments.

108. The figures in this column mark the terms held by the Presidents.

109. Acting Vice-President and President *pro tem.* of the Senate.

110. Not voting—Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Tennessee, Texas, and Virginia.

111. Not voting—Mississippi, Texas, and Virginia.

112. Seventeen votes rejected, viz.: 3 from Georgia for Horace Greeley (dead), and 8 from Louisiana, and 6 from Arkansas for U. S. Grant.

113. Not a Cabinet officer, but a subordinate of the Treasury Department until 1829.

114. Naval affairs were under the control of the Secretary of War until a separate Navy Department was organized by Act of April 30th, 1798. The Acts organizing

the other Departments were of the following dates: *State*, September 15th, 1789; *Treasury*, September 2d, 1789; *War*, August 7th, 1789. The Attorney-General's duties were regulated by the Judiciary Act of September 24th, 1789.

115. Secretary Windom died Jan. 29, 1891, and was succeeded by Charles Foster, Ohio.

116. Candidates from Southern States.

117. Resigned.

118. Presided one term of the court; appointment not confirmed by the Senate.

119. The Supreme Court, at its first session in 1790, consisted of a Chief Justice and five Associates. The number of Associate Justices was increased to six in 1807 by the appointment of Thomas Todd; increased to eight in 1837 by the appointments of John Catron and John McKinley; increased to nine in 1863 by the appointment of Stephen J. Field; decreased to eight on the death of John Catron in 1865; decreased to seven on the death of James M. Wayne in 1867; and again increased to eight in 1870, with a view to get the legal tender decision—a policy for such precedents are found in the governments of England and France.

120. These do not include the militia that were brought into service during the various invasions of Lee's armies into Maryland and Pennsylvania.

121. Colored Troops organized at various stations in the States in rebellion, embracing all not specifically credited to States, and which cannot be assigned.—ADJUTANT-GENERAL'S OFFICE, *Washington, November 9, 1880*.

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