



J. G. P. Gellert

DEMOCRACY

IN THE

UNITED STATES.

*WHAT IT HAS DONE, WHAT IT IS DOING,
AND WHAT IT WILL DO.*

BY

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COUNSELLOR-AT-LAW, ETC.

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TO
HORATIO SEYMOUR,

THE HONEST MAN,

THE CHRISTIAN CITIZEN, THE PATRIOTIC MAGISTRATE,

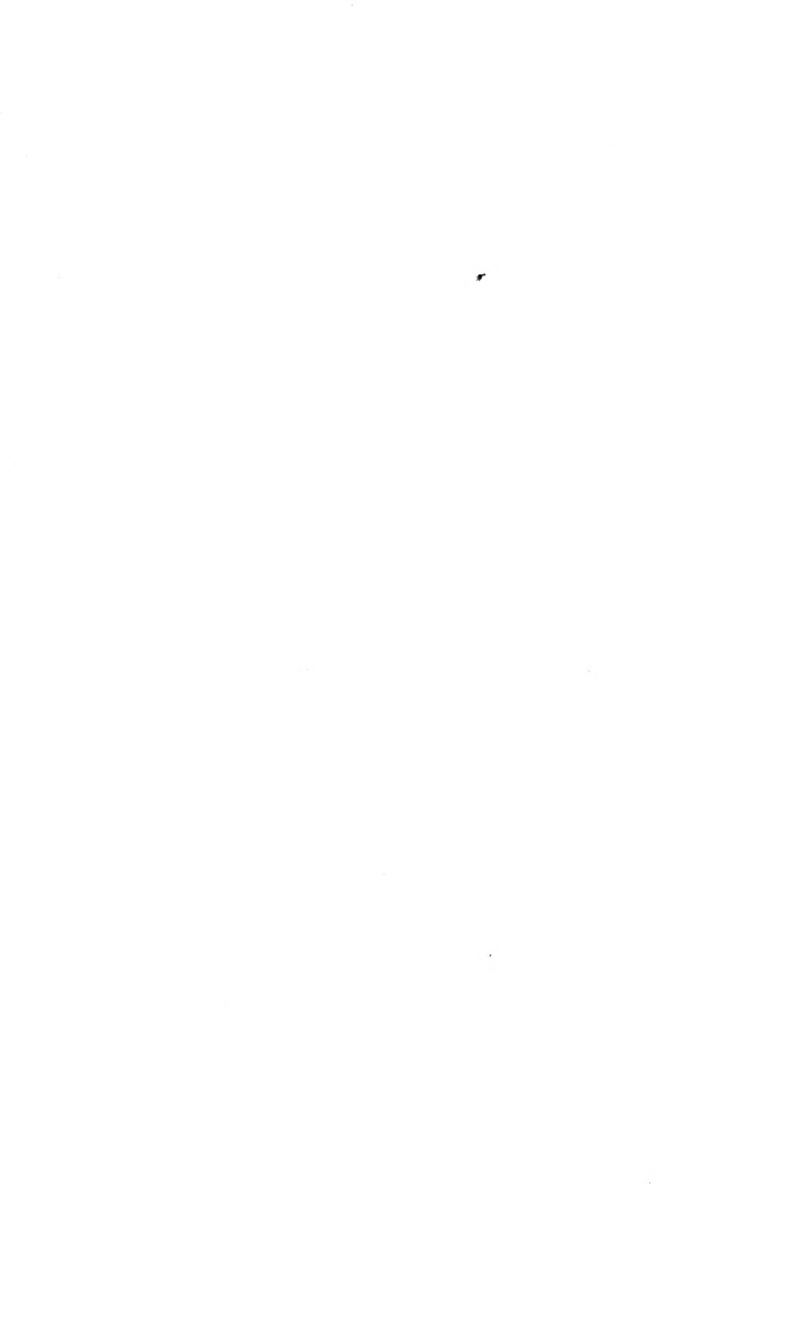
AND

THE ENLIGHTENED STATESMAN,

This Volume is respectfully Inscribed

BY HIS FRIEND

THE AUTHOR.



P R E F A C E .

It hardly need be stated that the pressure of professional business, and the never-ending duties of official life, are not favorable to authorship. The author of this work was persuaded by valued friends to prepare it, not because he was accustomed to literary pursuits, but because it was supposed that his practical knowledge of the administration of Government might be of service to his fellow-citizens. He is always ready to do his part as an American citizen, and to aid the great cause of Democracy, which is the only source of safety to the American Republic. He has often been honored by the Democratic party, and he knows of no higher privilege than that of exerting his humble powers to make known its glorious record. But three months were given him to prepare the volume; and the reader will hardly expect in it any details of record or displays of language. It can only be regarded as a brief outline of the history of the Democratic party in this country—intended to lead the reader to certain great facts and principles as connected with the success of republican Government in the United States. He has not attempted to solve any abstruse propositions in political science, nor is he conscious of having been actuated by

the motives of a mere partisan. He favors the Democratic party, because that party is the only one that has succeeded in administering the Government successfully. It has been, and still is, the constitutional party; and whoever adds to its means of influence, subserves the cause of truth and duty.

The author has endeavored accurately to give facts as they will be found recorded, and, in expressing his opinions, to avoid injustice to others. To denounce error and dishonesty is the part of an honest man, and it cannot be evaded. The opponents of Democracy will ever be held responsible for what they say and do, particularly when their measures and opinions prove to be adverse to the peace and prosperity of the country. A true Democrat serves himself only when he serves his country; and, if this work shall tend in any degree to turn men from the path of error to that of duty, or to establish more fully those who are already in the way of truth and safety, the author will have no cause to regret that he was persuaded to give his imperfect labors to the public.

R. H. GILLET.

NEW-LEBANON SPRINGS, *April*, 1868.

PUBLISHERS' NOTICE.

It is common among readers to wish to know something respecting their author, especially if he communicates information which is in conflict with statements made by others, or expresses opinions for their acceptance which require a modification of their own. The honest reader wants TRUTH, whatever it may be—and it is a step in the right direction if he be assured of the integrity and established wisdom of his author. There are honest men of all parties; and the publishers, so far as they are able, employ only such as authors. We are permitted by the author of this volume to give the following sketch, mostly taken from “LANMAN’S DICTIONARY OF CONGRESS”—published some years before the rebellion: “Mr. GILLET was born in New Lebanon, Columbia County, N. Y., January 27, 1800. His early employment was farming on his father’s farm, in Saratoga County, in the summer, and lumbering in the pine-forest during the winter. In 1819 he removed to St. Lawrence County, where he was employed to teach school during the winter, while he attended the St. Lawrence Academy during the summer. In 1821 he engaged in the study of the law with the late Silas Wright, at Canton, still continuing to teach for his support. He was soon admitted to the bar, practising in the local courts, and

finally settled in Ogdensburg, where he continued, mainly devoted to the profession, for about twenty years. In 1827 he was appointed brigade major and inspector of the 49th brigade of militia, and for ten years drilled and inspected six large regiments in St. Lawrence and Jefferson Counties; February 27, 1830, he was appointed postmaster at Ogdensburg, which office he filled about three years; in 1832 he was a member of the first Baltimore Convention which nominated General Jackson for President; he was elected in November of that year to Congress to represent St. Lawrence and Franklin Counties, and reelected in 1834, and served while in Congress as a member of the Committee on Commerce; in 1837 he was appointed by President Van Buren a commissioner to treat with the Indian tribes in New York, and continued in that service until March, 1839; and in 1840 was a member of the Baltimore Convention which re-nominated Mr. Van Buren (and drew the celebrated resolutions of that year, still forming a portion of the Democratic platform), and then engaged in the practice of law and continued to do so until 1845, when President Polk appointed him Register of the Treasury, in which office he served until May, 1847, when he was promoted to the office of Solicitor of the Treasury, in which place he continued until the autumn of 1849; he then resumed the practice of law in New York; February 1, 1855, he became Assistant to the Attorney-General of the United States, and continued in that office until he resigned in 1858; President Buchanan tendered him the place of Solicitor of the Court of Claims, which he accepted, and is still (1859) performing the duties of that office." He held this office until March, 1861, when he was removed by President Lincoln—because he was a Democrat.

In 1855 he delivered, before an Association, in Washington, an address "On the Origin and Formation of the Constitution." On November 6, 1860, he delivered, before the Jackson Association, Washington, an address denouncing secession and predicting its consequences, which was published in the *National Intelligencer* in December of that year. When Mr. Stanton was appointed Secretary of War, he transferred his law business in the local Supreme Court to Mr. Gillet, and he continued to labor in his profession until 1865, when he retired to the beautiful valley of New Lebanon Springs, N. Y., his native place, to reënjoy the mountain scenery of his youth. It may be added, with great propriety, that Mr. Gillet was highly esteemed by President Jackson, and that no man living commanded more the respect and confidence of the late Chief-Justice Taney. He was frequently consulted by Presidents Van Buren, Polk, and Taylor, and enjoyed the confidence and friendship of Presidents Fillmore, Pierce, and Buchanan. His great ability as a lawyer is only excelled by his modesty and goodness as a man, and he has very reluctantly consented to the publication of this notice to gratify his friends.

TABLE OF CONTENTS.

	PAGE.
1. Forms of Government,	1
2. Party Names,	3
3. Democratic Principles contrasted with others,	4
4. Washington's Administration,	8
5. John Adams's Administration,	8
6. Anti-Democratic Naturalization Laws,	11
7. The Political Revolution of 1800,	13
8. Attempt to deprive Mr. Jefferson of his Election,	14
9. Thomas Jefferson,	15
10. Jefferson's Political Principles,	18
11. Jefferson's First Term as President,	23
12. Jefferson's Acquisition of Louisiana,	24
13. Pirates and the Freedom of the Sea,	26
14. New England Clergymen preaching Anti-Democratic Principles,	27
15. Secession proposed by the Anti-Democrats of New England,	29
16. One of Nature's Noblemen,	34
17. Proposition to impeach Mr. Jefferson,	36
18. Why the Embargo was abandoned,	38
19. "Free Trade and Sailors' Rights,"	41
20. James Madison and his Political Principles,	45
21. The Declaration of War,	47
22. The Anti-Democrats endeavored to prevent Loans and Enlistments,	50
23. The Navy and Naval Heroes,	51
24. William Bainbridge,	53
25. Charles Stewart,	54
26. Stephen Decatur,	55
27. Isaac Hull,	56
28. Oliver Hazard Perry,	57
29. John Rodgers,	58

	PAGE.
30. Thomas MacDonough,	59
31. James Lawrence,	60
32. David Porter,	61
33. The Army and its Officers,	63
34. Zebulon Montgomery Pike,	64
35. Alexander Macomb,	65
36. John E. Wool,	65
37. Jacob Brown,	66
38. Andrew Jackson,	67
39. Eleazar W. Ripley,	69
40. Peter B. Porter,	69
41. William J. Worth,	70
42. The Principles and Intentions of the Anti-Democratic Party during the War of 1812,	71
43. Daniel D. Tompkins,	75
44. Burning Blue-Lights,	79
45. Disunion proposed by the Federalists,	80
46. The Hartford Convention of 1814,	85
47. John Holmes's Description of the Hartford Convention and its Authors,	92
48. Mr. Madison's Second Term,	94
49. The Invasion, Sacking, and Burning of Washington,	95
50. The Battle of New Orleans,	97
51. The Bank Bills of 1815 and 1816,	100
52. James Monroe, and his Election to the Presidency,	102
53. The Era of Good Feeling,	104
54. The Monroe Doctrine,	107
55. Banks and Banking in New York,	108
56. The Acquisition of Florida,	110
57. Remarks on Mr. Monroe's Administration,	111
58. The New York State Constitutions of 1821 and 1846,	112
59. The New York Electoral Law of 1824,	116
60. Administration of John Quincy Adams,	118
61. Equality the only Honest Basis of Legislation,	121
62. William L. Marcy,	126
63. Political Anti-Masonry,	128
64. Internal Improvements by the Government,	132
65. Veto of the United States Bank,	136
66. The Removal of the Deposits,	140
67. Senatorial Condemnation of General Jackson,	143
68. Michael Hoffman,	145
69. Removals from Office,	147
70. "Terrible Distress of the Country,"	149

	PAGE.
71. The Protective System,	152
72. The Revival of a Gold Currency,	156
73. Distribution of the Public Revenue,	159
74. The Specie Circular,	163
75. Thomas H. Benton,	166
76. Distribution of the Public Lands, and Land Sales,	169
77. Disunion in its Early Stages,	171
78. Washington's Farewell Address,	173
79. Silas Wright,	176
80. Jackson's Farewell Address,	183
81. Martin Van Buren,	188
82. The Sub-Treasury,	195
83. The Presidential Election of 1840,	199
84. Tariff Duties on Foreign Importations,	202
85. John A. Dix,	207
86. Internal Revenue Taxes,	212
87. The Force of Bad Precedents in Legislation,	215
88. Heman J. Redfield,	218
89. Congress responsible for the Extravagance of the National Govern- ment,	221
90. Administration of John Tyler,	228
91. James K. Polk, his Election and Political Principles,	231
92. Mr. Polk's Administration,	233
93. Zachary Taylor and his Administration,	235
94. Millard Fillmore and his Administration,	237
95. John Brown at Harper's Ferry,	240
96. Azariah C. Flagg,	242
97. Franklin Pierce and his Administration,	246
98. James Buchanan,	248
99. Mr. Buchanan's Administration,	251
100. The Tyranny of Majorities in Congress,	257
101. Abraham Lincoln,	259
102. Mr. Lincoln on his Way to Washington,	261
103. Mr. Lincoln's Inaugural Address and its Consequences,	264
104. Firing the First Gun,	266
105. The Suspension of the Writ of Habeas Corpus,	270
106. Spies and Secret-Service Agents,	273
107. The Trial of Civilians by Military Commissions,	276
108. The Early Avowed Objects of the War,	279
109. Later Avowed Objects of the War,	282
110. Mr. Chase's Financial Plans and their Consequences,	283
111. Mr. Chase's Banking System,	288
112. Why the War lasted so long,	291

	PAGE.
113. Congressional Fishing-Committees,	294
114. Mr. Lincoln's Plan of Reconstruction,	297
115. The Injury inflicted upon the Negroes by the Republican Mode of Manumission,	299
116. Republican Struggle for Power and the Spoils,	301
117. The Reorganization of Louisiana and Arkansas, and what came of it,	304
118. Congressional Caucuses,	307
119. The Freedmen's Bureau,	309
120. Mistakes of the American Clergy,	313
121. The proposed Fourteenth Amendment to the Constitution,	318
122. Later Phases of Congressional Reconstruction,	320
123. The American Press and the Telegraph,	323
124. The Secession States were never, in Law, out of the Union,	327
125. Andrew Johnson,	333
126. Impeachment of President Johnson,	337
127. Congress and the Supreme Court,	344
128. Destruction of the Highest Court in the District of Columbia,	348
129. Exchange of Prisoners during the War,	349
130. What our Country was, is, and may be,	353
131. Dean Richmond,	357
132. Negro War-Services and Negro Loyalty,	360
133. President Johnson and Edwin M. Stanton,	362
134. Slander as Political Capital,	366
135. What has the Country gained by Republican Rule?	369
136. Are not all the States in Danger?	372
137. Issues to be tried by the People,	376
138. Expenses of the National Government,	384
139. Our Public Debt,	389
140. A New Department of the Government,	392
141. The Sedition Laws of 1798 revived,	394
142. Conclusion,	395
143. Appendix.—Constitution of the United States,	400
144. Appendix No. 2.—The Test Vote,	410

DEMOCRACY IN THE UNITED STATES.

1.—FORMS OF GOVERNMENT.

FORMS of government have been undergoing changes since the first peopling of the world, commencing with the patriarchs. Nearly every form has been tried, in almost every country, with ever-varying success. We have seen in Rome and the Grecian states, and other places, republican forms of government prevail for a time. These have been changed to others resting upon a more doubtful foundation. Much of the world is ruled by absolute sovereigns, who make laws for themselves, and construe and execute them, all at their pleasure. In a few countries, like Great Britain, the regal power is restrained by legislative authority, which is in fact elective by the people. A purely democratic form of government, like that once existing in Athens, is impracticable in countries like ours. The people cannot all assemble and act upon questions as they may arise. This form is also open to the objection, that large multitudes of men are often swayed by passion and popular appeals, instead of being governed by reason and reflection. A government of this form, when urged on by excitement, plays the tyrant without restraint or remedy.

In our own country, we set the first example of written constitutions, conferring upon the majority, with certain limitations, full power to govern, through representatives chosen by the people. Although not free from defects, this is the best form of government yet devised by man. Ample time is allowed the

elector in selecting his agents. These are accountable to him for the manner of performing their duties. These agents have the full benefit of ample discussion before they act. Responsibility is brought home to them. Broad errors will defeat their prospects of future service, or hope of promotion. Both the people and their representatives act with more deliberation than large masses of men, who neither owe nor feel responsibility to any one for any thing their interests or passions may induce them to do.

Under our written constitutions both the people and their agents are restrained in the exercise of their powers to such matters as they can act upon intelligently and successfully for the public good. Under the State governments the legislative power is so distributed as to prevent combinations, or excited or local action. The most numerous branch is selected from a limited territory and for a short period, and the least numerous from a larger one and for a longer term. The Chief Magistrate, who is armed with a veto, is selected from the whole State. Local feelings, short-lived excitements, and combinations can seldom extend to all. The action of each is a check upon the other, and tends to secure the thoughtful and wise action of all.

The national Government is clothed with large powers, carved out of those once belonging to each State. These have been surrendered for the common good of all. One branch of its Legislature is elected by the people every two years, from a limited territory, by nearly universal suffrage. The other branch is elected by the States, and not by the people; for a term of six years. This branch has the same functions with one exception as the more numerous branch, and exercises an advisory limitation upon the treaty-making and appointing powers of the Executive. The President is clothed with a limited veto-power, which strongly tends to prevent hasty and ill-advised action of the two Houses. Under both State and national Governments a judicial department is established, before which all questions of legal right and constitutional power can be deliberately contested. Where the law-making power has exceeded the boundaries of its authority, it declares its enactments null and void. Under both constitutions the powers of the Chief Executive, all subordinate officials down

to a country magistrate, are carefully hedged about, with the view of securing to the citizen every right to which he is entitled. As defects are discovered, new remedies are devised and applied to secure the independence of man. If, with all these precautions, wrong creeps in, it is more likely to be the fault of the agent than of the system. We cannot expect perfection in either, while we reflect that all heavenly bodies vary more or less from their regular orbit, producing an occasional partial or total eclipse.

2.—PARTY NAMES.

Party names seldom indicate the real principles of a party. They are generally conferred by their adversaries, and not unfrequently in derision and to excite prejudice. Whig, Tory, and Roundhead, are terms not indicating political principles. They originally meant horsemen, robbers, and men with short-cropped hair. In this country each State has had its local party names, while the national Government has had several, mostly unmeaning terms arbitrarily applied. Originally "Federalist" meant one who favored the adoption of the Federal Constitution, but was subsequently applied to those who sought by stretching and construction to make it extend beyond what its framers intended it should embrace, and afterward to those who opposed the War of 1812. They became the successors of the Tories. A Republican was one who favored a republican form of government, where the will of the people controlled, in contradistinction to one where there was a mixture of aristocracy, as in Switzerland. It included those opposed to federalism, and continued until the administration of Mr. Monroe, when many of the leaders of the Federal party announced that they "had no longer any ground of principle to stand upon," and disbanded it. When the "National Republican" party was formed during the administration of the second Adams, it put forth no formal political platform. The Republicans then assumed the name "Democratic party," which appellation the party still bears. The term indicates certain well-settled principles broadly known to mankind, and exercising an influence more or less extensive throughout the civilized

world, and are ever found where self-government has a permanent foothold. They have grown with liberty, and been adopted one by one after a severe contest, as standard maxims by the enlightened portion of the human family. The adversaries of those principles included all other political as well as many professed moral and religious associations by whatever name designated—Spiritualists, Socialists, Free-Lovers, Perfectionists, and all other “isms” are at heart anti-democratic, and really Republicans, adopting and practising their distinguishing characteristics. All these adversaries of the Democracy prefer controverting democratic principles by indirection, to manfully denying their truth and importance in governing the world, attempting to prove that their beneficial consequences have been overestimated. We shall define and illustrate these principles and those of an opposite character under a separate head.

3.—DEMOCRATIC PRINCIPLES CONTRASTED WITH OTHERS.

Democratic principles are a body of tested and recognized laws for organizing and conducting human governments. Under these, the people constitute the controlling power, and act by public agents. These laws secure to mankind liberty—the protection of the person, character, and property, leaving them to pursue happiness in their own way, when they commit no act criminal in itself. The people, and their public agents under them, are equally-controlled and restrained by an organic law, having these objects primarily in view. Originally in Europe, physical strength, and personal bravery, and combinations controlled and governed. Subsequently this right was yielded to certain individuals, or families, whose will constituted the law. On various occasions combinations were formed and concessions made in favor of liberty and democratic principles, extorted from the reigning potentate for the benefit of mankind. The Magna Charta, extorted from King John, may be cited as an instance. The principles of liberty and personal independence, prevailing in England, were planted in America by those emigrating to this country before the Revolution. They were largely incorporated in the first written constitution ever prepared by human hands—

that presented by Dr. Franklin in 1754 to the General Congress assembled at Albany, which, though there adopted, was rejected by the English Board of Trade. They have since been adopted in the national Constitution, and in that of every State. They consist of the enabling and restraining clauses, found in each, designed to control the people and their public agents. In each, power is sparingly measured out. In forming the national Constitution, the contest was between the British form of government, on the one side, with modifications more in name than in substance, and on the other, where democratic principles were allowed a controlling sway. On the question of its adoption, it was only carried on the strength of pledges of the speedy adoption of certain specified amendments, mainly calculated to restrain the national Government, and to secure personal liberty and independence. These amendments were recommended by New York, Virginia, and Massachusetts. They, and those of a similar character, incorporated into the State constitutions, form the main bulwarks of our liberty. Among these we may enumerate freedom of religion, of speech, and assembling to petition for redress of grievances; to keep and bear arms; to be exempt from having soldiers quartered upon people in time of peace; to be secure in persons, houses, papers, and effects against unreasonable searches and seizures, and the issuing warrants without probable cause, supported by oath, describing the particular place to be searched, and the persons and things to be seized; prohibiting holding a person to answer for crime except on presentment of a grand jury; prohibiting the putting in jeopardy of life or limb twice for the same offence; prohibiting a person from being compelled to testify against himself, and depriving him of life, liberty, or property without due process of law, or the taking private property for public use without due compensation; securing a person in criminal prosecutions a speedy and public trial, by an impartial jury, in the district where the crime was committed, and to be informed of the nature and cause of the accusation, and to have compulsory process for obtaining witnesses, and the assistance of counsel; the preservation of the right of trial by jury in common law cases; prohibition against excessive bail and

excessive fines, and cruel and unusual punishments ; that the enumeration of certain rights should not be construed to deny or disparage others retained by the people ; and declaring that all powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people.

Each of these provisions has been the subject of contest, either in Great Britain or between her and her American colonies, and nearly every one has been either condemned or openly avoided or violated by the adversaries of the Democracy. Laws higher than the Constitution have been proclaimed as the rightful rule of action, and necessity put forth as a source of superior power. These are some of the means to which the enemies of democratic principles resort, to avoid conforming to the requirements of the Constitution. The leading features of the anti-democratic assumptions are these: The public agents elected by the people are believed to be wiser than the people themselves, and more competent to determine upon what principles laws ought to be made and public business transacted ; that it is the duty of such agents so to act as to compel business to flow in certain channels, and thus to make people prosperous and happy in spite of themselves ; that it is a further duty so to manage public affairs as to secure their political ascendancy for all time to come, so as to be continued in their agencies, directing the people how to make themselves happy. The real theory is to compel obedience, and not to permit personal freedom. The leading acts of this antagonistic party inviolably tend to this conclusion. In the following pages we intend to illustrate these views, and demonstrate their truth. We shall endeavor to show that anti-democrats, in carrying out their principles, have frequently involved the country in embarrassment and distress. The country has only been relieved through the application of the healthful, invigorating, and benign principles of democracy. This has ever been and ever will be.

In this connection we are permitted to quote from the forthcoming "History of Democracy of the United States" the following paragraph :

"The DEMOCRATIC PARTY represents the great principles of

progress. It is onward and outward in its movements. It has a heart for action and motives for a world. It constitutes the principle of diffusion, and is to humanity what the centrifugal force is to the revolving orbs of the universe. What motion is to them, democracy is to principle. It is the soul of action. It conforms to the providence of God. It has confidence in man and an abiding reliance in his high destiny. It seeks the largest liberty, the greatest good, and the surest happiness. It aims to build up the great interests of the many, to the least detriment of the few. It remembers the past, without neglecting the present. It establishes the present without fearing to provide for the future. It cares for the weak, while it permits no injustice to the strong. It conquers the oppressor, and prepares the subjects of tyranny for freedom. It melts the bigot's heart to meekness, and reconciles his mind to knowledge. It dispels the clouds of ignorance and superstition, and prepares the people for instruction and self-respect. It adds wisdom to legislation, and improved judgment to government. It favors enterprise that yields a reward to the many, and an industry that is permanent. It is the pioneer of humanity—the conservator of nations. *It fails only when it ceases to be true to itself. Vox populi vox Dei* has proved to be both a proverb and a prediction.”*

* This work was commenced by Nahum Capen, in 1850. He was induced to undertake it by some of the most distinguished men of the country, such as ex-President Polk, ex-President Buchanan, Governor Marcy, Governor Seymour, Vice-President Dallas, Governor Cass, and others. It was said by Dr. Sparks that it was a work of more labor than any similar work ever attempted in this country. The author has been much interrupted in his labors, but he designs to publish the first volume during the year. A leading editor thus alludes to the work, and we cheerfully concur in the opinions expressed:

“Circumstances beyond the author's control have hitherto retarded the completion of this great work, upon which he has spent ten years of laborious and patient toil. Mr. Capen's abilities rank him with the master-minds of the nation, and his name is a guarantee of the excellence of the work. It is a work not only much needed, but also absolutely indispensable; and we are truly gratified to learn that he proposes at an early date to publish the first volume. Every Democratic and Conservative citizen should have a copy—it is indispensable, both as a *vade mecum* of political statistics and a profoundly philosophical treatise. We await with anxious anticipation the promised completion.”

4.—WASHINGTON'S ADMINISTRATION.

The conflicting principles of the Democracy and anti-Democracy were soon sowed broad-cast in the convention which framed our Federal Constitution. They took deep root during Washington's administration, but, owing to his wisdom, firmness, and vigilance, produced little fruit of an objectionable character, beyond the adoption of an unconstitutional bank charter, against the opinion of Mr. Jefferson and Mr. Randolph, both in the cabinet. At heart Washington was a democrat, although somewhat aristocratic in his deportment. After Jefferson left his cabinet he was surrounded by those who were guided by the opponents of democracy, and was often embarrassed by their tactics and by the abuse of his confidence. But the purity of his motives and the liberality and patriotism of his sentiments were never questioned by the Democracy. In whatever related to his own department he always followed Mr. Jefferson's advice. He consented to the retirement of Jefferson with great reluctance. Although the relations existing between these great men were grossly misrepresented by partisans, it is a fact worthy of notice that the best outline of the character of Washington was written by Jefferson.

5.—JOHN ADAMS'S ADMINISTRATION.

Mr. Adams was a patriot, and in early life strongly imbued with democratic principles. Residence abroad infused some conflicting views, and awakened a large respect for the British Government and its forms, ceremonies, and splendor. As successor of Washington, too much may have been expected from him. Unfortunately for him, he surrounded himself with a cabinet controlled by his enemy, Hamilton, who devoted themselves to his schemes, and to the downfall of the man they professed to serve. Things went wrong, and Mr. Adams's violence of temper made them go worse. The aliens who sought an asylum among us, having fled from European oppression, were naturally democrats. It was found that their numbers and influence would multiply the chances of his defeat. Hence, he consented to be clothed with the fatal power of expelling them from the country at his

unregulated will and pleasure. This law was anti-democratic in principle, not allowing aliens to seek happiness in our free land, and was an act of tyranny.

It naturally arrayed all who had been born abroad against him, and in favor of the Democratic side. Those who had spoken freely against British rule were not likely to be choice in their language toward a President who had set up some show, without having any marked executive ability, and who had drawn around him and been guided by the undisguised enemies of the Democracy. It was natural that the change, from the adulation bestowed upon Washington to the censures he received, should disturb his excitable and explosive temper beyond control. To restrain these censures, he and his friends deemed it wise to pass the memorable Sedition Law to prevent people speaking disrespectfully of the Government and its officers, and to crush out those guilty of doing so. Such a law, aside from its being unconstitutional, naturally increased and multiplied the expressions of disparagement which it was designed to repress by conviction and punishment. Its execution was intrusted to agents more noted for political venom than for wisdom or discretion. It is painful to know that judges were found willing to become instruments to execute and enforce such an unauthorized enactment. A few cases arising under this act are given, to illustrate its baneful character, and to show where anti-democratic principles lead men, otherwise, perhaps, good citizens :

Matthew Lyon, an Irishman by birth, and a member of Congress from Vermont, said of the President, in a letter published in a newspaper, that "every consideration of the public welfare was swallowed up in a continual grasp for power, an unbounded thirst for ridiculous pomp, foolish adulation, and selfish avarice"—"that the sacred name of religion" had been used as "a state engine to make mankind hate and persecute each other." For this he was indicted, tried before Judge Patterson of the U. S. Supreme Court, convicted, and sentenced to four months' imprisonment, and to pay a fine of \$1,000. An attempt to raise money to pay this fine, through a lottery of Lyon's property, was made. In the published notice, in the *Vermont Gazette*, of this

lottery, expressions deemed disrespectful were found, and the editor was indicted, convicted under the same law, and sentenced to pay a fine of \$200, and be imprisoned two months.

Charles Holt, publisher of the *Bee* at New London, was found guilty of defaming the President and discouraging enlistments, and sentenced to three months' imprisonment, and to pay a fine of \$200.

James T. Calender was indicted for a libel on the President. The indictment was mainly procured by Judge Chase of the U. S. Supreme Court, before whom he was tried. Chase refused to hear counsel on the question of the constitutionality of the law. For this and for violence on the Bench he was impeached. Calender was convicted, and sentenced to nine months' imprisonment, and to pay a fine of \$200.

Baldwin, of New Jersey, was convicted and fined \$100 for wishing "that the wadding of a cannon, firing a salute for the President, had lodged in his backsides." This is the language in the indictment.

Jared Peck, a State senator from Otsego, New York, and originator of the common-school system of that State, was arrested, carried to New York, and indicted, for having circulated, for signatures, a spirited petition in favor of the repeal of the Alien and Sedition Laws. But the trial was probably abandoned.

Thomas Cooper, since one of our most learned and distinguished men, was tried for charging the President with unbecoming and unnecessary violence in his official communications, calculated, it was asserted, to justly provoke war, and bring upon the nation, in time of peace, the expense of a permanent navy and threatening it with that of an army, and for interfering in the case of Jonathan Robbins, a native impressed citizen of the United States, to deliver him over to a British court-martial for trial, "an interference," Cooper alleged, "without precedent, against law and mercy," an act "which the monarch of Great Britain would have shrunk from." Of this he was found guilty, and Judge Chase sentenced him to six months' imprisonment, and to pay a fine of \$400.

These are some of the fruits of the Alien and Sedition Laws,

calculated to deter foreigners from coming among us to reside, to aid in expanding our industry, and increase the arts among us, as well as to repress and prevent the freedom of such, in violation of the first amendment of the Constitution. All this was done for the purpose of continuing the anti-Democratic party in power. These were the natural fruits of anti-democratic principles, and were fast diminishing our prosperity and happiness, and lowering us in the estimation of mankind. The country was rescued from its fatal position by the uprising of the Democracy, and the adoption and diffusion of their benevolent principles, as we shall proceed to show.

Subsequent generations, through Congress, have refunded the fines of Lyon and Cooper, with interest, thus passing a solemn judgment upon the authors, upholders, and executors of that great political engine, the Sedition Law, July 14, 1798. The Alien and Sedition Laws, designed to crush the Democracy, and to prolong the ascendancy of anti-democratic principles, had precisely the opposite effect. They crushed their authors, and were among the stepping-stones upon which the Democracy arose to power—there to remain for more than a generation in control of the Government.

6.—ANTI-DEMOCRATIC NATURALIZATION LAWS.

By the first law, passed in 1792, it was liberally provided that aliens who had been resident here two years, having good characters, might be naturalized. In 1795, the law was somewhat complicated, and extended to five years. Soon after this, political difficulties in Europe occasioned a large increase of emigration to this country. In Ireland the fires of rebellion were only kept smothered, and the British Government was the object of extensive hate and detestation. In France, the Reign of Terror and a fierce revolution were spilling some of the best blood of the nation. Italy, and some parts of Germany, and other states in Europe, were surging with political excitement. It was natural from all such places that men should leave the land of their birth, and seek liberty and personal freedom where the Constitution, following the sword, had declared ours to be the asylum of the oppressed

of every nation. Emigrants, coming under such circumstances, naturally espoused democratic principles. Their number and open political professions alarmed the anti-Democrats, and hence a change in the naturalization laws, so as to render it impossible for them to become voters for many years. On the 18th of June, 1798, a new naturalization law was passed, requiring a residence of *fourteen years* before an alien could be naturalized. This was followed, in seven days, by the act authorizing the President to drive out all such aliens as he should select for that purpose. In 1792, the wisdom of those who framed the Constitution fixed the period of residence at two years, and six years thereafter the fears and policy of the anti-Democrats extended it to fourteen years. Instead of providing an asylum where aliens could live in safety and enjoy liberal principles, they were denied the privilege of becoming citizens, and holding lands as such, for a long period of years. The President was clothed with power to drive them away, and perhaps subject them to punishment in a land of tyranny, for merely entertaining liberal political opinions. The Legislature of Massachusetts in 1798 proposed to amend the Constitution of the United States, increasing the disabilities of aliens. Her proposition was rejected by the New York Legislature, and failed of affirmative action in any State. Soon after Jefferson came into power, this cruel fourteen-years exaction was repealed, and the five-year law of 1795 restored. Now, the immigrant who seeks an asylum and liberty among us, not only finds it, but is permitted to become one of us, if his character proves good, and to enjoy all the rights of an American citizen. It is thus seen that, while anti-democratic principles are hostile to those born abroad, those of the Democratic party cherish and foster them, and furnish them with reasonable facilities for enjoying all the privileges of the native-born, to the end that they may pursue their industries, and, as far as they have the capacity, to work out their own happiness in their own way. Having these things in view, it cannot seem strange to the intelligent mind, that nearly all alien-born espouse democratic principles and act with the Democratic party.

7.—THE POLITICAL REVOLUTION OF 1800.

The action of the anti-Democratic or Federal party, from 1798 to the end of Mr. Adams's administration, alarmed the people and aroused the Democracy to almost superhuman action. They believed that not only the welfare, but the continuance of our representative democratic institutions mainly depended upon a sounder reading and construction of the Constitution, a closer observance of its commands, and a wiser and safer administration of our public affairs. To those who had suffered, or calmly and fully appreciated the aggravated acts out of which the limitations in the Constitution and its amendments had sprung, a civil revolution presented the only hopes of permanent improvement. Those who were influenced with the fear of banishment for mere political offence, were ready to devote every energy to be relieved from the rule of the authors of the Alien Law. Those who gloried in free speech were ready to make any sacrifice to be beyond the power of those who sought to restrain it. Calm, reflecting men joined both classes, and sought to vindicate the Constitution from the charge of permitting these aggressions upon personal liberty and independence. The revolution became complete, and free speech, a free press and personal independence were once more recognized and respected throughout the Union. The principles thus approved triumphed for full sixty years, until "higher laws" and "necessity" claimed to confer powers not authorized by the Constitution. Without even the form of law, men have been arrested and imprisoned, and held without trial, for criticising the acts of those in power, and refused the benefit of the writ of *habeas corpus*, though not suspended by Congress, or any lawful authority, as we shall hereafter state.

The political revolution of 1800 brought Thomas Jefferson into power. The man, his principles and administration we shall hereafter describe. It is due to the memory of Mr. Adams to say, that before his death he renewed his friendship with Jefferson, and became one of his greatest admirers. It may be stated in this connection that in 1820 he was chosen one of the electors of President, and voted for James Monroe for President, and

Daniel D. Tompkins for Vice-President, showing that he was a Democrat in his old age.

8.—ATTEMPT TO DEPRIVE MR. JEFFERSON OF HIS ELECTION.

By the Constitution, as it stood in 1800, the candidate who had the largest number of electoral votes became President, and the one having the next largest, Vice-President; and if there was a tie, one of them was elected President by the House of Representatives. The Democrats nominated Jefferson for President, and Burr for Vice-President, and supported them for those offices, and gave each seventy-three votes. The Federalists nominated John Adams for reëlection as President, and Pinckney, of South Carolina, for Vice-President, the former receiving sixty-five and the latter sixty-four votes. Messrs. Jefferson and Burr having an equal number of votes, the House had to select between them. The will of the majority was that Mr. Jefferson should be President, and Burr Vice-President. Not a human being doubted or disputed this intention. A wish to allow the majority to govern and to permit them to enjoy their wishes in this respect, and have such public agents to attend to their affairs as they chose to select, would have led to the immediate selection of Mr. Jefferson as President, and Burr as Vice-President. As the House voted by States, it was found that eight States were Democratic, six Federal, and two divided, so as to prevent Mr. Jefferson receiving a majority. To the astonishment of all, the Federal members undertook to defeat Mr. Jefferson, and to elect Burr President. Thirty-five ineffectual ballots were taken, with the same result. The whole country became aroused, and Burr was alarmed for his own personal safety, when he communicated to the House, through a friend, that he declined all competition with Mr. Jefferson, whereupon two Federal members withdrew, leaving the Democratic members from their States to cast their votes for Mr. Jefferson, giving him ten votes, whereupon he was declared duly elected. Burr and his friends manœuvred for votes to elect him against the wishes of the electors. It was not until he saw he could not succeed, that he yielded and receded from his position, thereby releasing the Federal members from further obligation to support

him. This course of Burr damned him to everlasting infamy, and forever disgraced the Federal leaders who were engaged in this effort to defeat the will of the electors. Its effect upon the people was to arouse them to a full consideration of the danger in which the country had been placed, and awakened a sense of justice and admiration for Mr. Jefferson, which was manifested at the next Presidential election by giving him one hundred and sixty-two votes, and the Federal candidate only fourteen. Burr was dropped out of sight, and George Clinton was made Vice-President at the next Presidential election.

9.—THOMAS JEFFERSON.

No name is more highly venerated than that of Mr. Jefferson. He did not invent democratic principles. Principles are eternal in their nature. All that man can do is to discover and apply them. Jefferson but embodied them permanently, and became the honored representative of them. He was the very personation of that benevolence and patriotism upon which they are founded.

He was educated at William and Mary College in Virginia, and studied law under Chancellor Wythe. Although a sound lawyer, a skilful strategist, and wise counsellor, a defect in his utterance interfered with his success as an advocate. He preferred using his pen, and his countrymen were not slow to give opportunities. This was fortunate. His, far more than any other pen, guided and controlled our destiny. Both in the legislature and in popular assemblies he was called upon to write the reasons for their action. Although firm in his views, there was neither gall nor wormwood in his composition. He loved and cherished mankind, while he loathed and abhorred their faults, and detested their violences and injustice. His natural feelings were manifested when he had engraved on a seal, "Resistance to tyrants is obedience to God." He was as mild and gentle as a child enjoying sunshine. His neighbors, from the oldest to the youngest, loved, revered, and confided in him. He was the idol of his household, and his slaves were proud of him as a master. No one ever heard him speak ill of others personally, even against those who had

wronged him. An unkind word was never spoken by him in his family. His wishes were the law, and observed from love instead of fear. His temper was never known to be ruffled but once, and then for a moment, when breaking a horse. He censured himself for it as an act of folly.

Mr. Jefferson was married in his twenty-ninth year, to Mrs. Martha Welton, daughter of John Wayles, of Virginia. She is described as one of the most beautiful and amiable of women. By her he had six children—one son and five daughters, all except two of the latter dying in their infancy. Martha married Thomas Mann Randolph, and Mary John Wayles Epps. In addition to the qualities of the head and heart, Mrs. Jefferson had one acquirement that had a peculiar charm for her husband. She was a superior musician, singing and playing with inimitable grace and skill. Mr. Jefferson was himself a skillful performer on various instruments, and particularly the violin, to which he always resorted to soothe and rest the mind when fatigued and wearied with business and its cares and perplexities. When his house was burnt, his servant, who rode a distance to inform him of his loss, exultingly told him that, although they had not saved his books and papers, they had saved his “feeddle.” Near the close of his life, he informed our present minister to France, who is also a musician, that from his boyhood he had spent from one to two hours a day in relieving and refreshing his mind with his favorite instrument. This mutual love of music added largely to the felicity of both during Mrs. Jefferson’s life. Mrs. Jefferson was feeble and ill a considerable portion of the time after her marriage to Mr. Jefferson. He was her willing and favorite watcher and nurse when ill. During her last illness of four months, he was never out of call, and nearly the whole time either in the room with her, or writing in an adjoining one, with the door open between. At her death, he was led from the room in a state of insensibility, and fainted. It was feared he never would revive. He kept his room for three weeks, walking night and day, when not too much fatigued to do so. The care, management, and education of his daughters devolved upon him. Few mothers could have been more successful. His motive in

accepting, not long after the death of his wife, the mission to France, was to restore his health and strength by visiting new scenes, and to secure the best facilities for the education of his daughters. While in Paris, he permitted his oldest daughter to anticipate her monthly allowance. He showed how careful and correct a father he was by writing to her at the same time :

“This is a departure from that rule which I wish to see you governed by, through your whole life, of never buying any thing that you have not the money in your pocket to pay for. Be assured that it gives more pain to the mind to be in debt, than to do without any article which we may seem to want.”

Such advice shows the nobleness and justice of his heart. He kept a minute account of all his expenses down to a penny, and made a memorandum of what he might wish to recollect. Every thing was conscientiously done. His political acts were naturally characterized by his noble sentiments. They were to mankind what his private life was in his own family circle. Emanating from the heart, they reached the heart of others, and produced deep impressions. When age drew on, and his fortune had become mostly exhausted, or absorbed by indorsing for an esteemed friend, no change in his feelings, principles, or actions was discovered by those around him. He was cheerful and happy to the last hour of his life.

From the time Mr. Jefferson became the acknowledged head of the Democratic party to the end of his life, he was subject to the most rancorous abuse by those who differed with him in opinion. Nothing was too bad or disgraceful to impute to him, either morally or politically. The press, the pulpit, and the slanderous tongue, assailed him. But he rose above all the efforts to crush him. However galling these things might be, they produced no change in him. He did not meet violence with violence. In this respect, his public life was in harmony with his private life. He only spoke of the good qualities of men. He delighted in what was good, and had no taste for any thing of the opposite character. Although not without temper, it was under the most perfect control, and was never the cause of thought or action. His will was firm and inflexible ; and it was remarked of him th

“he never abandoned a plan, a principle, or a friend.” His great maxim was, “Be just, be true, love your neighbor as yourself, and your country more than yourself.” He truly exemplified what he taught.

Mr. Jefferson was well versed in the arts and sciences, and was distinguished as a philosopher, and made president of the American Philosophical Society. But his favorite pursuit was agriculture, which he pursued with zeal and energy, when not occupied with public affairs; in whatever he might be engaged, the leading purpose of his mind seemed to be, benefiting mankind. Whether in the halls of legislation, as minister abroad, in an executive department at home, or at the head of the Government, the great object was ever the same—to improve the condition of the people, morally and politically, and to promote their independence and happiness. To these objects he devoted a long life, and incessant and successful labor. A life thus employed had a tendency to ennoble and diffuse the principles of democracy among his countrymen. He had the happiness of seeing the Democrats in the ascendancy, and mainly controlling the national Government, and in most of the States, for a quarter of a century before his death. His memory will ever be cherished by all who confide in the benign and protective principles of democracy.

10.—JEFFERSON'S POLITICAL PRINCIPLES.

At an early age Mr. Jefferson seemed to have an instinctive knowledge of democratic principles, in support of which he devoted the best energies of his life. The questions before the public presented them more or less distinctly, but they were always found at the bottom. He believed that man was placed on earth, not to be ruled at the will of others, but under laws protecting him from personal aggression, to live free and independent, and to be permitted to work out his own happiness in the best way he could. Every thing calculated to produce these consequences met his approbation, and whatever had the contrary tendency he vigorously condemned. To insure this result, man must participate in forming the laws of protection, and adapt them to the object in view. If taxes were to be imposed to

cover the necessary expenses of protection, those who were to pay them should be represented, and heard in fixing the amount and determining how, and from what sources, they should be raised. If crimes were imputed, the accused should be tried in the vicinage by a jury of his equals, where his character could be shown, if he deemed it useful evidence, and where the expressions, modes of thought, and action, could be best understood, and where judge and jury could best appreciate the evidence presented. As tyranny generally resulted from successful military operations, he believed the civil authorities should be deemed the superior, confining the military to the business of supporting and protecting them. He believed that those who were to pay them should determine the number and compensation of public officers, and that a distant jurisdiction was inadequate to determine such questions. These principles were put forth in various public papers, and were enlarged upon and embodied in the Declaration of Independence. The people then resolved to shake off colonial bondage, establish new governments to protect them, and to select for themselves the road to happiness. This resolve was a success. He saw that the old law of entails, giving the oldest son the whole real estate, instead of dividing it among all, was not justly protecting the children, but robbing the others for the benefit of one. It was through his indomitable energy that this relic of injustice was swept from the statute-book of Virginia.

Appreciating the fact that knowledge is power, he used great exertions to secure schools suitable for the education of all, which would enable those attending them to secure that knowledge which is necessary for their protection and support.

Virginia had her established Church, toward the support of which all were bound to contribute; and thus, instead of protecting those not of that Church in the freedom of conscience, and the right freely to give and to worship God in their own way, they were forced to support a church they did not approve. This was not protection, nor permitting men to pursue happiness in their own way. Mr. Jefferson was the author of the statute of religious freedom in Virginia, which contains these words:

“That no man shall be compelled to frequent or support any

religious worship, place, or ministry whatsoever, nor shall be forced, restrained, molested, or burdened in his body or goods, nor shall otherwise suffer on account of his religious opinions or belief; but that all men shall be free to profess, and by argument to maintain, their opinions in matters of religion, and that the same shall in no wise diminish, enlarge, or affect their civil capacities."

This bill, being eventually adopted, left all men free to pursue happiness in their own way in religious matters. He was instrumental in securing the passage of other laws, based upon like principles, in Virginia, which still remain in force.

In forming the Constitution of the United States, the democratic and anti-democratic principles were most clearly developed—the one side, with Madison at their head, demanding a General Government, supreme, as far as it went, with limited powers, and those of a representative democratic character; the other, seeking to frame one largely after the English model. The former were successful; the latter have been indefatigable in their efforts to change the form by construction, seeking to enlarge the powers of the national, and to curtail those of the State governments. The great civil revolution of 1800 involved this precise point. The anti-Democrats, then called "Federalists," said in substance that "the officers of the national Government are wiser than those of the States, and best know what to compel the people to do, both as to the passage of laws for their government and regulations for their business." They assumed to dictate who should be public agents, and assured the people that they would be happier if they allowed them to continue in office, and permit their principles to control. The Democrats answered: "Let the Federal Government exercise those powers which are indisputably conferred upon it, and leave the State authorities, who are best acquainted with the interests and wishes of their people, to attend to all matters within their jurisdiction in their own way, and under their own local constitutions. What may be best in one State, may not be best for all. Congress cannot know, or might not care, while each State would be alive to its own interests, and best know what will most certainly lead their people to happiness !

Mr. Jefferson was the Democratic standard-bearer in this battle, and triumphed. The great question was, Shall the people be free and independent, or shall the national Constitution be so construed that the Federal Government, through Congress, shall rule them as masters? The majority of the people went with Jefferson, and reëlected him almost unanimously. But, strange to say, the same question, in some form, has ever since been before the people. Anti-Democrats are as persevering as their principles are dangerous to liberty. Often appearing under new names, and modified or changed professions of public good, the same principle of compulsory ruling is ever found at the bottom, though not always seen at first glance. But study and reflection will, in the end, disclose it, however plausibly it may be disguised. We shall call attention to many of these efforts to control the country and the people, by resort to constructive powers which are nowhere found in the Constitution.

Mr. Jefferson's views of the working influence of democratic principles are nowhere more concisely stated than in his first inaugural address, or more strikingly contrasted with those of conflicting character. He there said :

“ Kindly separated by Nature and a wide ocean from the exterminating havoc of one quarter of the globe, too high-minded to endure the degradations of the others, possessing a chosen country, with room enough for our descendants to the hundredth thousandth generations, entertaining a due sense of our equal rights to the use of our own faculties, to the acquisitions of our industry, to honor and confidence from our fellow-citizens, resulting, not from birth, but from our actions and their sense of them ; enlightened by a benign religion, professed, indeed, and practised in various forms, yet all of them including honesty, truth, temperance, gratitude, and the love of man ; acknowledging and adoring an overruling Providence, which, by all its dispensations, proves that it delights in the happiness of man here and his greater happiness hereafter ; with all these blessings, what more is necessary to make us a happy and prosperous people ? Still, one thing more, fellow-citizens, a wise and frugal government, which shall restrain men from injuring one another, which shall leave

them otherwise free to regulate their own pursuits of industry and improvement, and shall not take from the mouth of Labor the bread it has earned. This is the sum of good government, and this is necessary to close the circle of our felicities.

“About to enter, fellow-citizens, on the exercise of duties which comprehend every thing dear and valuable to you, it is proper that you should understand what I deem essential principles of our Government, and consequently those which ought to shape its administration. I will compress them within the narrowest compass they will bear, stating the general principle, but not all its limitations. Equal and exact justice to all men, of whatever state or persuasion, religious or political; peace, commerce, and honest friendship with all nations—entangling alliances with none; the support of the State governments in all their rights, as the most competent administrations for our domestic concerns, and the surest bulwarks against anti-republican tendencies; the preservation of the General Government in its whole constitutional vigor, as the sheet-anchor of our peace at home and safety abroad; a jealous care of the right of election by the people; a mild and safe corrective of abuses which are lopped off by the sword of revolution, when peaceable remedies are unprovided; absolute acquiescence in the decisions of the majority—the vital principle of republics, from which there is no appeal but to force, the vital principle and immediate parent of despotism; a well-disciplined militia—our best reliance in peace, and for the first moments of war, till regulars may relieve them; the supremacy of the civil over the military authority; economy in the public expense, that labor may be lightly burdened; an honest payment of our debts, and sacred preservation of the public faith; encouragement of agriculture, and of commerce, as its handmaid; the diffusion of information, and the arraignment of all abuses at the bar of public reason; freedom of religion; freedom of the press; freedom of person under the protection of the *habeas corpus*; and trials by juries impartially selected—these principles form the bright Constitution which has gone before us, and guided our steps through an age of revolution and reform. The wisdom of our sages and the blood of our heroes have been devoted to their attainment.

They should be the creed of our political faith—the text of civil instruction—the touchstone to try the service of those we trust ; and should we wander from them in moments of error or alarm, let us hasten to retrace our steps and to regain the road which alone leads to peace, liberty, and safety !”

A clearer and more forcible exposition of democratic principles is nowhere to be found. They have ever continued to be the guide of that party, which, if it ever has been misled for a moment from the path here marked out, it soon returned to the road of honor and safety, and pursued it with unshaken confidence. Anti-democratic principles are the converse of those thus announced by Jefferson, and the course of the political party guided by them has demonstrated their devotion to them. In the course of this work we shall show numerous instances where these anti-democratic principles have led the country to the brink of ruin. The salvation of the country will ever depend upon the Democracy, as taught by Jefferson and the early Democratic fathers.

11.—JEFFERSON'S FIRST TERM AS PRESIDENT.

After Mr. Jefferson was declared elected by the House, and eighteen days before he was sworn into office, the Federalists having determined to enforce the Alien and Sedition Laws, and to withdraw from the State courts all business possible, and to fill the country with influential men, like judges, marshals, district attorneys, and clerks, to aid their party in its struggles for power, on the 13th of February, 1801, passed an additional judiciary act. By this they created six new district courts with one judge each, and six circuit courts with three judges each, except in one case, when there was but one, all to hold office for life, and not removable by Mr. Jefferson. These judgeships were all filled on the last day of Mr. Adams's term of office, by his political friends. There was no ground for saying the business of the country required this large addition to the judicial force. The sole objects were to sustain the laws referred to, and to aid in the prosecution of party purposes, as well as to thwart Mr. Jefferson's freedom of action and deprive him of patronage, while it enabled Mr. Adams to pay off sundry political debts. In addition, this law imposed

unnecessary burdens to be borne by the people, in paying expenses of these courts, and in unnecessary calls upon them for jury duty. This act was in all respects anti-democratic, and wholly unwarranted. After full discussion before the people, this act was repealed, and has never been renewed. Its repeal vindicated the great principles of Democracy, in relieving the people from all unnecessary burdens, and defeating the objects of those who enact laws for the purpose of using patronage to secure party objects. As there could be no question as to the objects of the Federalists in passing this law, and the then administration acting under it, the people readily and emphatically condemned them, and approved of the recommendation of Mr. Jefferson and his friends in Congress in passing the repealing act.

12.—JEFFERSON'S ACQUISITION OF LOUISIANA.

When Mr. Jefferson became President, the acknowledged limits of the United States extended no farther west than the Mississippi, nor south of thirty-one degrees north latitude, extending from the Mississippi River east to Pearl River. All south and west was claimed by Spain. The road from the thirty-first degree to the mouth of the Mississippi was through that river, and subject to that power, who sought to control the commerce to and from the States bordering on the east side of that river and the Ohio. The kind expressions of the Spanish monarch went far beyond his kind actions. Our communications were continually embarrassed, which deeply affected the settlement and prosperity of our Western States and Territories, which were sadly harassed by Indians. No suitable and permanent arrangement for the navigation of the Mississippi, from the thirty-first degree of north latitude to its mouth, could be effected with the Spanish authorities. The peculiar situation of Spain, and her fears, induced her to convey so much of her American possessions as lay east of the Rio Grande, and indefinitely north and northwest, to France, under the name of Louisiana. Napoleon, then emperor, with numerous wars on hand, readily saw that it would weaken him elsewhere if he attempted to hold this distant possession. When Mr. Jefferson was minister in France, he was highly esteemed and re-

spected by the French, and a kind, good feeling still existed there in his favor. He ascertained that Napoleon would sell this almost indefensible property. Some doubts existed as to the power to purchase, but as it seemed to be a case of life and death with the great West, which we should be compelled to grapple with at no distant day, perhaps by conquest, it was deemed a duty to purchase, and thereupon Mr. Jefferson acquired all that immense country lying north of Mexico, and west of Pearl and Mississippi Rivers, for eleven millions of dollars, being less than one day's expenses, on some occasions, during the late war, and less than the cost, in our currency, of our purchase from Russia of her American ice-bound regions. No act of Mr. Jefferson's, or any other administration, has been as useful and valuable to the whole country. It was purely a democratic measure, designed specially to benefit the whole country west of the Alleghanies; to open to them a free and uninterrupted road to the West Indies and the rest of the world; to enable them to exchange their products for those of warmer climates, to build them up at home, and enable them successfully to pursue the road to prosperity and happiness. It has had that effect, beyond the expectations of those who brought about the measure. It has given us some nine new States, and half a dozen Territories.

But, wonderful to tell, the Federal party united and exerted all its power and influence in opposing this splendid achievement of diplomacy. No one measure was more strenuously opposed. This hostility extended even to organizing Territories out of the purchase, and the formation and admission of the earlier States. The anti-Democrats voted, with one exception—Dayton, of New Jersey—against ratifying the treaty. In the House the whole Federal phalanx came out against adopting the necessary legislation to carry the treaty into effect. Few agreed upon the grounds of objection. Some assumed that the House was not bound to pass such laws, notwithstanding they had sustained the contrary position during Mr. Adams's administration. An examination of the votes and speeches on these occasions will show that sectional feeling, on the part of the anti-Democrats, was just taking root. They wished to dwarf the West and preserve their relative ascendancy in the

Union, and thus be able to control the political character of the whole. If their counsels had prevailed, the wild beasts of the forests would have roamed, and the savage ruled, nearly the whole West; and those who succeeded in preparing productions for market would have been at the mercy of another government in reaching it.

When the bill to admit Louisiana as a State was before Congress, Josiah Quincy, a leading member from Massachusetts, declared in the House, that the passage of the bill "would justify a revolution in this country." On another occasion he said: "I am compelled to declare it as my deliberate opinion that, if this bill passes, the bonds of this Union are virtually dissolved; that the States which compose it are free from their moral obligations, and that, as it will be the right of all, so it will be the duty of some, to propose definitely for a separation—amicably if they can, violently if they must."

This is but one of a large number of similar expressions emanating from Federal members, all tending to prove that the Federal party at the East preferred severing and destroying the Union, to aiding in the growth and expansion of the great valley of the Mississippi. The people of the great West have to thank Mr. Jefferson for his energy and influence, and the ascendancy of the Democratic party and its principles, for a course of policy which has extended protection to their persons and property, and for being permitted to pursue happiness in their own way.

13.—PIRATES AND THE FREEDOM OF THE SEA.

For years before Mr. Jefferson became President, the pirates of the north coast of Africa, on the Mediterranean, compelled the civilized nations of Europe, and our own, to pay them tribute for the privilege of navigating that inland sea. While minister in France, Mr. Jefferson sought to combine those interested against this outrage and disgrace, to break it up, but without success. During Mr. Adams's administration he followed the custom of some other nations, and made presents to the Barbary pirates to an amount not far from two millions of dollars. When, in 1800, Bainbridge carried out the annual tribute, the Dey

of Algiers compelled him to carry an ambassador and some presents to the Sultan at Constantinople. Instead of paying tribute to this den of pirates, and submitting to the resulting national degradation, Mr. Jefferson resolved, by sending out a fleet of five vessels, under Commodore Dale, to put an end to their depredations. It was in this war where such men as Decatur, Morris, and others, won for themselves such high honors, and elevated our national character. In the end, after some delay, our navy triumphed, and the pirates were permanently put down, and our sailors have been as free to navigate the Mediterranean as any other sea. The difference in the conflicting principles of the two parties is here clearly seen. The anti-Democratic party voted appropriations and consented to pay tribute for leave to navigate an inland sea. Mr. Jefferson and the Democratic party refused to vote or pay tribute for that purpose, but crushed out the powers that had received and continued to demand tribute. In doing this, the Democracy performed what was needful to protect our citizens in their persons when pursuing their lawful business, and thus securing them in their pursuit of happiness.

14.—NEW ENGLAND CLERGYMEN PREACHING ANTI-DEMOCRATIC PRINCIPLES.

Mr. Jefferson having been popular as the American minister at Paris during a portion of the political, social, and religious tornado that swept over France, it was assumed by divers political and religious teachers in this country that he was an infidel, or some sort of an anti-Christian. His being the author of the statutes for religious freedom in Virginia, served to strengthen this belief. It is extraordinary that these imputations came only from the anti-Democrats, while there was as much piety and true religion among the Democrats as among their opponents. The Federal politicians shouted the false imputation, and a large portion of the clergy in New England, and many elsewhere, echoed and reechoed this unfounded political cry. Instead of preaching Christ and Him crucified, they preached anti-democracy, and prayed for the political crucifixion of Mr. Jefferson. Instead of instructing their hearers in the truths of Christianity and moral

and religious duties, they engaged warmly in the political contests of the day, and especially against Mr. Jefferson, concerning whom and his religious principles they personally knew nothing. Men attending church to worship God freely, according to the dictates of their own consciences, found themselves in a political forum where democratic principles and the great representative of them were condemned and denounced. This was an open invasion of the rights of their hearers, and a bold desertion and dereliction of their own duties. Democratic principles teach that a man's religion and religious faith, and his mode and manner of worship, are questions between him and his Maker, and that he seeks from religious teachers only that kind of knowledge which may the best enable him to know how to perform these duties. These clergymen, by overacting the part assigned, or assumed by them, by attempting to dictate political action and belief as the commands of God, lessened their own influence and damaged the cause they sought to sustain. Few would accept bold assumptions for fixed facts, and when they were called upon for tangible proofs they were never furnished, and their listeners lost confidence in them. If they had sought for truth, they would have found abundance of evidence in his private life, and in his public acts and documents, disproving their oft-repeated charges. It was then known that Mr. Jefferson, as one of a committee to prepare a device for a national seal, had proposed for one side, "the children of Israel in the wilderness, led by a cloud by day and a pillar of fire by night," an unmistakable recognition of the existence of God and His protection of His chosen people. Subsequently, in attempting to combine his colleagues' views with his own, he retained that concerning the children of Israel, etc., and surrounded it by the motto, "Rebellion to tyrants is obedience to God." In seven addresses and messages he recognizes the Supreme Diety, one of which commences thus: "I shall need, too, the favor of that Being in whose hands we are, who led our forefathers, as Israel of old, from their native land, and planted them in a country flowing with all the necessaries and comforts of life; who has covered our infancy with His Providence, and our riper years with His wisdom and power, and to whose good-

ness I ask you to join with me in supplications," etc. No one using such language can be truly called an infidel. Partisanship originated the charge, and a desire to secure the success of anti-democratic principles alone gave it currency. The object was to prevent men acting independently and carrying out their political principles, and to cheat them into the support of those which they disapproved and condemned.

It is deeply to be regretted that history shows that this great error and wrong has been oft repeated since, by the same partisans in the same quarter and elsewhere.

15.—SECESSION PROPOSED BY THE ANTI-DEMOCRATS OF NEW ENGLAND.

Formerly, wars in Europe were nearly synonymous with aggressions upon the commerce of neutrals. Between British orders in council and French decrees, our commerce suffered severely. The anti-Democrats advocated a war with France as the rightful remedy. France advised a war with Great Britain, as a cure for the evils of which we complained. France thought we ought to hate and punish Great Britain; and the latter, with the Federalists, assumed that we ought to hate France and punish her. The Democracy held that neither their position nor their inclination required them to determine upon the right or duty of either belligerent in their controversies, and that the true policy of our country was to take sides with neither, and, if their aggressions became too severe to be borne, to cut off all commercial communication with both. Both were to blame; but with our scanty means and inconsiderable navy, and a heavy balance of our Revolutionary debt upon our shoulders, it would have been madness to declare war against both. Jefferson recommended, and Congress imposed an embargo. This was deemed an ineffectual remedy, though it was generally acquiesced in. But at that time the commercial and shipping interests of New England were deemed far more important than her agricultural and manufacturing. The embargo bore harder upon the former than the latter. Dissatisfaction sprang up and was industriously spread by the anti-Democratic party against the authors of the embargo and those who sustained

it. Instead of being considered as the means of protecting our commerce from foreign aggression, this measure was denounced as a criminal assault upon the shipping interests of New England, and every effort was made to overthrow those engaged in imposing and sustaining it. Finding the Democracy immovable, from a deep conviction that they were right, the Federalists set about finding a remedy which they could apply to their own case, if other States should fail to be convinced by their arguments, and join them in their proposed means of redress. This remedy they proposed to find in *secession*, by which they could shake off the whole authority of the national Government, wielded by Democrats, who were carrying out democratic principles. The remedy, by embargo, it is true, was a severe one for us, but was worse for France and England. They lost both transportation and market, and the opportunity to purchase of us many things of indispensable necessity. England suffered most, because she manufactured most, and, having no market with us, her manufacturing establishments were compelled to close. Starvation followed. A faithful observance of the law for a short time longer would have brought all to a sense of justice. France yielded, but England held out, being encouraged by leading Federal politicians among us. These partisans in New England openly violated the embargo-law, and engaged largely in smuggling, thus defeating its objects. It became manifest to all observing minds, that the embargo laws must be strictly and effectually enforced, or war with Great Britain must follow. This did not change the tone of the anti-Democrats. Laws were passed to facilitate the execution of the embargo; but this only increased the violence of its adversaries. New England newspapers appeared in mourning. Mr. Jefferson was declared to be worse than George III., and that he was gratifying his fell and inextinguishable hate against the prosperity of New England, and that he was cringing to the French emperor. Resistance and disunion were called for in the newspapers and by the votes of numerous town-meetings.

Hillhouse, a United States Senator from Connecticut, declared, when the Enforcing Bill was before the Senate, "that people were not bound to submit, and he did not believe they would submit!"

The *Boston Sentinel* said, every man would presume that he was not bound to obey the embargo—that if “the petitions did not produce a relaxation or remove the embargo, the people ought immediately to assume a higher tone.”

The *Boston Repertory* said, if the law was not repealed, it would soon be “set at defiance;” that it behoved the people of Massachusetts “to speak, for strike they must, if speaking did not answer.”

The *Boston Gazette* exclaimed: “It is better to suffer the amputation of a limb than to lose the whole body. We must prepare for the operation. . . . Wherefore thus is New England asleep; wherefore does she submit to the oppression of enemies in the South? Have we no Moses who is inspired by the God of our fathers and will lead us out of Egypt?”

A *hand-bill at Newburyport* stated: “You have reposed confidence in a coward” (Jefferson). . . . Nerve your arms with vengeance against the despot who would wrest the inestimable germ of your independence from you, and you shall be conquerors! Give ear no longer to the siren voice of democracy and Jeffersonian liberty. It is a cursed delusion, adopted by traitors, and recommended by sycophants.”

Resolutions adopted at *Augusta, Maine*, declared that henceforth “silence would be crime, and resistance would become a virtue of the first magnitude.”

A *Boston meeting*, in a memorial to the Legislature, requested its “interposition to procure for them relief from the grievances they now suffered . . . relief against the unconstitutional measures of the General Government,” and declaring that its power “was adequate to this object was evident from the organization of the Confederacy.”

A *meeting in Bath* requested the Legislature to take such “immediate steps for the relief of the people, either by themselves alone, or in concert with other commercial States, as the extraordinary circumstances of their situation might require.”

A *meeting at Topsfield* resolved that a war with Great Britain would be unjust and to be deplored; but if a war was the only alternative, it should be against France, and not with Great

Britain; and that our people "might find many sources of profitable employment without interfering in any degree with those principles of maritime law which Great Britain deemed essential to her existence, and which, in an eventful moment like the present, she would never yield; . . . that neither the honor nor the permanent interests of the United States required that they should drive Great Britain, if it were in their power, to the surrender of those claims so essential to her in the mighty conflict in which she was at present engaged — a conflict interesting to humanity, to morals, to religion, and the last struggle of liberty."

An immense number of similar extracts might be made from the Federal papers of that day. The Common Council of Albany, a majority of whom were Federalists, in 1805 passed a resolution that the Declaration of Independence should not be read on the Fourth of July as a part of the public performance, as it might perpetuate hostile feelings against the British. This was a display of genuine Federal feeling.

A report by Mr. Gore, in the Massachusetts Legislature, which was adopted by the unanimous vote of the anti-Democrats, declared the law enforcing the embargo "unjust, oppressive, and unconstitutional, and not binding."

The Democratic feeling was as strong the other way, as was emphatically shown at Richmond, Virginia, on the day the votes were cast for Mr. Madison as President. A public dinner was given to the electors, and the leading Democrats of the State were invited, and a series of toasts proposed by a committee. Among these was one referring to the attitude of the Federalists in New England, in these words :

"LET THE MAJORITY GOVERN—IT IS TREASON TO SECEDE."

This was the Democratic sentiment, then contrasted with that of the Federalists.

Such were the respective positions of the Democratic and anti-Democratic parties. Mr. Jefferson resorted to every possible means to enforce the law. He had forces stationed at Oswegatchie and Plattsburg, under Wilkinson, to aid in the execution of the

laws and to suppress insurrection. The New England Executives were mostly on the other side, and gave encouragement to those evading the law, by their silence and inaction. But Governor Tompkins, of New York, prevented the spread of such refractory manifestations on the west side of Lake Champlain.

The Democrats naturally and rightfully preferred to endure the onerous consequences of a cessation of foreign commerce for a season, until our enemies, by its ruinous effect upon them, should yield and respect our rights; while the Federalists were for prompt and ready submission to our foes, or plunging headlong into a war which would equally destroy our commerce and deeply injure all interests, cause the loss of thousands of lives, grind us down with taxes, and pile up a high national debt, for another generation to pay, with no certainty concerning the result.

Here we have patriotism, willing to obey the laws, and to endure temporary inconvenience to preserve, without loss or expense, our independence, and the right freely to navigate the ocean; and on the other, a party setting the laws at defiance, preferring to yield to the arrogant claims of Great Britain, to foregoing their convenience for a short time, and finally declaring that they prefer war, with all its horrors, losses, expenses, and resulting debts, to obeying necessary and wise laws. No one can doubt that the latter had two objects in view: first, to escape a necessary inconvenience demanded by public necessity, at whatever hazard and loss to others and the public; and second, to extort a change in the minds of the voters, to bring the anti-Democrats into power again. They failed in both, but continued their hostility to the embargo and democratic principles. Great Britain had confidence in their success, and continued her aggressions, which in the end resulted, as we shall show, in a second war of independence, wherein the anti-Democratic party was on the side of the enemy, and against our Government, as it was during the subsequent war with Mexico. Its patriotism always runs against our country in every controversy when the Democratic party is in power. This is a natural consequence of its principles and the object of its action. It seeks to rule the

people, instead of permitting them to act for themselves; and struggles for ascendancy, instead of battling for the success of our country, when in conflict with outside enemies.

16.—ONE OF NATURE'S NOBLEMEN.

When Aaron Burr permitted the Federalists to try to strip Jefferson of the presidency, he fell in the estimation of all honest men not bewildered by political prejudice. When he sought to deprive Spain of a province, or the Union of Louisiana, whichever might have been his object, he fell lower in the estimation of every lover of his country; and when he killed Hamilton in a merciless duel, he fell to the lowest depth, to rise no more. Although pitied, when a wanderer in Europe, he found no arms, no house, or place open to receive him. He had talents, but of the managing order; and the capacity to reach the feelings of men, but not to induce mankind to love him. His farewell, as Vice-President, to the Senate, on taking his final leave, is said to have been one of remarkable power, bringing tears from every eye, but it did not occasion esteem, or even respect. Such is the usual fate of a fatal use of shining mental faculties. His successor was George Clinton, of whom we shall now speak. He was the youngest son of Colonel Charles Clinton, and was born in Ulster County, New York, in 1739. He received a respectable education for those times. He was an uncle of De Witt Clinton, afterward Governor of New York. He signalized his daring enterprise by sailing as a privateer during the French war. Soon after his return, he went as a lieutenant in an expedition against Fort Frontenac, now Kingston, in Canada West. On his return he selected the law as a profession, and was soon admitted, and became the head of the Whig or Democratic party, then in a minority in Ulster. In 1775 he was elected to the Continental Congress, voted for the Declaration of Independence, and was, in 1777, elected a brigadier-general. In the same year he was elected both Governor and Lieutenant-Governor. He accepted the office of Governor, was successively elected six times, holding the office eighteen years in succession. In his civil and military capacity he exhibited great energy, and rendered highly impor-

tant services throughout the Revolutionary War. He was the first person known to have recommended the clearing out streams, and making canals, thus opening the way to Lake Champlain, and also to the West. He was again elected in the year 1801. In 1804 he was selected for the vice-presidency, by the Democratic party, to run with Jefferson, those nominating him wishing to present a man contrasting as strongly as possible with Burr. He was almost unanimously elected. He was renominated in 1808 by the Democrats, and elected with Mr. Madison, and held that office when he died, in 1812. Throughout his whole life he was noted for his strong common-sense and high personal integrity. From the commencement to the end of his official career, he acted with the Democratic party, and was ever identified with democratic principles. He was opposed to the Constitution of the United States when reported by the Convention, because he found that the new Government would, one by one, absorb the powers and authority of the States, and render them mere wards of the national authority, in which he was prophetic. He presided at the convention, assembled at Poughkeepsie, New York, to consider the question of its adoption. The Constitution would have failed before the Convention, but for the assurance that the amendments it proposed would be adopted, and thus prevent even the possibility of the Constitution being so construed in practice, as to carry out the views of the anti-Democratic party. The amendments recommended by New York, Virginia, and Massachusetts, were promptly made at an early day. But this did not prevent the enemies of democratic principles from seeking to bend the Constitution to make it mean what they desired. Mr. Clinton, and all Democrats, contended then, as now, for a strict construction of the provisions conferring power, and for preserving the States in the complete exercise of all powers which they had not delegated to the national Government. Except where the Constitution had taken from the States in unquestionable language, he claimed that they retained all the powers which they exercised during the Revolutionary War and during the existence of the Confederacy. He had exercised the functions of Governor of New York from 1777 until the adoption of

the Constitution in 1788, a period of eleven years, as well as five years afterward, and must have known what powers the States possessed; and, from presiding over the Convention, must have understood what powers it was intended to part with. From the adoption of the Constitution to the close of his life, he struggled to restrain the national Government within these bounds, and to sustain the States in all their rightful supremacy. When called upon as the presiding officer of the Senate, in 1811, to give the casting vote as to the recharter of the first Bank of the United States (1791), he assigned briefly his reasons for voting against it, and, among other things, said:

“In the course of a long life, I have found that government is not strengthened by an assumption of doubtful powers, but by a wise and energetic exertion of those which are incontestable; the former never fails to produce suspicion and distrust, while the latter inspires respect and confidence.”

These are words of wisdom, and a clear illustration of pure Democratic principles—principles which had ever given impulse to and controlled his action. George Clinton was a soldier of energy and valor, and without fear. As a statesman, he was wise and far-seeing; and, as a patriot, his heart throbbed only for his country's good. As a man, he was honest and just; and as a citizen and Christian, he loved all mankind. His life was devoted to knocking off the shackles and clearing away the obstacles which obstructed the path of men pursuing happiness in their own way, according to the principles of democracy. Such a man we hesitate not to declare to be ONE OF NATURE'S NOBLEMEN.

17.—PROPOSITION TO IMPEACH MR. JEFFERSON.

There has never been a case of impeachment under the Constitution except of Federal judges who held life offices—Pickering, District Judge of New Hampshire; Chase, Associate Judge of the Supreme Court; Peck, District Judge of Missouri; and Humphrey, District Judge of Tennessee—and no convictions except Pickering, whose drunkenness produced insanity, and Humphrey, who joined the secessionists. In Blount's case it was held that a Senator was not impeachable, and he was removed for cause.

But two impeachment guns have been fired at the Executive. The last was aimed at President Johnson, but failed, from insufficiency of powder. The other was aimed at Mr. Jefferson, and originated in his firm and inflexible resolution to enforce the embargo laws. Nearly all the hard words in our vocabulary had been raised against him several times over by Senators and members, Mr. Dana, of Connecticut, claiming that they should be given up because they could not be enforced. They all seemed ready to pounce upon the President and tear him to pieces. Rival orators seemed to contend who should be the most severe in words. It was, however, left to Mr. Quincy, Massachusetts' favorite son among the Federalists, to propose his utter annihilation. On the 26th of January, 1809, he said he had arisen "to perform a painful duty." It was a "painful" duty, but the "occasion called for it." Every member "who had reason to believe that a high crime or misdemeanor had been committed was bound to state that opinion to the House, and move such an inquiry as the nature of the supposed offence demanded." The crime or misdemeanor was, that Benjamin Lincoln, one of the oldest major-generals of the Revolutionary War, a decided Federalist, who had been appointed collector of the port of Boston, by General Washington, in 1789, and some two years before had asked leave of Mr. Jefferson to resign, he being too old and infirm to discharge his duties, and Mr. Jefferson had put him off without accepting it, and that the Government had paid him \$5,000 a year, which he did not really earn. Such cases of crimes are few and far between in our office-loving country. The like has not since been heard of in our country. It was a provoking disapproval of another crime often imputed to Mr. Jefferson, that of removing all Federalists from office, and appointing his political friends. It was further charged that Mr. Jefferson intended, just before going out of office, to appoint General Dearborn, his Secretary of War, to the office of collector, or to secure it at the hands of Mr. Madison, his successor. The day of voting on Mr. Quincy's motion arrived. Whether the planets behaved as badly that day as when Peter Stuyvesant fought the great battle at Christiana Creek, the careless historians of the time have not told us; but certain it

is that the clerk called and called again, and but one vote was given for the resolution, and that by Mr. Quincy himself! Whether Mr. Jefferson and his friends, or Mr. Quincy and his friends, "breathed freer, deeper, and easier," is not recorded in the journal. Whether this bold movement of the redoubtable man of Massachusetts has deterred all other Presidents from like cases of offending, no one can say with confidence; but this is well known—proved over and over again—that no President has since subjected himself to impeachment for the crime of retaining a political adversary in a high and profitable office two years too long. Such a case is not likely ever to occur again, after Mr. Quincy's bold assault upon such a heinous crime. It seems that it was not then known or suspected that a President could be impeached for what he intended to do. The people then were not as wise as those of the present day. If they had been so, Mr. Quincy would have carried his point on the latter ground.

18.—WHY THE EMBARGO WAS ABANDONED.

Mr. Jefferson was clearly right in his theory, that if the Embargo Law were faithfully carried into effect, it would compel the British Government to do us justice without our sustaining the losses, expenses, and havoc of a war. But it was scarcely executed at all, and lasted only about fourteen months in all. As was clearly foreseen, war followed in a little over three months from its repeal. At this distance of time, it seems strange that such a measure should have fallen in the house of its friends, to be followed by such consequences to our country. But it had its causes, and the result naturally followed. We have seen that the whole anti-Democratic or Federal party were opposed to the law, sought to defeat its execution and purposes, and that at least one branch of the Massachusetts Legislature had indorsed the actions and feelings of its political friends.

Most of the New England Governors and State Legislatures, if not active, harmonized in feeling with the enemies of the law, and neither lent a helping hand nor encouraged others in its execution. Insurrections and civil war were imminent, as the natural consequences of the actions and feelings of the Federal party,

and it became known that British emissaries and the Federal leaders had agreed upon, or were maturing, a plan for defeating the law altogether in New England, and for throwing off the authority of the national Government, at least to that extent, if they did not sever and disavow all connection with the Union. The Federalists were so infatuated by party feeling as to appoint a committee to confer with British emissaries.

Mr. Jefferson's friend Nicholas, in the House (January 25, 1809), moved a resolution to the effect, that we ought not to delay the repeal of the Embargo Law beyond day of

and then to resume navigation on the high seas, and to defend ourselves against all nations. This was subsequently changed, so that if by a day certain the obnoxious orders and decrees were not repealed, then letters of marque and reprisal should be issued against the powers complained of after the 1st of June, 1812.

This resolution occasioned a very exciting debate. Some of Mr. Jefferson's friends became alarmed, and especially those from New England, at the indications of insurrection in their own States. Against the wishes of the mover, the date when the embargo should cease was changed from the 1st of June to the 4th of March.

Although not then publicly known, there was more cause for alarm than was generally apprehended. Mr. John Quincy Adams, who had previously acted with the Federal party, and knew much of the acts and of the intentions of its leaders, yielding to the convictions of duty, disclosed to Mr. Jefferson, and subsequently to the public, facts which came to his knowledge on this subject. Among other things, he stated:

"He (Mr. Adams) urged that the continuance of the embargo much longer would certainly be met by forcible resistance, supported by the Legislature and, probably, by the judiciary of the State (Massachusetts). That to quell that resistance, if force should be resorted to by the Government, it would produce a civil war; and that, in that event, he had no doubt that the leaders of the party would secure the coöperation with them of Great Britain. That their object was, and had been for several years, a dissolution

of the Union, and the establishment of a separate confederation, he knew from unequivocal evidence, although not provable in a court of law; and that, in case of a civil war, the aid of Great Britain to effect that purpose would be as surely resorted to as it would be indispensably necessary to the design."

In an article in the *Boston Patriot*, in 1809, Mr. Adams further stated:

"They (Mr. Ames's principles) are the principles of a faction which has succeeded in obtaining the management of this Commonwealth, and which aspired to the government of the Union. Defeated in this last object of their ambition, and sensible that the engines by which they have attained the mastery of the State are not sufficiently comprehensive, nor enough within their control to wield the machinery of the nation, their next resort was to dismember what they could not sway, and to form a new confederacy, to be under the glorious shelter of British protection."

At a subsequent period, it became known that the Governor of Canada dispatched one John Henry to New England, to open communications with the disaffected Federal leaders, and to secure arrangements between them and England, which should defeat the laws and intentions of the nation, and prostrate Mr. Jefferson and his party, and destroy the Union, and thus secure to England and the Federalists a triumph.

Concerning the mission of Henry, Mr. Jefferson, in a letter to John Adams, dated 20th April, 1812, said:

"Of this mission of Henry, your son had got wind in the time of the embargo, and communicated it to me. But he had learned nothing of the particular agent, although of his workings, the information he had obtained appears now to have been correct. He stated a particular which Henry has not distinctly brought forward, which was, that the Eastern States were not to be required to make a formal act of separation from the Union, and to take part in the war against it; a measure deemed much too strong for their people: but to declare themselves in a state of neutrality, in consideration of which, they were to have peace and free commerce, the lure most likely to insure acquiescence."

The effect of these malign influences in New England, upon

Congress and the embargo, is thus described by Mr. Jefferson in a letter to General Dearborn, dated 16th July, 1810 :

“I join in congratulations with you on the resurrection of republican principles in Massachusetts and New Hampshire, and the hope that the professors of these principles will not again easily be driven off their ground. The Federalists during their short-lived ascendancy [the repeal of the embargo] have, nevertheless, by forcing us from the embargo, inflicted a wound on our interests which can never be cured, and on our affections which it will require time to cicatrize. I ascribe all this to one pseudo-Republican, Story. He came on (in the place of Crowninshield, I believe), and stayed only a few days; long enough, however, to get complete hold of Bacon, who, giving in to his representations, became panic-struck and communicated his panic to his colleagues, and they to a majority of the sound members of Congress. They believed in the alternative of repeal or civil war, and produced the fatal measure of repeal. This is the immediate parent of all our present evils, and has reduced us to a low standing in the eyes of the world.”

Here we see why the embargo was repealed, and all the advantages of instituting it lost to us. It was the negotiations with British agents to place New England under the control of that power, and, if need be, to engage in insurrections and civil war, thus severing the Union, to accomplish that purpose. These things indicate the anti-Democratic principles of the day, and their fatal consequences. It is evident that Jefferson knew of their existence and the intentions and purposes of their leaders, but doubted their courage to carry them out in practice, knowing as he did that criminals are proverbial for their want of it. They served the purpose of frightening Congress into conforming to their wishes in repealing the embargo, which a large majority deemed a wise, salutary, and necessary measure.

19.—“FREE TRADE AND SAILORS’ RIGHTS.”

These words were one of the war-cries of the Democratic party before and during the War of 1812. They had a special significance, calculated to arouse the American feeling. France

forbade all nations, by her Berlin and Milan Decrees, to trade with Great Britain, and threatened seizure and condemnation as a consequence of violating them; but, after a short time, she made our country an exception. Great Britain not only threatened, but actually seized and condemned our ships for trading with France, by her orders in council. It was trade freed from these decrees and orders that was referred to in the above motto. The war opened that trade which we continue to enjoy to this day. We now emphatically enjoy "free trade," so far as interference by other nations is concerned.

The expression "sailors' rights" had a widely-different origin. Great Britain has ever held that her native-born subjects cannot, in any way, throw off their allegiance. Her maxim is, "Once a subject, always a subject." This assumption we have ever controverted. When her subjects come to us and become naturalized, they become American citizens, owing her no allegiance, but entitled to protection from our Government. Governor Marcy's Martin Koszta letter to the Austrian minister will ever stand as a monument of his and our nation's fame. In addition, Great Britain claimed the right, and had acted upon it, time out of mind, that under the king's prerogative she had unquestioned authority to impress British subjects wherever found, on or within prescribed limits of the sea, and to force them into her naval service, provided they were or had been seamen. She further claimed, and practically asserted, her right to do so, to enter American ships and take from thence all such persons as she claimed as her subjects. In practice, her naval officers often insisted that speaking the English language was *prima facie* evidence of the party being a British subject, and it devolved upon him to prove the contrary. Hence, it was not strange that disputes arose as to whether the person claimed was a British subject or not. The whole claim set up by the British was disputed, and "sailors' rights" to sail free in our vessels were insisted upon by us. This principle of freedom and protection was clearly within the Democratic theory, and necessary to enable men to pursue happiness in their own way. The Democrats were willing, the embargo having been abandoned in a panic, to go to war

with the most powerful nation on earth, to maintain “free trade and sailors’ rights.” When this question came fairly up between us and Great Britain, the Federal party, without openly and broadly sustaining her, did so indirectly in a variety of ways, thus furnishing evidence of a disposition to excuse if not to defend her, when they admitted that she was actually in the wrong. We give a few examples to illustrate the truth of our remark, first giving a statement by Mr. John Quincy Adams, made as early as 1808, showing the number which had then been impressed. In his letter to Mr. Otis, Mr. Adams said :

“Examine the official returns from the Department of State. They give the names of between four and five thousand men impressed since the commencement of the present war, of which not one-fifth part were British subjects. The number of naturalized Americans could not amount to one-tenth. I hazard little in saying, that more than three-fourths were native Americans. If it be said that some of these men, though appearing on the face of the returns to be American citizens, were really British subjects, and had fraudulently procured their protections, I reply, that this number must be far exceeded by the cases of citizens impressed which never reached the Department of State. The American consul in London estimates the number of impressments during the war at nearly three times the amount of the names returned.”

In 1798 the commander of a British squadron in the West-Indies seized and detained a part of a fleet of American merchant-vessels on their way to Havana, under convoy of the war-sloop Baltimore. He even sent on board this sloop-of-war and took five or six of her crew, claiming them as British subjects. He was not content to seize on board the merchant-vessels, but he must aggravate the insult by taking from a vessel-of-war. This act, if it had been generally known, would have set the friends of “free-trade and sailors’ rights” in a blaze ; although known to the then administration, it was not even made the subject of a communication to Congress.

The ultra-Federalists insisted that the number of impressments had been very small. A committee of the Massachusetts Legis-

lature reported that the whole number of impressed Americans, prior to the war (of 1812), was only eleven, though we have shown it to have been many thousands. Mr. Pickering said, Great Britain only "desired to obtain her own subjects," and that the "evil we complained of arose from the impossibility of always distinguishing the persons of the two nations."

How near this was true is shown by Mr. Pickering's official letter, dated September 26, 1796, to Rufus King, our minister in England, in which he said: "For the British Government, then, to make professions of respect to the rights of our citizens and willingness to release them, and yet deny the only means of ascertaining those rights, is an insulting tantalism." And to Congress, in 1799, referring to a refusal by the British to investigate cases not coming through the British minister, he said: "Under this determination there will be detained, not only the subjects of his Britannic Majesty not naturalized since the peace of 1783, but all who, born elsewhere, were then resident in, and had become citizens of the United States; also all foreigners, as Germans, Swedes, Danes, Portuguese, and Italians, who voluntarily serve in the vessels of the United States. It is a fact that such foreigners have been frequently impressed, although their language and other circumstances demonstrate that they are not British subjects."

It is seen that Mr. Pickering substantially convicts himself of untruths. The Legislature of Massachusetts, on the 15th of July, agreed to a remonstrance denouncing the continuance of the war, after Great Britain repealed her orders in council, because she found her people would be stirred up against us. It denounced it as unjust because we had not removed proper causes of complaint by providing against employing British seamen. They said we had not exhausted negotiation on the subject; that "under such circumstances silence toward the Government would be treachery to the people."

Although the better classes of Federalists did not openly make, or authorize excuses for British impressments, they did not generally publicly condemn them. The lower strata, from what they saw and heard, believed that their conduct was approved and sustained by the whole Federal party.

These cases of impressments show one party excusing, if not approving of them, while the other was willing to, and did actually declare war and hazard their lives to prevent their continuance. The former was anti-democratic as well as anti-patriotic, while the latter presents a striking instance of what democratic principles require and lead men to do, in order to protect the persons and property of the people, to the end that they may pursue the road to happiness as they choose.

20.—JAMES MADISON AND HIS POLITICAL PRINCIPLES.

Mr. Madison was the personification of honesty, intelligence, and pure democratic principles. A native of Virginia, near the residence of Jefferson, he was educated at Princeton, New Jersey. After going through the usual college studies, and graduating, he remained at that institution, pursuing mainly under the celebrated Doctor Witherspoon, at that time its president, those higher and broader studies which so eminently fitted him for the high positions he held and adorned in after-life. He cherished through life a lively recollection of the services and instruction of this learned man and pure patriot. Returning to Virginia, he devoted considerable attention to the study of the law, and the principles upon which it was founded, without burdening his mind with those tortuous rules of practice which often bewilder and entangle, without improving the mental faculties. He never commenced the practice of the law, nor is it certain that he was ever admitted to the bar.

At the age of twenty-five he was elected a member of the Legislature, where his extreme diffidence so far overcame him as to make him a silent and not a popular member. He failed of his reelection the next year upon two grounds—one, because he could not speak, and the other because he would not treat the electors. The first was owing to his extreme diffidence, and the last because he held it inconsistent with the purity of elections. Hence it is seen that in one of the first steps of his public life he sacrificed success to that purity and sobriety of conduct from which nothing could ever induce him to swerve. The Legislature repaired this error by electing him a member of the State Council,

a place he held until 1779, when he was elected a delegate to Congress. In the Council he early exhibited extraordinary capacity in the preparation of documents, and soon acquired great skill and ability in debate. He was found the most useful member of the Council, as he was in Congress, after he took his seat in that body.

After serving in Congress, and again in the State Legislature, Mr. Madison was elected a member of the convention to prepare a Constitution for the Union, where his knowledge, skill, and efficiency in debate made him the leader of those devoted to democratic principles, as Hamilton was of those of an opposite character. His labors were so efficient and successful, that he was rightfully called the Father of the Constitution. When that instrument was before the Virginia Convention for its consideration, he defended it, as he had done in a large number of articles then published, which, with others, are now called *The Federalist*. When the new Government was formed, and went into operation, in 1789, he was elected to Congress, to aid in putting it in motion, according to the intentions of the framers of the Constitution and the people, whose agents adopted it. He continued in Congress until 1797—a period of eight years, during which political parties under the Constitution were formed, each representing political principles which to this day are in full operation. Madison, following the instincts of an active and pure benevolence, was, and remained, a Democrat throughout his life. Hamilton, and his associates, by instinct, believed that mankind could not govern themselves, and that the knowing few should rule and guide the ignorant many; and their successors still believe in these principles and enforce them whenever they have the power to do so.

When Jefferson came in as President, Madison became Secretary of State, and continued eight years, when he was elected President, receiving 122 votes over C. C. Pinckney, who had 89. He retired from the presidency on the 4th of March, 1817, after having sustained our country in a three years' war with Great Britain, which was closed on the plains of New Orleans, January 8, 1815, in "a blaze of glory." Many of the incidents

of this war, illustrating our political theories, will be hereafter given.

On leaving public life, Mr. Madison retired to his estate at Montpelier, in Virginia, where he enjoyed the esteem and respect of mankind during a period of twenty years. Such was the purity of his character and his conceded high motives, that during this period few even of the arrows of Federalism were aimed at him. It is now conceded that Mr. Madison's state papers are among the ablest and best written of any produced in our own or any other country. Not a useful or proper word was omitted, nor a useless one inserted. If he was not as warm-hearted and sympathetic as Jefferson, he was as wise, prudent, and unselfish. Like Jefferson, he was opposed to pomp, display, and ceremonies both in public and in private. Like Jefferson, he was in principle a Democrat, without alloy.

21.—THE DECLARATION OF WAR.

In imposing the embargo, Jefferson and his friends sought to avoid war, with its expenses and destruction. They sought to impress it upon the public mind, that a surrender of the embargo must end in national disgrace or war. Many Federalists professed to prefer war with all its certain calamities and doubtful results to continuing it, with its inconvenience. They declared the Democrats had no idea of war, whatever might happen, but were obeying the bidding of the Emperor of France for the benefit of his country, or to aid him in his merciless wars. Mr. Quincy, in a speech in Congress, declared that the Government could not be "kicked into a war." The same sentiment was, at different periods, proclaimed by other Federal members. The effort was to spread a belief that the Democrats dare not fight, and did not intend to do so, however much the country might be insulted.

The *Boston Repertory* said: "My life on it, our Executive has no more idea of declaring war than my grandmother. . . . Our Government will not make war on Great Britain, but will keep up a constant irritation, on some pretence or other, for the sake of maintaining influence as a party. . . . We are firmly per-

suaded that the majority in Congress do not mean to declare war at present, that they dare not, and that all their threats are contemptible vapoing."

The *Philadelphia Gazette* said, "They shrink from it, . . . they are frightened as the aspect becomes a little serious, and wish to go home and think about it."

The *Baltimore Federal Gazette* said: "If you think that a vote to raise 25,000 men looks like a war, quiet your apprehensions. You do not understand what is here called management. There will, as I believe, be no war. The war-whoop, the orders in council, the non-importation, the Presidential caucusing, will vanish before summer." A thousand similar extracts might be found and presented.

But when the declaration of war was recommended by Mr. Madison, every Federalist voted against it. The whole party raised its voice against it. Every form and variety of denunciation was heard against those who voted for, or approved the declaration. To say it was wicked and unjust, was too moderate an expression for the more violent.

David Osgood, a Massachusetts clergyman, said in his pulpit: "The strong prepossessions of so great a portion of my fellow-citizens in favor of a race of demons and against a nation of more religion, virtue, good faith, generosity, and benevolence than any that now is or ever has been upon the face of the earth, wring my soul with anguish and fill my heart with apprehensions and terror of the judgments of Heaven upon this sinful people. . . . If, at the command of weak and wicked rulers, they undertake an unjust war, each man who volunteers his service in such a cause or loans his money for its support, or, by his conversation or writings or any other mode of influence, encourages its prosecution, that man is an accomplice in the wickedness, loads his conscience with the blackest crimes, brings the guilt of blood upon his soul, and in the sight of God and His law is a murderer."

Dr. Gardiner, a Boston clergyman, said: "It is a war unexampled in the history of the world; wantonly proclaimed on the most frivolous and groundless pretences, against a nation from whose friendship we might derive the most signal advantages and

from whose hostility we have reason to dread the most tremendous losses."

Mr. Quincy, a Massachusetts member, who, before the declaration, said our Government could not be "kicked into a war," delivered a speech in the House, characterized by great virulence and bitterness, in which he manifested his venom for the Democracy, and especially those who were foreign-born. "It is not for such a man (as himself) to hesitate or swerve a hair's breadth from his country's purpose and true interests, because of the yelpings, the howlings, and snarlings of that hungry pack which corrupt men keep directly or indirectly in pay, with the view of hunting down every man who dare develop their purposes; a pack composed, it is true, of some native curs, but for the most part of hounds and spaniels of very recent importation, whose backs are scored by the lash, and whose necks are sore with the collars of their former masters."

Tallmadge, of Connecticut, spoke in a similar strain, and among other things said: "When he reflected on these awful and solemn events, he could not but weep for his infatuate country, and if he had an angel's voice he would call on every rational creature in these United States, and entreat them to pause and consider before our country's doom should be forever sealed."

A volume of like outpourings might be collected.

Henry Clay, then a young Democratic member, answered this class of speeches with great spirit and force. He said: "If gentlemen would only reserve for their own Government half the sensibility which is indulged in for that of Great Britain, they would find much less to condemn. Restriction after restriction has been tried; negotiation has been resorted to, until further negotiation would have been disgraceful. While these peaceful experiments are undergoing a trial, what is the conduct of the opposition? They are the champions of war—the proud, the spirited, the sole repository of the nation's honor—the men of exclusive vigor and energy. The Administration, on the contrary, was weak, feeble, and pusillanimous—'incapable of being kicked into a war.' . . . They are for war and no restrictions when the Ad-

ministration is for peace. They are for peace and restrictions when the Administration is for war."

This was one of Mr. Clay's proudest efforts, in which he convicted the Federalists of double false pretences—all to get into power again.

22.—THE ANTI-DEMOCRATS ENDEAVORED TO PREVENT LOANS AND ENLISTMENTS.

All know that money is the sinews of war. Without it, armies cannot be raised, equipped, or kept in the field, nor vessels-of-war prepared and kept in service. In 1812 the Government was without ready money. Its hopes of success, to a very considerable extent, depended upon borrowing. Congress voted taxes, but it required much time to assess and collect them. It could vote loans, but they could only be taken by those who could command ready means. The banks of New England, having an abundance of means, refused to lend a dollar. The New York banks, and those south of these, lent freely, but soon became exhausted. New England institutions, by way of punishment for lending the Government, pressed them and forced them into the suspension of specie payments.

We have seen that a leader in the New England pulpit denounced loaning to the Government as murder in the eyes of Heaven. They sought "to stop the wheels of Government by draining the banks in the Middle and Southern States of their specie, and thus producing an utter disability to fulfil the loans." The Federalists in the press and pulpit generally acted in harmony in opposing loans. Such was the vindictiveness and fury of the Federal party, that those advertising for loans deemed it prudent to pledge themselves not to disclose the names of the subscribers.

The *Boston Gazette* said: "Any Federalist who lends money to the Government must go and shake hands with James Madison and claim fellowship with Felix Grundy. Let him no more call himself a Federalist and friend to his country. He will be called infamous by others. It is very gratifying to find that the universal sentiment is, that any man, who lends

his money to the Government at the present time, will forfeit all claim to common honesty and common courtesy among all true friends of the country."

New York was ready to do and suffer for the cause of the Union. Her Governor, Tompkins, devoted his whole energies to aiding the national Government in the day of its peril. But at the spring election of 1813 the Federalists elected a majority to the Assembly. In the Senate there were a majority of Democrats, headed by Mr. Van Buren. To aid the national Government to sustain itself against the machinations of the Federalists and the New England banks, a joint resolution was offered in the Senate, and advocated with great power by Mr. Van Buren, General Root, and Governor Lewis, to loan the nation \$500,000. It passed the Senate. In the House it met the opposition of Abram Van Vechten, Elisha Williams, Daniel Cady, and others, and was lost. From these proceedings it is perfectly apparent that the object of the Federalists was to cripple the national Government, and force it to yield to the power of Great Britain, to the great disgrace of the nation, and the destruction of the rights of the people.

We have thus given merely specimens of what was said and done by the Federalists, to prevent the Government from effecting and realizing loans. Such things were in harmony with anti-Democratic principles, which do not look to the protection of the national honor as a means of securing the prosperity and happiness of individuals. Crippling and dishonoring the Government is what Democratic principles emphatically condemn. Where would the Government have been, and what would have been the condition of the people at large, if the Federalists had been permitted to control and apply their theories? Both would have been crushed, and patriotism would have wept over the ruin.

23.—THE NAVY AND NAVAL HEROES.

At the commencement of the War of the Revolution we had no navy, and at its close but a small one. Afterward, we were struggling under a heavy debt, growing out of that war, and it was with difficulty that we met our engagements, although our taxes were high. But, by 1801, we had enlarged our navy to an

extent that enabled us to crush out the piratical Barbary powers. This war was prolific in the birth of naval heroes, whose manhood appeared in full vigor, strength, and splendor in the War of 1812. While our public debt pressed heavily, and no foreign war was apprehended, Mr. Jefferson's policy was to avoid taxation as far as possible. He secured our coast against all possible invasion by the use of gunboats, which, during the recent war, proved so efficient and useful, at a very moderate expense.

He feared that our means were insufficient to build a navy to cope with Great Britain on the seas, where she had long ruled as mistress; and adopted the conclusion that for defensive purposes, gunboats, considering their cost, were preferable. His adversaries ridiculed his gunboat system, and demanded the construction of a large, stately navy, which alone could be used against France, if at war with her, when we neither had the means to build, equip, nor sailors to man it. As war became inevitable, our navy grew, and the number of our sailors increased, while the Tripolitan war had developed talent to command it. Although the British navy was large and scattered over old Ocean, her commerce was larger, and more widely spread, and consequently more exposed to capture. Her great strength carried with it a greater weakness. Our navy, to say nothing of our privateers, carried havoc into her commerce, and, when it met only equals, it triumphed over them. Our commerce, owing to Mr. Jefferson's restrictive policy, had not become so expanded as to make a large feast for the British lion. The limits prescribed to this work will not permit our writing our naval history of that period. But it is due to those brave spirits who covered our navy with glory and filled our land with joy, to give a brief account of several of them. We shall not attempt to specify their opinions upon the political questions which divided Congress. They clung to their country, heroically performed their duty, and hazarded their lives and honor in favor of the cause upon which the then ascendancy of the Democratic party depended. They fought like heroes, and history will embalm their names with those Democrats in whose hands the independence and destiny of our nation then rested.

24.—WILLIAM BAINBRIDGE.

Commodore Bainbridge was born at Princeton, New Jersey, in 1774. Life on the ocean had charms for him, and at an early age he engaged in the merchant service. His energy, good character, and abilities, soon raised him to a high command. Such was his reputation in 1798, when our Government was preparing to meet our difficulties with France, that he was commissioned as a lieutenant, and appointed to the command of the naval schooner *Retaliation*. In 1800 he was promoted to a captaincy, and placed in command of the frigate *George Washington*. He was soon ordered to the humiliating service of carrying tribute from our Government to that of Algiers, and while there was forced by the Algerine authorities to convey presents to Constantinople. In 1803 he sailed in the *Philadelphia* for the Mediterranean, and while there captured a Moorish frigate, and restored one of our merchant-vessels. This nipped Moorish piracy in the bud. When forming one of the blockading squadron off Tripoli his vessel ran aground, and after being nearly destroyed, he surrendered, and he and his men were taken and kept in prison nineteen months. When the War of 1812 was declared, naval men and civilians were divided upon the question of laying up our war-vessels, or permitting them to hazard an unequal conflict with the British navy. Bainbridge and Stewart induced Mr. Madison, contrary to the first views of his cabinet, to trust our little navy to Providence and good officers, and allow it to play its part in the great drama then being performed. No true-hearted American, however, regretted this advice or determination.

In September, 1812, Bainbridge was appointed to the command of a small squadron, the *Constitution* being his flag-ship. When off the coast of St. Salvador, Brazil, while separated from his command, he fell in with the British frigate *Java*, and, after an action of one hour and fifty-five minutes, captured her. The *Java* lost 174 men, and the *Constitution* only 9. The *Java* had not a spar standing, and was incapable of being taken into port. The *Constitution* was little damaged. The comparative destruction shows the superiority of Bainbridge's gunnery. Bainbridge

was severely wounded, and his adversary, Captain Lambert, fatally. On returning home, Bainbridge was everywhere received with demonstrations of joy. Congress voted him a gold medal, and a silver one to his men, and \$50,000 as prize-money—the supposed value of the captured but sunken ship. Subsequently Bainbridge was employed in shore-duty, in navy-yards, and as president of the Board of Navy Commissioners. He died at Philadelphia in 1833. He was a tall, muscular, and well-proportioned man, with a piercing eye, an animated expression, and graceful and dignified motions. He was an excellent disciplinarian, and as an officer he had few superiors.

25.—CHARLES STEWART.

Stewart was born in Philadelphia, in 1778, and at the age of twenty entered the navy as a lieutenant, and first performed duty under Commodore Barry, on board the frigate *United States*. In 1800 he was appointed to the command of the schooner *Experiment*, on the West India station, to protect American seamen, which duty he performed to the satisfaction of all. He captured several French privateers, and recaptured many of our merchantmen which had been taken. He coöperated with Decatur in the destruction of the Philadelphia before Tripoli. He joined Bainbridge in inducing our Government to send our little navy to hold that of the British in check, and to cripple her extended commerce. In 1813 Stewart, while in command of the *Constitution*, captured the British schooner *Pictou*, and in 1814 the *Cyane* and *Levant*. The latter was a brilliant contest, and resulted so much to our credit and their disadvantage, that the British have never published an account of it. For these gallant acts Congress voted him a gold medal, and Pennsylvania a sword, and New York and Philadelphia bestowed civic honors. Wherever men collected, his laudation was sure to follow.

In 1814 Commodore Stewart took command of the Mediterranean squadron, the *Franklin* being his flag-ship. He left the station in 1820, and in 1821 hoisted his flag on the same ship in the Pacific, where he served three years. Subsequently he was one of the Board of Navy Commissioners, in which capacity he served

three years. He afterward had command of the Home squadron, and of the Philadelphia Navy Yard. In 1857 he was placed on the retired list, and then restored to active service under a special act of Congress, but subsequently retired at his own request, since which he has resided on his estate at Bordentown, New Jersey. He is the senior officer in the navy; and in his old age, as well as in active life, commands the esteem and respect of all who know him.

26.—STEPHEN DECATUR.

Stephen Decatur was born on the Eastern Shore of Maryland, in 1779, and entered the navy as a midshipman in 1798, and sailed to the Mediterranean in 1801, in the Essex, under Commodore Dale, as first lieutenant. At Malta he was insulted by a British officer. They fought, and the latter was killed. He afterward sailed in command of the Argus to Tripoli, and on his arrival was placed in command of the schooner Enterprise, and in a few minutes after captured a Tripolitan ketch in sight of the town. He soon conceived and executed the daring enterprise of capturing and destroying the frigate Philadelphia, then in the harbor, which was accomplished by aid of daring spirits, and among them Midshipman Charles Morris. At the attack upon Tripoli, Decatur had command of one division of the gunboats, where he won the admiration of the nation by his intrepidity. During the fight he was informed that his brother, who had captured one of the enemy's boats, had been treacherously slain by its commander. In an instant he hastened to overtake the assassins and avenge his brother's death. With no boat but his own, he pursued him beyond the line of the enemy, laid his boat alongside and threw himself, with eleven Americans, all he had left, on board the enemy's boat. The fight on deck lasted twenty minutes, and but four men remained unwounded. Decatur now singled out the commander for his special vengeance. His antagonist was armed with an esponton, the head of which he sought to cut off, but his cutlass broke at the hilt, and he received a wound on his right arm and breast. They closed, and in the struggle both fell. The Turk endeavored to stab him with a dag-

ger. Decatur seized his arm and with his right arm brought a pistol in his pocket to bear upon him, firing through his vest, and killing him instantly. During this contest, a Tripolitan behind Decatur aimed a blow with a sabre at his head, which was rendered ineffectual by an American sailor stepping between them and receiving the blow. For this act of heroic devotion to his commander, which nearly cost him his life, the generous sailor was rewarded by the Government. The name of Decatur was upon every tongue, and his heroism rendered him the favorite of his countrymen.

In 1812 he captured the British frigate *Macedonian*, inflicting great loss upon her, with little on his own, the United States. His reception, on bringing his prize into New York, was of a most magnificent character.

His fight with the *Endymion*, with the President also, won *éclat*. When in 1815 the Algerines were induced by the British to demand tribute, Decatur was sent to require the restoration of prisoners and all property taken from Americans. He demanded a treaty in terms which he dictated; it was soon agreed to and signed.

He was, soon after his return, appointed a navy commissioner. A difficulty between Decatur and Barron resulted in a duel, in 1820, at Bladensburg, in which he was killed, and the latter badly wounded. He thus fell a victim to a barbarous code, which is now happily nearly extinct in the United States. No naval officer stood higher than Decatur, nor was the death of one more sincerely mourned. In boldness, energy, and fertility of expedients calculated to lead to success, no one could excel him. He was mild, gentlemanly, and most agreeable in his manners and intercourse, and popular almost beyond measure. He did much to build up and establish a high character for our navy.

27.—ISAAC HULL.

Commodore Hull was born in Connecticut, in 1775, and died at Philadelphia in 1843. Hull commenced his career on the ocean in the merchant service. Our difficulties with France, in 1798, induced our Government to seek officers for the navy in the

commercial marine. Fortunately, Hull was selected and commissioned as a lieutenant. Young Hull performed a gallant feat in cutting out a letter of marque at Porto Plata, St. Domingo, under circumstances of great peril. At the beginning of the War of 1812 he was placed in command of the *Constitution*, having been promoted to a captaincy. When off New York, he fell in with a British squadron of five frigates. In seeking to escape, the wind was baffling, and he could not move. He resorted to the expedient of taking his spare rope, fastening it to a kedge, placing it in boats and rowing away a mile, and then dropping the anchor, drew his ship to the kedge without the cause of his motion being observed. He thus got away from his pursuers. This was a remarkable escape.

His fight with the British frigate *Guerrière*, mostly at half-pistol-shot distance, was one of a most masterly character. The *Constitution* made a perfect wreck of her and she was set on fire. This was the first naval action of the war, and produced a most thrilling effect throughout the Union. Hull took his prisoners to Boston, where he was enthusiastically received. Congress voted him a gold medal, and silver ones to the officers under him. After the war he had command of the Navy Yards at Charlestown and Washington and also took charge of a squadron in the Mediterranean, and also in the Pacific. Commodore Hull was a brave and skilful officer, and contributed largely to building up our navy and giving it a character for invincibility.

28.—OLIVER HAZARD PERRY.

Commodore Perry was born at Newport, Rhode Island, in 1785, and entered the navy as a midshipman in 1799. He died at the Island of Trinidad in 1819. His first service was on the frigate *General Greene*, under the command of his father. In 1802 he served on the *John Adams*, in the Mediterranean. In 1807 he was commissioned lieutenant, and in 1809 commanded the schooner *Revenge*. At the commencement of the war of 1812, he commanded a division of gunboats at Newport, R. I. At his own request, he was subsequently transferred, with some of his officers and men, to the lakes, under Chauncey, to super-

intend the construction and equipment of a fleet on Lake Erie. At the head of a body of seamen, he assisted at the attack on Fort Erie. In 1813, when the vessels watching him were temporarily absent, he got his little fleet out of Erie, and sailed up the lake to Put-in Bay. On the 10th of September, 1813, he brought on an engagement with the British squadron, which resulted in its capture. During the battle, his flag-ship, the *Lawrence*, became disabled, and he proceeded to the Niagara, with some of his men, in an open boat, which was under a heavy fire during her passage. After an obstinate, bloody, and destructive fight, the British fleet surrendered. Perry's dispatch announcing his victory stands unparalleled for pith and brevity. It ran thus: "We have met the enemy, and they are ours." The news of this victory spread over the land, as if upon the wings of the wind, and produced a thrill of joy. It destroyed the British power on that lake. He afterward assisted Harrison in regaining Detroit. Congress voted him a gold medal, and he was made captain. The next year he was appointed to the command of the new frigate *Java*, which was so hemmed in by the enemy, he could not get to sea, but after the war he proceeded in her to the Mediterranean. While in command of a squadron on the coast of Colombia, he ascended the Orinoco in one of his small vessels to the capital of Venezuela. On returning, he was seized with the yellow fever, and died on board the schooner *Nonesuch*. Perry's victory tended much to revive the halting energies of the country, and aroused the people to unwonted action. The people began to believe, that on the water our naval officers were a match for the best in the world. All hands took fresh courage. The exploit of Perry contributed largely to our final success. His name stands high on our list of naval heroes.

29.—JOHN RODGERS.

Commodore Rodgers was born in Maryland in 1771, and entered the navy in 1798 as a lieutenant, and sailed the next year in the *Constellation* under Commodore Truxton. His skillful and energetic management of the French prize *L'Insurgente* caused him to be made captain in the same year. In 1802, he com-

manded the John Adams in the Tripolitan War, and during the next assisted in taking an enemy cruiser in the bay. He continued to be employed in that service until the end of the war, and then proceeded to Tunis, where he accomplished his object by negotiation. In 1811, while in command of the President, he fought and nearly destroyed the British ship Little Belt, whose commander, when hailed, instead of giving the name of his ship, fired a shot. Within an hour after hearing of the declaration of war, Commodore Rodgers, with his flag flying at the head of the President, sailed from New York with his squadron, and in a cruise of seventy days, which followed, he captured seven merchantmen, and recaptured one American vessel. In other cruises he captured the Highflyer, and the Swallow, having on board a large quantity of specie. Toward the close of the war he was appointed to the command of the Guerrière, and had the defence of Baltimore. For nine years after the close of the war he was President of the Board of Navy Commissioners, and from 1824 to 1827 he commanded the Mediterranean fleet. After his return, until his declining health required him to relinquish it, he was again on the Board of Navy Commissioners. At his death, he was the senior officer of the navy. The services of the commodore were not only creditable to himself, but useful and honorable to his country. His reputation never suffered a stain. A son bearing his name, and now high in rank in the navy, performed gallant and most useful services during the late war, doing honor to the name.

30.—THOMAS MACDONOUGH.

Commodore Macdonough was born at Newcastle, Delaware, in 1783, and died in 1815 at sea. He entered the navy as a midshipman in 1800, and was attached to the frigate Philadelphia under Bainbridge, in Commodore Preble's squadron. He escaped being imprisoned when the Philadelphia was taken, with Bainbridge and his men, in consequence of being in charge of a prize she had made. He was with Decatur in some of his wonderful enterprises before Tripoli, and assisted in the recapture and destruction of the Philadelphia. He was promoted to a

lieutenancy in 1807, and to master-commandant in 1813. In 1814 he took command of our fleet on Lake Champlain, and on the 11th of September fought the ever-memorable battle of Lake Champlain, where he won for himself a reputation as brilliant as the result was advantageous to the country. He fought and conquered an able and experienced British officer in whom his government explicitly confided. He captured the whole British fleet, with slight exceptions, of some unimportant boats. He was immediately made a captain. Civic honors were showered upon him in various quarters. Congress gave him a gold medal, Vermont two hundred acres of land, which overlooked the scene of his engagement, and New York a thousand.

His character for cool firmness was remarkably illustrated when he was lieutenant of the *Siren* at Gibraltar. A British boat had taken, from a merchant-vessel lying near by, an American seaman. In the absence of the captain, Macdonough manned a boat and pursued and by force took the impressed man on board his vessel. The captain of the British vessel came in a furious mood, and demanded of Macdonough how he dared to take the man. Macdonough replied that he was an American seaman and entitled to his protection. The captain threatened to lay his ship alongside and sink the *Siren*. Macdonough said: "This you may do, but while she swims the man you will not have." The captain then said: "If I had been aboard the boat, would you have dared to commit such an act?" "I should have made the attempt, sir, at all hazards." "What, sir, would you attempt to interfere if I were to impress men from that brig?" "You have only to try, sir." The English officer returned to his ship, manned a boat, rowed around, and returned, without making the attempt. This showed Macdonough to be true grit. His praises have been sung in songs that roused men to action, and his name has passed into history, filling a bright page.

31.—JAMES LAWRENCE.

Lawrence was born in 1781, in New Jersey, and died in 1813 of wounds received in the fight between the Chesapeake and British frigate *Shannon*. He entered the navy in 1798 as a

midshipman, and was commissioned lieutenant in 1802. He, like many other young American officers, acquired experience and distinction in the war with Tripoli. He was one of those who boarded and destroyed the frigate *President*, one of the most gallant achievements in our naval history. For his share in it, Congress voted him money, which he declined to receive. He was commissioned lieutenant in 1808, and master-commandant in 1810. Soon after the declaration of war in 1812, he commanded the *Hornet*, one of Commodore Bainbridge's squadron sent to cruise on the coast of Brazil. On this cruise he took several prizes, fought and took the British sloop-of-war *Peacock*, the latter losing 33 killed and wounded, and the former one killed and two wounded. Congress recognized this gallant act by giving him a gold medal. He was soon commissioned captain, and took command of the frigate *Chesapeake*, then lying near Boston, and, with the *Hornet*, designed to cruise against the Greenland whale-fishery. Lawrence was a stranger to his crew, which was not in a good state of discipline, and who were complaining, after a frolic, of the non-payment of prize-money. In this condition the *Chesapeake* met the *Shannon* about thirty miles from Boston, where a desperate battle was fought. Captain Lawrence was mortally wounded, and most of his officers were either killed or disabled by wounds, so that the upper deck was left without a commissioned officer. This action was fought with little space between the vessels, and was one of the most bloody and destructive of any during the war. While being borne below after his mortal wound, his last order was, "Don't give up the ship!"* a motto which afterward appeared on many a banner. It has been since a household expression in our country. Such men as Lawrence are an honor to any nation.

32.—DAVID PORTER.

Commodore Porter was by nature as well as by profession a sailor. His mind was adapted to his employment. He was born

* These are the words found in the history of the times. We are informed, however, by good authority, that they were the words of Major Benjamin Russell, in his account of the battle, published in the *Boston Centinel*. Nahum Capen had this fact from Major Russell.

in Boston, Mass., in 1780, and entered the navy in 1798 as a midshipman, and first sailed in the *Constellation*. In 1799 he became a lieutenant. He served on the West India station, and subsequently joined the Mediterranean squadron sent against Tripoli, was captured with Bainbridge in the *Philadelphia*, and remained a prisoner about nineteen months. In 1806 he was commissioned master-commandant, and in 1812 a captain. When war was declared in 1812, he was given the command of the *Essex*, and in a limited cruise made many captures. Soon after, he captured the war-schooner *Alert*. Subsequently he cruised with great success in the Southern Atlantic. He then passed around Cape Horn and anchored at Valparaiso, obtaining necessary supplies.

In his cruise in the Pacific he rendered important services in protecting American commerce, and by capturing whaleships and merchantmen. Some of these he converted into vessels-of-war. He lived and supported himself and men by his conquests. While at Valparaiso the *Essex* was blockaded by the British frigate *Phœbe*. In attempting to escape, Porter fought one of the most extraordinary and desperate battles on record, and, although unsuccessful, it added to his fame. Subsequently he was one of the Board of Navy Commissioners. He resigned in 1825, and entered the service of Mexico at a salary of \$25,000 per annum. Leaving that service in 1829, General Jackson appointed him to the mission at Constantinople, where he died in 1843. Porter was a splendid officer. His son, David, holds a high position in our navy, having during the recent war rendered a large amount of highly important services, particularly distinguishing himself as a willing, skilful, and energetic officer.

This list might be largely extended. But it is sufficient to show the character and standing of our naval officers in the War of 1812, and the effect produced by their valor, knowledge, and efficiency upon the country and its Government. They were unselfish and generous, and regardless of personal consequences. With them, the great and inspiring sentiment was their country, its flag, its honor, the American Union. No hardship was too great to be borne, or danger too hazardous to encounter. They seemed to have a magnetism about them that inspired their sub-

ordinates and sailors, inducing in them the belief that nothing was impossible with American naval officers. The achievements of the navy electrified the country and fired its energies, occasioning almost superhuman exertions in defence of the nation and its rights. The success of our naval officers and their unequalled efforts attracted the attention of Europe, and commanded unqualified admiration and respect. Although few in numbers, compared with the British, still that haughty and domineering power not unwillingly relinquished the contest where our navy achieved such masterly results, which so largely eclipsed its glory on the seas. The navy encouraged the army and aroused the people. Its officers demonstrated their power, and that they were actuated by principle—to protect and preserve our freedom and independence, to secure individual protection for person, character, and property, to the end that all might pursue such road to happiness as they might choose.

33.—THE ARMY AND ITS OFFICERS.

In the navy a great victory seldom holds up to public view more than one individual as its author. The commander rules his floating kingdom at his will, has no divided authority or honors, and all his resources are with him. In the army things are widely different. Although there is a head man, his authority is subdivided, and seldom so concentrated as to be within his personal supervision, while the action of the outside world often tends to confuse or cripple. The commander's lines are often miles long, and his resources scattered and not within reach, and no drumming can bring them together. Subordinates have often projects of personal fame, or others which materially affect the result. Few of all the movements are under the eye or personal guidance of the head of a battle-field. Hence the result of an action is far less under the control of the official head than in the navy; and thus the comparative number of heroes prominently before the eyes of the nation is smaller.

But the army of 1812 had its patriots, its heroes, and self-sacrificing actors, whether widely known or not. Our space, however, will allow us to name but few, and those briefly. We

give a few simple facts, by way of illustration, without attempting details, which, without a full view of surrounding circumstances, would lead to probable error or confusion. A naval battle lies in a nut-shell, but one in the army covers a whole field and all the avenues approaching it; and any attempt to describe it, without giving it in full, seldom does justice to him who commands. Hence, we do not attempt it.

34.—ZEBULON MONTGOMERY PIKE.

This gallant officer was born in New Jersey, in 1799, and was killed at Toronto, in Canada, in 1813, by the falling of stone when the British magazine exploded. When young he served under his father, who held a commission in the army, and rose to a lieutenantcy. After the acquisition of Louisiana, he was sent with a squad of men to explore the sources of the Mississippi; and spent a winter, enduring great hardships, in what is now Minnesota. His report was so clear and satisfactory, that soon after he was sent west, with a party, to explore the central part of the Louisiana purchase. He proceeded up the Missouri in boats for a considerable distance, and then continued his journey by land, reaching the headwaters of the Arkansas River; in the winter the party was nearly buried in snow, and suffered greatly. Pike reached the Rocky Mountains, and extended his enterprise to explore one to its top, some 14,500 feet above the sea, which has since been known as "Pike's Peak," and is in Colorado Territory. On returning he lost his way, and was taken to Santa Fé and Chihuahua, by the Spanish authorities, and sent home by way of Texas. His report of this expedition was highly complimented.

Soon after the beginning of the War of 1812 he was made a brigadier-general, and sailed from Sackett's Harbor to York, now Toronto, in Canada. The British were vigorously assaulted, and the outer batteries carried. While resting for a moment before attacking the main works, the magazine exploded, throwing up an immense quantity of earth and stone. In their descent one of the latter fell upon and wounded him. He soon expired. General Pike was one of the bravest and most fearless of officers,

and one in whom the soldiers, and all under him, had unlimited confidence. His death, widely mourned, was a great loss to our army and country.

35.—ALEXANDER MACOMB.

General Macomb was born in the garrison at Detroit, in 1782. He was the son of a fur-trader. He entered the army as a cornet of cavalry in 1799, and was retained at the partial disbandment in 1802. The corps to which he had belonged was formed into one of engineers, and he was sent to West Point, to improve in the military art. While there he acted as judge-advocate on the trial of the venerable Colonel Butler, for refusing to obey orders, and have his long white locks cut off. This arbitrary order could not have been carried into effect by Peter the Great of Russia. In 1805 Macomb was promoted to a captaincy in the Corps of Engineers, and commenced the discharge of his duties as such. At the commencement of the War of 1812, he had been promoted to be a lieutenant-colonel of engineers, but was soon transferred to the artillery. In 1814 he was commissioned a brigadier-general, and placed in command on the borders of Lake Champlain. On the 11th of September, 1814, he fought the battle of Plattsburg, against Sir George Prevost and greatly superior numbers, and won a great triumph, the British retreating toward Canada. The battle was on the same day as Macdonough's victory over Commodore Downie and the British fleet. For his generalship on this occasion he was commissioned a major-general, receiving the thanks of Congress, and a gold medal voted him. On the reduction of the army he was retained as a colonel of engineers, and served in that capacity at the head of the engineer bureau. On the death of General Brown in 1828, he was appointed general-in-chief of the army, and served until his death in 1841. By his achievements General Macomb added to his own fame and to American character. His death was deeply deplored by the army and country.

36.—JOHN E. WOOL.

The name of General Wool has long been familiar to the American people. He was born at Newburg, New York, in

1789. He commenced business when quite young, as a book-merchant in Troy, where he now resides. His all was destroyed by fire, and he then commenced the study of the law. But his country becoming involved in a war with Great Britain, he abandoned the law, and accepted a captaincy in the army. He was wounded through both thighs at the battle of Queenstown Heights, and soon thereafter received a commission as major. He was in the battles at Plattsburg on the 6th and 11th of September, 1814. For the gallantry displayed at Beekmantown he was brevetted a lieutenant-colonel. His military talents and high personal character caused him to be retained on the reduction of the army in 1816. He was then made an inspector-general of the Northern Division, and subsequently of the whole army. In General Jackson's administration he was sent abroad to examine the military systems of Europe. In 1841 he was commissioned a brigadier-general, and brevetted a major-general in 1848, and full major-general in 1862. He largely contributed to General Taylor's success in the Mexican War, which the latter handsomely acknowledged. When in command on the Pacific, he succeeded in repressing Indian disturbances. When the late civil war became imminent, he offered his services to the Government, and proceeded to New York to organize, equip, and forward volunteers to Washington—sending on the first regiments; and rendered other services during the war. He is spending his old age in Troy, where he is respected and beloved by all who know him. Few military men have ever rendered better service to their country, or commanded more confidence and esteem. He still remains cheerful and active, and alive to whatever affects the character or interest of the American people. He has no love for office, as such, having declined Democratic nominations for high places.

37.—JACOB BROWN.

General Brown was born in Pennsylvania, in 1775, and died in 1828. He was originally a Quaker, and from his eighteenth to his twenty-first year he taught school in New Jersey, and for the next two years he was employed in surveying public lands in Ohio. Subsequently he purchased a large tract of wild land and



Andrew Jackson

settled in Jefferson County, N. Y., building the first human habitation within thirty miles of Lake Ontario. He was appointed a colonel of militia in 1809, and a brigadier-general in 1810. At the commencement of the war he was temporarily employed to defend the northern frontier from Oswego to St. Regis, which he did with success, defeating the British on the 4th of October, 1812, in their attack on Ogdensburg. At the expiration of his term he declined further service, unless given a commission in the regular army equal to his former rank. In the spring of 1813 General Brown, as a volunteer, took charge of the army, and successfully resisted the attack on Sackett's Harbor. In the same year he was appointed a brigadier, and in 1814 a major-general. Early in 1814 he took Fort Erie, and soon after fought with success the battle of Chippewa. The battle of Niagara was won by him on the 25th of July, 1814, where, for the first time, bayonets accomplished the work which bullets began. At the reduction of the army, General Brown was retained, and in 1821 became commander-in-chief. He was a wise and prudent general, and was remarkable for making the most of his means. His countrymen were proud of him and his successes.

An order from the War Department announcing his death, drawn by General John A. Dix, then one of his aides, pays a most beautiful tribute to the services and memory of the deceased. In it is this sentence, "Quick to perceive, sagacious to anticipate, prompt to decide, and daring in execution, he was born with the qualities which constitute a great commander."

38.—ANDREW JACKSON.

The name and character of Andrew Jackson are as widely known as any in our history. Every hamlet is familiar with both from Maine to the Pacific. General Jackson is a household word, and in matters of instructive sagacity, boldness, inflexible firmness, purity, patriotism, honesty, and faithfulness in friendships, his name is with the Americans a standard of comparison. In another part of this work we shall give sketches of his administration and political principles. We here give only a few dates and references to his military achievements.

He was born on the 15th of March, 1769, at Waxsaw, South Carolina, and died at the Hermitage, in Tennessee, on the 8th day of June, 1845. He commenced the study of the law in North Carolina in 1784, was admitted in 1786, and removed to Nashville, Tennessee, and began practice in 1788.

In 1796 he was elected to Congress, and the next year to the United States Senate. He soon resigned, alleging as a reason his distaste for the intrigues of politics. He was chosen major-general of the State militia, and held that office until called to the same rank in the regular army, in 1814.

On leaving the national Legislature, he was appointed a judge of the Supreme Court of the State, but soon resigned. He became distinguished in the Indian wars. He fought the great battle at New Orleans on the 8th of January, 1815. In 1823 he was elected to the United States Senate, but he resigned before serving out his second session, because his friends had made him a candidate for the presidency. At the election of 1824 he had a plurality of votes only, and the House elected Mr. Adams. In 1828 he was elected President, and in 1832 reelected. He retired from office on the 4th of March, 1837, proceeded to the Hermitage, where he devoted himself to his private affairs until his death.

If our space would permit, we should feel a proud gratification in extending this list of officers of the army of 1812. It would give us pleasure to review the career of Jessup, Lawson, and Gibson, whose chivalrous conduct won them bureaus in the War Department, which they filled through life with high honor; of Croghan, who became an inspector-general. We would be glad to speak of McArthur, the younger Hull, and Cass, who since became so distinguished in civil life; of Harrison, who became President—of Carroll, Coffee, and Houston, and a host of others. They all proved by their devotion to the public service, hazarding their lives for their country, that they had faith in the principles of Jefferson and Madison, and those associated with them in the Government. Their acts showed them to be supporters of true Democratic principles, whatever name politicians may have given them. They materially aided in securing to their countrymen

freedom and protection, enabling them to pursue happiness in their own way.

39.—ELEAZAR W. RIPLEY.

General Ripley was born in New Hampshire, in 1782, and graduated at Dartmouth College in 1800. He studied law, and commenced practice in Maine, then a part of Massachusetts. He became a member of the Massachusetts Legislature in 1811, and was elected Speaker. At the commencement of the War of 1812, he received the appointment of lieutenant-colonel, and early in 1813, colonel, and in April, 1814, brigadier-general. None were more distinguished for soldierly qualities. At the battle of Chipewa he took a distinguished part, and contributed largely to our success. At Fort Erie he was conspicuous for his daring and zeal. He was most distinguished at the battle of Niagara, often called "Lundy's Lane." Much of the hard fighting fell upon him and those under him, neither of whom flinched when bayonets were crossed. In this action he was severely wounded in the neck, greatly affecting the muscles. He was brevetted a major-general and furnished with a gold medal by Congress. At the reduction of the army in 1816 he was retained, but in 1820 voluntarily resigned, and removed to Louisiana, where he continued to reside until his death in 1839. For the last four years of his life he represented one of the Louisiana districts in Congress. A few years before his death his old wound in the neck seriously affected him, so much so, that he could not prevent a constant motion of his head. Without an application from him, but merely from what every member daily saw, Congress, on the 4th of July, 1836, unanimously voted him a pension of \$50 per month, commencing in 1820, when he left the army, and to continue during life. This vote was alike honorable to him and to Congress. It was well deserved by a noble soldier and devoted patriot.

40.—PETER B. PORTER.

General Porter was a native of Connecticut, born in 1773, and graduated at Yale College at the age of twenty. Having studied law at the Litchfield law school, he settled and began practice at

Canandaigua, New York, in 1795, when that was a new county. He was elected to Congress in 1808, and in December, 1811, made a report recommending a declaration of war. He continued in Congress from 1809 to 1813, and was elected and again served from 1815 to 1816. After the declaration of war, he left Congress, and, declining a commission in the regular army, he accepted, under the authority of New York, a commission as quartermaster-general, and used every effort to arouse the military spirit of the people. Having removed to Black Rock, the British made an unsuccessful attempt to seize him in his own house. He manifested true military valor on several occasions. He personally led the brilliant sortie at Fort Erie, and performed gallant services at Chippewa. At Lundy's Lane, Niagara, he led the volunteers, and performed most efficient services. Congress voted him a gold medal, and the State of New York a sword. He was one of the early projectors of the Erie Canal. In 1816 he was appointed a commissioner for determining the boundary between the United States and British possessions. He was chosen Secretary of State of New York soon after the war, and appointed Secretary of War by Mr. Adams in 1828, and served to the end of Mr. Adams's term. He soon after removed to Niagara Falls, where he died in 1844. General Porter did much to sustain the Government during the War of 1812. As a military man, although his experience was short, he showed that he had not only the will, but the capacity and courage, to defend his country.

41.—WILLIAM J. WORTH.

General Worth was born at Hudson, New York, in 1794. Having an ordinary education, he became a merchant's clerk, but when the War of 1812 commenced he enlisted as a private soldier. The next year he was appointed a lieutenant, and became aide-de-camp of General Lewis, and, in 1814, of General Scott. He was brevetted a captain for his conduct at the battle of Chippewa, and made a brevet-major for his gallantry at Lundy's Lane, where he was severely wounded. On the reduction of the army, he was made a captain in the regular army, and from 1820 to 1828 he was commandant at West Point, and instructor in infan-

try tactics. He was created a major of ordnance in 1832, and appointed colonel of infantry in 1838. He served in the Florida Indian War, and fought under Generals Taylor and Scott in the war with Mexico. Congress, and the States of New York and Louisiana, presented him with swords. He was in command in Texas, where he died in 1849. As a man and a soldier, Worth was an honor to his birthplace, and to the country. He was a consistent Democrat.

42.—THE PRINCIPLES AND INTENTIONS OF THE ANTI-DEMOCRATS DURING THE WAR OF 1812.

We have presented sketches of the actions of the Democratic party and its friends during the war, and shown how readily multitudes hazarded their lives to sustain their principles and the country in conflict with the vaunted strength of Great Britain. We have shown how all these things tended to the freedom and protection of the people individually. We now, revolting as it may be, will present brief views of the principles, intentions, acts, and feeling of the other side, and leave our readers to determine, like an honest and intelligent jury, which side they believe was right, and whither the principles of each will eventually lead our people.

The great object of the Federal party was to regain power and govern the country, their theory being that the people were best off when governed by a class deemed competent for that purpose, instead of simply being protected in their persons and property, and allowed, as to all other matters, to govern themselves. France and England were at war. The former had substantially given us Louisiana, to them a dreaded gift, and had ceased to annoy us in her struggles with her enemies. Hence, it was natural that they should denounce her. British institutions had always charms for the Federalists. The great leader of that party had sought to incorporate them largely in our Constitution. England possessed great regard and friendship for all places where Federalism was triumphant, and sent her agents among the people to advise and comfort them. Beyond all, she was the unfor- giving and powerful enemy of the Democratic party and its prin-

ciples—for these had stripped her of her thirteen colonies. England alone could unseat the Democrats from power, and cripple and crush them to the earth—things that must be done before the Federalists could return to power. Under these circumstances, nothing could be more natural than that they should take sides with England, and they did so with a will and spirit worthy of a good cause. Their first and all-important step was to weaken and cripple the national Government—prevent enlistments and loans of money, and cause all its acts to be considered unwise, oppressive, and odious. Even our triumphs by sea and land were either denounced or groaned over and treated as sinful. Every thing tended to one point—to crush our country, to the end that the Democratic administration might be tumbled to the earth, and its adversaries again installed in power. These things were heard in Congress, State legislative halls, in public meetings and corners of the streets, and read in their papers. Great Britain thought she had little to fear from us when so large a portion of our people and the talent and wealth of New England were with her. Her maxim was, that a house divided against itself could not stand. She had all the evidence she needed in the public course of the Federal party, and all she even desired, in the secret machinations of that party, in which her agents had participated. We will give instances of sayings and acts which will illustrate and confirm what we say :

In January, 1813, a bill was before Congress to raise twenty thousand men, to be added to the army, when Mr. Quincy, of Massachusetts, said in the House :

“I desire, therefore, that it may be distinctly understood, both by this House and the nation, that it is my unequivocal belief, that the invasion of Canada, which is avowed by the Cabinet to be its purpose, is intended by it, that continuance of the war and not peace, is the object. . . . I say, then, sir, that I consider the invasion of Canada, as a means of carrying on this war, as cruel, wanton, senseless, and wicked. . . . Never was there invasion of any country worse than this, in point of moral principle, since the invasion of the West Indies by the buccaneers, or of the United States by Captain Kidd. Indeed, both Kidd and the buccaneers

had more apology for their deeds than the American Cabinet. . . . When in the usual course of Divine Providence, who punishes nations as well as individuals, His destroying angel shall on this account pass over this country, and sooner or later, pass it will, I may be permitted to hope that over New England his hand will be stayed. Our souls are not steeped in the blood which has been shed in this war. The spirits of the unhappy men who have been sent to an untimely audit have borne to the bar of Divine Justice no accusations against us."

Tallmadge, of Connecticut, said: "When he reflected upon these solemn and awful events, he could not but weep for his infatuated country."

Wheaton, of Massachusetts, said that "his soul sickened at the thought of progressing in this war."

Gardiner, a Boston clergyman, said: "Let no considerations whatever, my brethren, deter you at all times, and in all places, from execrating the present war. As Mr. Madison has declared war, let Mr. Madison carry it on. The Union has long since been virtually dissolved, and it is full time that this part of the United States should take care of itself."

In the Senate of Massachusetts, of which Josiah Quincy had become a member, he offered the following resolution, which was adopted:

Resolved, as the sense of the Senate of Massachusetts, that, in a war like the present, waged without justifiable cause, and prosecuted in a manner which indicates that conquest and ambition are its real motives, it is *not becoming a moral and religious people to express any approbation of military or naval exploits*, which are not immediately connected with the defence of our sea-coast and soil."

The Legislature of Massachusetts, in July, 1813, adopted a remonstrance, denouncing the war as unjust, because the Government had not removed the causes of British complaint by guarding against the employment of her seamen, in which it was averred, "Under such circumstances, silence toward the Government would be treachery to the people."

Mr. Lowell, of Massachusetts, in a pamphlet entitled the "Road

to ruin," said, "*Encouraged and protected from infamy by the just odium against the war, they engage in lawless speculations, sneer at the restraints of conscience, laugh at perjury, mock at legal magistrates, and acquire ill-gotten wealth at the expense of public morals, and of the more sober, conscientious parts of the community. . . . Administration hirelings may revile the Northern States, and the merchants generally, for this monstrous deprivation of morals, this execrable course of smuggling and fraud. But there is a just God, who knows how to trace the causes of human events, and He will assuredly visit upon the authors of this war all the iniquities of which it has been the occasion.*"

Many more such citations might be added.

Curtis Coe, imprisoned at Three Rivers, in Canada, as a spy, was discharged on the ground that he was no enemy to the British Government, and had been uniformly a "stanch Federalist."

American vessels were captured carrying British permits to sail and trade, and a British judge officially declared, that their object was to benefit their military service—to furnish subsistence for her armies in Spain.

The British declared all our coast from the Mississippi to the north end of Long Island to be in a state of blockade, leaving New England open.

The Executives of Connecticut and Massachusetts refused to place their militia when called into service under the command of the President, as required by the Constitution. Governor Chittenden, of Vermont, ordered the militia from his State, who had gone to Canada, to return.

Massachusetts' claim for services in the war was not allowed by Congress till more than fifty years afterward.

Here we have merely glimpses of the motives, intentions, and acts of the Federalists during the war. Old England and New England treated each other as friends devoted to the same interests. Our laws could not be executed, nor their infringers be punished in those States which were under Federal control. Those arrested as spies were discharged on proof of being Federalists. New England vessels were furnished with British permits to trade at certain places under British control. Federalism had but one

more step to take to arrive at treason, under the Constitution, and that was an easy and natural one—to act out what they felt, in favor of Great Britain and against their own country. If the Federalists of New England had succeeded in carrying out what they felt, and often manifested, Great Britain would have overcome us during the war, and we should have been a mere appendage of that power, or been a weak nation by her permission.

43.—DANIEL D. TOMPKINS.

The war of 1812 developed men equal to the occasion. Military and naval stars arose as the exigencies of the country demanded them. Civilians of great intellect and power presented themselves, and orators came forth to arouse the energies of the people and cheer them on in patriotic duty. The enemy knew the strong and weak points in the country, and how the pulse of men beat. He must strike his blows where they would best produce the desired consequences, without needlessly wasting his strength or damaging his friends. The climate of New Orleans was long its protector. The growing West had little wealth to plunder or destroy, while it had strong arms, noble hearts, and stubborn will to protect itself. Distances and the condition of the roads were unfavorable. The South presented no point where aggressors would not soon be driven into the sea. New England was filled with friends who must not be injured or annoyed, but encouraged into resisting its own Government.

New York presented the assailable points. She had a long sea-coast and a lake frontier of several hundred miles, and waterways for most of the distance between Canada and her great city, all of which were well-known old battle-grounds. New York was the most exposed State, and with Canada on the north, hostile New England on the east, the sea on the south, and New Jersey and the almost impenetrable hills and forests of Pennsylvania on the other, the British believed they could crush her. This would separate the South from New England and allow her to carry out her long-cherished plan of seceding and forming a separate government, under the protection of Great Britain. The national Government, thwarted every way by the

Federalists, was without men or means adequate to the defence of the State. Its blows upon Canada had been few and ineffectual. But the Democracy of New York had placed at the head of her State government a man equal to the emergency. Daniel D. Tompkins was her much-loved Governor.

Governor Tompkins was born in Westchester County, N. Y., in 1774. He graduated with the highest honors at Columbia College, and was admitted to the bar in 1797; settled in the city of New York; was elected to the Legislature in 1802; in 1804 to Congress; appointed a justice of the Supreme Court in 1805; and in 1807 elected Governor of the State, in which office he continued, by reëlection, until 1817, when he became Vice-President, before he was thirty-three years of age. No man ever rose more rapidly or rested on a more solid foundation, or served in these various capacities more to the satisfaction of those he represented.

His personal appearance was strongly in his favor, and his conversational powers charmed all who heard him. He was genial, kind-hearted, and benevolent. It was in pursuance of his two recommendations that the Legislature enacted the gradual abolition of slavery in the State. He was a staunch friend of education, and of many charitable institutions. The poor and suffering were never turned away empty-handed from his door. He loved his country, her institutions, and the principles of democracy upon which they were founded. A more perfect personification of those principles never lived. Although extremely gentle, he was as firm as the hills in favor of what he believed to be right. He acted no studied part, but exhibited to the world the natural impulses of a true heart. He possessed the happy faculty of remembering the name and face of every person to whom he had been introduced, and was the admiration of those who add grace and give charms to drawing-rooms. The father being a Westchester farmer, the son received the sobriquet of "The farmer's son."

Such was the man at the helm in New York when the War of 1812 was declared. He commenced his political career in 1801, the year that Jefferson was inaugurated, and sustained him

and Madison throughout their administrations, giving them and their principles his hearty and fervid support. He had then been five years in the Executive chair, and had a strong hold upon the masses, as well as upon leading men. He had been found fully adequate to his position, and never shrunk from any duty. He was the first Governor who had had the nerve to prorogue the Legislature under the provisions of the then constitution. This he had done on the 27th of March, 1812, hoping thereby to prevent the chartering of a bank through the means of bribery and corruption. Then he displayed an honesty, firmness, and courage which the people greatly admired, as his triumphant reelection the next year clearly confirmed.

Every call made by the national Government upon the State was promptly answered. At his instance the Legislature voted men, which the Governor caused to be sent into the field; and money, which he properly applied. He advanced all his own means and all he could procure among his friends to aid in bringing the war to a successful close. But more money was required. The banks would not lend on the stocks or treasury notes of the national Government without additional security. When informed that half a million could be raised on treasury notes if the Governor would indorse them, he remarked that he should have to act on his own responsibility and should be ruined. Thereupon, Rufus King remarked to him, "Then ruin yourself, if it becomes necessary to save the country, and I pledge you my honor that I will support you in whatever you do." Governor Tompkins indorsed the notes, and the banks advanced the money.

The Governor traversed the State, and went wherever he could be useful in rallying men and facilitating the progress of preparation for defence or assault, not unfrequently assisting with his own hands in prying from the mud, wagons loaded with war-supplies.

Such was his hold upon the confidence of the people, that Mr. Madison tendered him the office of Secretary of State, then considered the stepping-stone to the presidency, but he declined. In October, 1814, he was appointed by Mr. Madison to the command of the third military district, which included New York, in

which he acquitted himself with very great ability and success. When, at the close of the war, the troops were disbanded, he received from all quarters complimentary letters expressing much gratitude for his services. These compliments, and the satisfaction of having faithfully performed his duty, are all the recompense he ever received for his services.

He was reelected Governor, by a triumphant majority, at the spring election of 1816. A congressional caucus having nominated James Monroe for President and Governor Tompkins for Vice-President, they were both elected in December, 1816, and were sworn into office on the 4th of March, 1817. Both were reelected, and served until the 4th of March, 1825. In 1821 Vice-President Tompkins was a delegate, and elected president of the convention for the revision of the constitution of New York. He died on the 11th of June, 1825, on Staten Island, where he then resided, deeply lamented by all who knew him.

Such a man as Daniel D. Tompkins is an honor to the age and State in which he lived. Of all fraud, peculation, and dishonesty he was innocent. The assault of his political enemies, charging that he was a defaulter to the State and nation, was disproved by the action of the State Legislature as to the one and Congress as to the other, the latter appropriating over \$95,000 as a balance due him.

To him, more than to any other man, are we indebted for preventing the British from sweeping over the State of New York and subduing it, and for restraining the secession and disunion proclivities of New England and the growing discontents in New Jersey. The glorious efforts of Tompkins secured New York to the Union, and the sober second thought became effective in New Jersey, leaving New England alone in her despairing agony in her pursuit of power. But for the management of Virginia politicians, whose fortunes he had saved, Tompkins would have been President, as the popular voice demanded and the people expected. But a seat in the national Executive chair could not have added to his fame or worth, and could only have furnished cumulative evidence of an admitted fact. New York will ever be proud of him as a son, and the nation will cherish his memory with admiration and gratitude.

44.—BURNING BLUE-LIGHTS.

The scrap of history we are now about to cite is given to show to what ends erroneous principles will carry men. Instead of exerting their talents and energies to protect their fellow-citizens in their pursuits, they lead men to defeat protection and humble the State at the feet of a foreign power. It is ever the object of those professing anti-Democratic principles to overcome every opposing obstacle and seat themselves in power. The pursuit of the object occasions excitement, and during its existence the means of accomplishing the end are not scrutinized rigidly, even if their propriety is at all considered. Patriotism is ignored, and every thing possible must be made to contribute to ultimate success.

During the War of 1812 our vessels-of-war were often driven and shut up in protecting harbors to avoid the superior force of the enemy. The only possible chance of escape was under cover of the darkness of night, when the enemy could not discern their movements nor become alarmed at them.

During the war, June 1, 1813, Commodore Decatur, commanding the frigates *United States* and *Macedonian*, and *Hornet*, was chased into the harbor of New London by a vastly superior force. During the remainder of the war, these three vessels continued shut in there, while the blockading squadron by its position commanded the commerce of Long Island Sound and vicinity. This was destructive of our coasting trade in that quarter. Decatur was fertile in expedients and skilful in managing to escape. But he was baffled by the enemy, who seemed always to be aware of his intended movements. The cause soon became perfectly apparent. Randall, in his admirable "Life of Jefferson," says:

"He officially communicated to the Secretary of the Navy (December 20, 1813) that he attempted to get to sea on a dark and tempestuous night; that as soon as his movements to that end became apparent, signals continued to the enemy were made by burning blue-lights on both points of the harbor's mouth, and he declared: 'There is not a doubt that they (the enemy) have by signals or

otherwise instantaneous information of our movements. Notwithstanding these signals have been repeated and seen by twenty persons at least in this squadron, there are men in New London who have the hardihood to affect to disbelieve it and the effrontery to avow their disbelief.' During a severe storm of wind and rain in March, 1814, Decatur issued orders for the instant embarkation of his officers. In a very short time blue-lights were thrown up like rockets from Long Point, and were immediately answered by three guns from the British fleet. These signals were witnessed by all the officers and men in the American look-out boats and also by some of the officers at Fort Trumbull. They were known to be signals by those who were perfectly familiar with that species of marine communication. It is proper to say, that these treasonable practices were admitted and severely reprobated by a portion of the Federalists." *

In how many other instances signals have been displayed for the benefit of the enemy, no one can tell. These instances show to what extent party feeling will go when under excitement. Decatur would doubtless have got to sea with his three ships, but for the successful efforts at treason, designed to crush the nation and humble it before the British lion by these Federalists at New London.

45.—DISUNION PROPOSED BY THE FEDERALISTS.

From the overthrow of the Federal party, in 1800, there existed a grumbling feeling in the bosom of the leaders of that party. It first manifested itself in the action on the treaty ceding Louisiana to us, and in the legislation necessary to carry it into effect. The settlement of the Louisiana purchase, and the creation of States out of it, and from the Virginia and other cessions West, clearly indicated the future loss of political power in the

* The author is greatly indebted to Mr. Randall's work for facts which he states, and especially for many extracts which he gives. He cannot too highly recommend this work to those who seek accurate information concerning the Revolution, the formation of our Federal Government, and its operations for the first quarter of a century. It is the only work that has done full justice to the mind and character of Mr. Jefferson.

East, and naturally led to the consideration of the means of averting it. Separation presented the only practicable mode. As early as 1796, during Washington's administration, the question was broached in a series of papers in the *Hartford Courant*. Among other things, it was stated :

"The Northern States can subsist as a nation, as a republic, without any connection with the South. It cannot be contested, that if the Southern States were possessed of the same political ideas, a union would still be more desirable than a separation. But when it becomes a serious question, whether we shall give up our Government, or part with the States south of the Potomac, no man north of that river, whose heart is not thoroughly Democratic, can hesitate what decision to make.

"I shall in future papers consider some of the great events which will lead to a separation of the United States, and show the importance of retaining their present Constitution, even at the expense of a separation; endeavor to prove the impossibility of a union for any long period in future, both from the moral and political habits of the citizens of the Southern States; finally, examine carefully to see whether we have not already approached the era when they must be divided."

In relation to the effect of the Louisiana purchase upon the Federal party and its disunion design, John Quincy Adams, in 1828, wrote : "This design had been formed in the winter of 1803 and 1804, immediately after, and as a consequence of, the acquisition of Louisiana This plan was so far matured, that the proposal had been made to an individual to permit himself, at the proper time, to be placed at the head of the military movements, which it was foreseen would be necessary for carrying it into execution. The project, I repeat, had gone to the length of fixing upon a military leader for its execution."

In the same year he wrote to Governor Plummer of New Hampshire, saying :

"Much of my information, at the time, was collected from Mr. Tracy, the Senator from Connecticut, who disapproved the project, but was, I believe, made acquainted with it, in all its particulars. I think, though I am not sure, that it was he who named

to me the writer of the plan by which the separation was to be effected, with three alterations of boundary: 1. If possible, the Potomac. 2. The Susquehanna. 3. The Hudson. That is, the Northern Confederacy was to extend, if it should be found practicable, so as to include Maryland. This was the maximum. The Hudson, that is, New England and a part of New York, was the minimum." Mr. Adams, in a pamphlet, gives incidents of a visit to Rufus King in 1804, and says: "I found there sitting Timothy Pickering, who, shortly after I went in, took leave and withdrew. Mr. King said to me, Colonel Pickering has been talking to me about a project they have for the separation of the States, and a Northern Confederacy."

Governor Plummer, who was a Senator at the time of the acquisition of Louisiana, addressed a letter to Mr. Adams, in which he declared that he, Plummer, "was a disunionist at that period—in favor of forming a separate government in New England—that he was consulted on such a plan by Federal members of Congress from New England."

Governor Plummer's son published a life of his father, in which he gives various extracts from his contemporaneous journals and correspondence, exhibiting the definite particulars of a plan of disunion, and of interviews in reference to it, with its projectors and favorers.

In 1806 the Governor mentions in his journal that in 1804 Timothy Pickering, James Hillhouse, and himself, dined with Aaron Burr; that Hillhouse "unequivocally stated, that it was his opinion that the United States would soon form two distinct and separate governments."

In his journal of 1809, Governor Plummer says: "When the late Samuel Hunt intimated to me the necessity of seceding from the Union, he observed, that the work must commence in the State Legislatures; so that those who acted, should be supported by State laws. This, he said, was the opinion of Senator Uriah Tracy, and of many others."

Governor Plummer made the following entry in his journal on seeing Hillhouse's denial of Mr. Adams's statement: "There is no circumstance in these publications that surprises me so much as

the letter of James Hillhouse. I recollect, and am certain, that on returning early one evening from dining with Aaron Burr, this same Mr. Hillhouse, after saying to me that New England had no influence in the Government, added in an animated tone, 'The Eastern States must and will dissolve the Union, and form a separate Government of their own, and the sooner they do this the better.' But there was no man with whom I conversed so often, so fully, and so freely, as with Roger Griswold. He was, without doubt or hesitation, decidedly in favor of dividing the Union, and establishing a Northern Confederacy."

Governor Plummer, in his journal, speaks of walking hours with Pickering, who eventually said, "That he thought the United States too large and their interests too diversified for the Union to continue, and that New England, New York, and perhaps Pennsylvania, might and ought to form a separate government. He then paused, and, looking me fully in the face, awaited my reply. I simply asked him if the division of the States was not the object which General Washington most pathetically warned the people to oppose. He said, 'Yes, the fear of it was a ghost, that for a long time haunted the imagination of that old gentleman.'"

In 1840 Plummer says, that "Tracy told him in the winter of 1804 that he was in favor of the Northern States withdrawing from the Union." These charges, so far as Pickering was concerned, were never denied. The feeling which thus manifested itself, soon began to grow, and expanded over a much larger surface. When Mr. Jefferson's restrictive measures became effective, the old disunion feeling sprang up afresh, and assumed a more open and threatening aspect. It ceased to be confined to half-confidential communications among friends, but was openly discussed by individuals, put forth in partisan newspapers, and brought to the consideration of legislative bodies. It was fast growing into a political issue, and forming a plank in the Federal platform. Whatever name might be given to this feeling, at the bottom it meant disunion. The intensely Federal States of New England wished to be separated in interest, as they were in principle and feeling, from the strongly Democratic States, whose votes had

brought Jefferson and Madison into power, and sustained them in their measures.

Mr. John Quincy Adams gave ample assurance that a strong disunion feeling existed, and had assumed forms and distinct designs in 1808 and 1809. Mr. Jefferson fully believed in the existence of these designs. There was ample evidence to establish such a belief, and frequent additions were made to this evidence. In 1811 a bill was reported in Congress to enable the people of Orleans Territory to form a constitution and State government. In a speech opposing this bill, Josiah Quincy, of Massachusetts, said, "its passage would justify a revolution in this country." In another part of his speech, already quoted, he said, "if the bill should pass, the Union would, by that act, be dissolved."

It has been said that there are no Sundays in revolutionary times, which may account for the Federalists holding a caucus in Boston the Sunday night before the State election in 1811, at which resolutions were passed denouncing the non-intercourse law, and in favor of "electing such men to the various offices of the State government as would oppose by peaceable, but firm measures, the execution of laws which, if persisted in, must and would be resisted." Gerry, who was then elected Governor, expressed his opinion of these partisans, by calling them in his message "seditious, inceptive traitors, and domestic partisans of foreign power." The Governor removed from office very many of these partisans, filling their places with Democrats. Mr. Jefferson afterward wrote him on the subject, in which, among other things, he said: "What, then, does this English faction with you mean? Their newspapers say rebellion, and that they will not remain united with us, unless we will permit them to govern the majority. If this be their purpose, their anti-republican spirit, it ought to be met at once. . . . But I trust that such perverseness will not be that of the honest and well-meaning mass of the Federalists of Massachusetts, and that when the questions of separation and rebellion shall be nakedly proposed to them, the Gores and Pickerings will find their levees crowded with silk-stocking gentry, but no yeomanry; an army of officers without soldiers. I hope, then, all will still be well, the Anglo-men will consent to make peace with their bread and but-

ter, and you and I shall sink to rest, without having been actors or spectators of another civil war. . . . We have not timed these things well together, or we might have begun a realliance between Massachusetts and the Old Dominion, faithful companions in the War of Independence, peculiarly tallied in interests, by *each wanting exactly what the other has to spare*; and estranged to each other, in later times, only by the practices of a third nation, the common enemy of both."

The Rev. Mr. Osgood, of Massachusetts, said, in a published sermon: "If, at the present moment, no symptoms of civil war appear, they certainly will soon, unless the courage of the war party should fail them. A civil war becomes as certain as the events that happen according to the known laws and established course of Nature."

Much more of this evidence might be collected; but these extracts are sufficient to show the drift of the anti-Democracy in favor of disunion. But the attempt to embody the intentions of the party and secure action in conformity with the designs of its leaders, remains to be given under another head.

46.—THE HARTFORD CONVENTION OF 1814.

This ever-memorable assemblage, though after its utter failure, assuming not to be disloyal to the Constitution, and almost claiming to be patriotic, was preceded by announcements by its friends, which leave little doubt of its disunion intentions, and was broadly sustained by many of the Federal party. We extract liberally from what preceded its meeting.

The *Boston Gazette*: "Is there a patriot in America who conceives it his duty to shed his blood for Bonaparte, for Madison, for Jefferson, and that host of ruffians in Congress who have set their face against us for years, and spirited up the brutal part of the populace to destroy us? Not one."

Another Boston journal said: "To the cry of disunion the plain answer is, that the States are already separated; the band of union is broken by President Madison. As we are going on, we certainly shall be brought to irretrievable ruin. The convention cannot do a more popular act, not only in New England but

throughout the Atlantic States, than to make a peace for the good of the whole. The convention must report to their constituents on the subject of peace or war. If they find it is to continue, it is to be hoped they will recommend, and that the States will adopt the recommendation, that no men or money shall be permitted to go out of New England until the militia expenses, already incurred, are reimbursed, nor until the most ample provision is made for the defence of the New-England States during the war."

The *Baltimore Federal Republican* (November 17, 1814) said: "On or before the 4th of July, if James Madison is not out of office, a new form of government will be in operation in the Eastern section of the Union. Instantly after, the contest in many States will be, whether to adhere to the old or join the new Government."

The *New-York Commercial Advertiser* said: "Old Massachusetts is as terrible to the American now as she was to the British Cabinet in 1775; for America, too, has her Butes and her Norths. Let then the commercial States breast themselves to the shock, and know that to themselves they must look for safety."

E. Parish, a clergyman at Byfield, published a sermon in which he said: "The Israelites became very weary of yielding the fruit of their labors to pamper their splendid tyrants. They left their political woes. They separated. Where is our Moses? Where is the rod of his miracles? Where is our Aaron? Alas! no voice from the burning bush has directed them here. . . . Such is the temper of the American republicans, so called. A new language must be invented before we attempt to express the baseness of their conduct or describe the rottenness of their hearts. . . . New England, if invaded, would have to defend herself. Do you not owe it to your children, and owe it to your God, to make peace for yourselves? . . . The full phials of despotism are poured in on your heads, and yet you may challenge the plodding Israelite, the stupid African, the feeble Chinese, the drowsy Turk, or the frozen exile of Siberia, to equal you in tame submission to the powers that be. Here we must trample on the mandates of despotism, or here we must remain slaves forever. . . . How

will the supporters of this anti-Christian warfare endure their sentence—endure their own reflections—endure the fire that forever burns—the worm that never dies—the hosannas of heaven—while the smoke of their torments ascends forever and ever!”

Luther Martin, a distinguished Marylander, was appointed in 1814 Chief Justice of the Oyer and Terminer Court in Baltimore, and, not to be behind others in his denunciations, went out of his way in charging the Grand Jury, and thus addressed them:

“The horrid atrocities of France are proofs that fallen man, for whose restraints governments were created, is a more deformed and debased monster than the beasts of the earth. Wriggling themselves into peace, republicans become demagogues; and republicanism is by no means inseparable from virtue. False philosophy, conceived in hell and nursed by the devil, propagated in Europe all their wretchedness, too extensively introduced into the United States. The American Revolution was completed by men of virtue, morality, and religion; but the sun does not shine on a people who have, since then, so deteriorated in virtue, morality, and religion; their depreciation began with that of paper money, and for twenty years Europe has been spewing on this devoted country an almost unremitting torrent of her filthiest feculency, tainting a mass, become still more rotten. Vainly do we attribute our evils to a violation of sailors’ rights or to a weak Government. Providence punishes us for our sins with war, the worst of curses, worse than famine and pestilence. No guilt can be more inexpiable than that of him who, without just cause, plunges a nation into war. In the sight of Heaven such a man will be viewed as the wilful, deliberate murderer of every individual who loses his life in its prosecution, and his soul is stained of every drop of blood thereby. They who add sin to sin with greediness in prosecuting the war with which we are afflicted by an avenging God, are those truly guilty of moral treason. I hold it, gentlemen, as a sound, incontrovertible truth, a truth of which I cannot doubt, that no citizen can more righteously divest himself of his allegiance to his Government, without its consent, than his Government can, without his consent, deprive him of its pro-

tection. This truth is formed in the very nature of civil society. The contrary doctrine is the spawn of folly and knavery, whatever wisecracs of modern growth may tell us."

After calling to mind such specimens of instruction from legislative bodies, the bench, and the pulpit, we are prepared for the next step toward practical disunion. The public mind had become measurably prepared for it. The approach was by cautious advances at first, and became more open and bold as it progressed. It would not do to startle the public mind, and arouse it to resistance by a bold and frank avowal of those in high public positions. Their acts and professions were subject to public scrutiny and the calm reflections of men of sober judgment. Clergymen, as they professed a high sanctity and spoke in the name of Heaven, were not subject to such severe and searching criticisms. There was no bar of stern-judging men to whom they were accountable, although the result of their teaching might be equally effective, and more difficult to be counteracted. The younger, and especially the female portion of their auditors—who, when once aroused, are the most uncompromising politicians, with unlimited influence—never hear the other side, or learn the ground upon which it stands. Hence the effect of political preaching. Old politicians learn how to present thoughts that are scarcely seen in their language. They arouse the passions by language of equivocal meaning, often interpreted by look and gesture. Hence, the peculiar language of those calling the Hartford Convention. It is apparent they meant that the majority should yield to the minority, and permit them to rule, or they would secure the means of doing so by defying the Government, and making peace for themselves. When the Massachusetts Legislature convened in the fall of 1814, Governor Strong delivered a message full of violent expressions, denouncing the war and its management. In the Senate it was referred to a committee, of which Harrison Gray Otis was chairman, who made a long report full of philippics against the Democracy, and those representing it in the national Government. The following is an extract:

"It is, therefore, with great concern that your committee are

obliged to declare their conviction that the Constitution of the United States, under the administration of the persons in power, has failed to secure to this Commonwealth, and, as they believe, to the Eastern section of the Union, those equal rights and benefits, which were the objects of its formation, and which they cannot relinquish without ruin to themselves and posterity. These grievances justify, and require vigorous, persevering, and peaceable exertions to unite those who realize the sufferings and foresee the dangers of the country in some system of measures to obtain relief, for which the ordinary mode of procuring amendments to the Constitution affords no reasonable expectation, in season to prevent the completion of its ruin. The people, however, possess the means of certain redress; and when their safety, which is the supreme law, is in question, these means should be promptly applied. The framers of the Constitution made provision to amend defects which were known to be incident to every human institution; and the provision itself was not less liable to be found defective upon experiment than other parts of the instrument. When this deficiency becomes apparent, no reason can preclude the right of the whole people, who were parties to it, to adopt another; and it is not a presumptuous expectation that a spirit of equity and justice, enlightened by experience, would be able to reconcile conflicting interests, and obviate the principal cause of those dissensions which unfit Government for a state of peace or war, and so amend the Constitution as to give vigor and duration to the union of the States. But, as a proposition for such a convention from a single State would probably be unsuccessful, and our danger admits of no delay, it is recommended by the committee that, in the first instance, a conference should be invited between those States, the affinity of whose interests is closest, and whose habits of intercourse, from their local situation and other causes, are most frequent; to the end that by a comparison of their sentiments and views, some mode of defence, suited to the circumstances and exigencies of those States, and measures for accelerating the return of public prosperity, may be devised; and also to enable the delegates from those States, should they deem it expedient, to lay the foundation for a radical reform in the national

compact, by inviting to a future convention a deputation from all the States in the Union."

Resolutions in relation to preparing for a defence of the State were reported. The following relates to calling the convention that eventually assembled at Hartford :

"*Resolved*, That persons be appointed as delegates from the Legislature, to meet and confer with delegates from the States of New England, or any of them, upon the subjects of their public grievances and concerns, and upon the best means of preserving our resources, and of defence against the enemy, and to devise and suggest for adoption by those respective States such measures as they may deem expedient; and also to take measures, if they shall think proper, for calling a convention of all the United States, in order to revise the Constitution thereof, and more effectually to secure the support and attachment of all the people, by placing all upon the basis of fair representation."

The report was accepted, and resolutions adopted. What did they mean? They declared the Constitution and the provision authorizing amendments so defective as to be incapable of affording relief. Why did they invite only the New England States to be represented? There were Federalists in other States. Why not state the distinct grievance, and propose a specific remedy, instead of covering up their objects in hinting at things in an indistinct manner? Certainly it was no manly way of proclaiming grievances and seeking redress.

The Massachusetts Legislature appointed George Cabot, Harrison Gray Otis, Nathan Dane, Joseph Lyman, and eight others, as delegates to the convention.

In the Connecticut Legislature the proceedings were quite as violent. Goodrich, Hillhouse, and five others, were appointed delegates. Rhode Island, evincing the same spirit, appointed four delegates. No other States appointed delegates. The convention met on the 15th of December, 1814, and set in an upper room for three weeks with locked doors, so as to exclude all outsiders from a full knowledge of their proceedings. The delegates reported to their Legislatures sundry amendments of the Constitution, which they must have known could never be adopted:—to

change the basis of representation, confining it to free persons, so as to diminish the representation of the Southern States in Congress and in the electoral college; to limit the President to one term; to prohibit all foreign-born from holding office; to limit embargoes to sixty days; to prevent Congress from restricting commercial intercourse, admitting new States, declaring war, or authorizing hostilities, without a vote of two-thirds, except in cases of invasion. They shrank from a public avowal of the remedies of which so many hints had been given. Massachusetts and Connecticut, in conformity with the recommendation of the convention, appointed delegates to proceed to Washington to demand arrangements for the defence and protection in a manner which it had proposed. H. G. Otis, William Sullivan, and Thomas H. Perkins, were appointed by the former, and Calvin Goddard and Nathaniel Terry by the latter State.

The Federal press was in high glee upon what was expected. Some declared Mr. Madison must resign, or an explosion was at hand. The commissioners under the Hartford Convention proceeded to Washington; but the splendor of the battle of New Orleans dazzled their vision and blinded them, and the treaty of peace showed that "Othello's occupation was gone." At Washington they seldom showed themselves to the public, nor did they exhibit their credentials to anybody, or demand anything, but in the most quiet way returned home; and we are not aware that they ever made official report, to the bodies appointing them, of how they performed their responsible and arduous duties. Ridicule and contempt have covered them with a mantle, which neither time nor all their efforts have been able to remove. The members of the convention put forth a large number of explanations of their motives and acts, but so conflicting in statement, that no one was credited. When, years afterward, its journal was published, it was so meagre as not to throw light upon any point. When individuals made their several explanations, they never agreed. The proceedings do not furnish any means of understanding the real wishes and intentions of those assembled. They were instituted and commenced with a dauntless courage; but, knowing that all rested upon a false and

insufficient foundation, the conclusion was "lame and impotent." They dare not openly become traitors, and the authors of a widespread treason, which would swallow up them and their supporters in the great gulf of crime. They remind us of a story told in Congress of Joe Smashum, who complained to a magistrate that he had been struck by Jimmy Bang. The magistrate asked him how many times he had been hit. He answered, "Thirty-five times; but if he had been hit once more, he would have made all hell tremble!" With all her hostile and disunion intentions New England did not strike, because she had not received the thirty-sixth blow, but retired into comparative insignificance. Her first indications of considerable political life was in 1824, when the man who had laid the crime of treason at her door was elected President to confirm the statement. John Quincy Adams charged that he had full evidence of the disunion intentions of New England. However much it may be covered up by words and denials of different delegates and of individuals in their conflicting statements, it is undoubtedly true that the Hartford Convention was conceived in a disunion sentiment, and became paralyzed in its parturition, and gave birth to a malformation of hesitation, doubt, cowardice, and fear of the consequences of their intended treason, and its consequent infamy. Jackson's victory, and peace, which have been practically followed with "free trade and sailors' rights," have sunk the authors, parties, and managers of the Hartford Convention, in the words of the eloquent Hannegan, "so low that the hour of resurrection will never reach them." It had its origin in disunion intentions, and sank down and died the natural death of a traitorous, despicable, and arrant cowardice, now despised by every friend of his country.

47—JOHN HOLMES'S DESCRIPTION OF THE HARTFORD CONVENTION AND ITS AUTHORS.

John Holmes, a Senator in the State of Massachusetts, resided in that part of it called the District of Maine. He was, in all respects, a superior man and a fearless politician, ready to speak his thoughts on all occasions, whether they consisted of compli-

ments, complaints, or denunciations. We extract from two of his speeches :

“You boast of forbearance; but you forbore only because you were afraid to go further. You complain of Southern aggrandizement, with ten members in the Senate, an undue proportion according to your population. Massachusetts has become contemptible, a byword of reproach. Your conduct has disgusted the people everywhere. In the great State of New York they have risen against your cabal, and hurled defiance in your teeth. There is amongst us a reckless, daring, and ambitious faction, who, I do not hesitate to proclaim, prefer the British Government, *monarchy and all*. . . . Afraid to overthrow the Constitution, you try to undermine it, by pretence of amendment. You called it perfect, when you were *in pay*. The friends of peace, declaring that the country could not be kicked into a war, forced it on; and, failing to repossess themselves of the administration, tried to destroy the Government. An unauthorized and unconstitutional assemblage at Hartford are to change a Constitution declared unfit for either war or peace, but which you dare not attack openly. The leading paper of your party, whose editor, as a member of this Legislature, voted for the delegates, has openly and uniformly declared that there must be redress, even by violence and resistance. But violence is dangerous, and therefore you undermine by alterations. Opposition provoked the war and protracts it. The enemy takes possession of a large extent of your country. Instead of expelling him from it, you appoint a convention to divide the States, unless you are permitted to rule them. The Hartford Convention exploded in a mission to Washington. If Great Britain has not lost confidence in Massachusetts scolding, threatening, vamping, evaporating, she prolongs the war, but that is all. She makes the war disastrous, and calls it disgraceful, which dishonors the enemy she courts. Amid all its atrocious vandalism, which of you has ever doubted that England is in the right? If there is such a one, I am ready to ask his pardon. You accuse the late President Jefferson of causing the war and defending it. But why excuse his predecessor, President Adams, who still more vigorously defends the war, and whom you

consider ten times worse than Jefferson. You object to defending Louisiana, which all your party wanted to take by force from Spain, to rush into invasion and war, but which, peaceably acquired by purchase, you will not defend. After duping England into the war, you continue to deceive her: you dupe her again by adulation of our common enemy and reproach of our General Government. The war has been as useful and glorious as that of the Revolution, and eventually will be so recognized. But Massachusetts must join it, or all the disgrace will be hers."

Mr. Holmes subsequently served in the House of Representatives, and, when Maine was admitted a State, was appointed a Senator in Congress. His description of the Hartford Convention and its authors agrees with that of Jefferson in his correspondence. The Federalists never shook off the character Mr. Holmes gave them. They took revenge in applying hard names, and by assuring the public that he belonged to a celebrated firm, which they doubtless feared, called "John Holmes, Felix Grundy, and the Devil." Holmes and Grundy objected to the firm only because they said that the third member of it was a Hartford Convention personage.

48.—MR. MADISON'S SECOND TERM.

The presidential election came on in a few months after the declaration of war in June, 1812. The Democratic States, except New York, united cordially upon Mr. Madison. George Clinton having died, Elbridge Gerry, of Massachusetts, was nominated for Vice-President. The Democrats in the New York Legislature nominated De Witt Clinton for President, who claimed that he was a better and more thorough Democrat than Mr. Madison. New York gave him her vote, and every Federal State voted for him. Mr. Madison received 128 votes, and Mr. Clinton 89. It was a singular compliment the Federalists paid their party and its principles in overlooking all their own friends, and voting for an open and avowed Democrat. If they expected to create a breach in the Democratic party which could not be healed, they were disappointed. The Democrats were actuated by pure democratic motives, and their measures naturally resulted from them, and

were successfully applied by men worthy of their positions. This action of the Federal party demonstrated that they were actuated by a greed for power, and that their principles had a peculiar elasticity adapted to that purpose.

The reëlection of Mr. Madison was an emphatic indorsement of his principles and measures, about which no one could mistake. The people had decided that he had assumed the true ground, and that he was the trusted leader to carry out their wishes. It was also an approval of his embargo and non-intercourse policy, and a condemnation of the course of New England, and especially Massachusetts. Mr. Jefferson had left him, as a legacy, a line of policy which he had helped to inaugurate. He had conscientiously and wisely pursued it, and the electors had passed upon it, and declared it right. Thus sustained, he felt firm in the line of his duty.

49.—THE INVASION, SACKING, AND BURNING OF WASHINGTON.

With their immense fleet, when the British were measurably relieved from Continental wars, they could penetrate our waters wherever they were not protected by fortifications. They had evinced no disposition to disturb those who sang their praises in New England. The descent upon Castine had more of convenience than hostility in it, if it did not mean to shake the Democracy of that District, then an appendage of the mother of violence, Massachusetts. Its object may have been to give Federal friends a cause of complaint, in not being protected, although the Federal theory was, that State troops should not go outside of State boundaries, or be placed under the command of the national authorities. It is certain that the Eastern cities escaped sacking and all forms of destruction. But Baltimore and Washington became points of attack. The former defended itself, and has reared monuments that furnish the history of her self-defence. Washington was then little more than a laid-out city, intended to be built over several old Maryland farms. It was the seat of Government, but not the home of power. The war-office was there, but no warriors surrounded it, as in these days. There was no navy there. It was little more than a large village, with public

buildings scattered from the President's mansion to the capitol, a mile and a half apart. Madison was a host in his own office, but knew little of fighting or the strategy of war. Armstrong, then Secretary of War, was looked to as the appropriate man there to wield the physical power of the nation. But he had had no power and but little experience. He was, unfortunately, considered a candidate for Madison's succession, though not "in the line of safe precedents." James Monroe, then Secretary of State, and Virginia's candidate for the succession, had burnt powder and drawn blood in the War of the Revolution. Both were on the field when the British approached through the Chesapeake and Potomac. Strictly speaking, neither had the right to command the army in the field. Mr. Madison went to the field, not as a manager of our forces, but rather as a pacificator among rivals, not for command, but for the presidency. He was cool, collected, and anxious to accomplish great good, all that could be done, not having the peculiar qualifications necessary to secure the result. The enemy sought to approach Washington through Bladensburg, where they were met by such forces as could then be brought to the field, being mostly Maryland and Washington militia. In the battle at Bladensburg, the British were successful, and our forces retreated, mostly into the District of Columbia. The enemy followed up their success, and took possession of the city, and destroyed the capitol, the President's house, and various public offices, including their records. The President, his family, and a portion of the Cabinet, with some hastily-collected official papers, had barely time to escape capture. Our humiliation was, for a time, complete.

When they had finished their work, the British returned to their shipping on the Potomac and proceeded down the bay. The nation felt this sad blow, but it fired the public mind, and infused new vigor in those wielding the power of the nation, and in the Democratic States. They wished to avenge the atrocity of burning our public buildings, and destroying our records, so essential to the management of our public affairs. It was in gross violation of civilized warfare. But there were those who did not grieve over the calamity. A large portion of the Federal party,

some openly, and others secretly, gloried in the result. They had predicted calamities, and a great one had befallen us. They had foretold the consequences of a conflict with the mistress of the seas, and their visions and predictions had become realities. They charged imbecility and weakness, which their own course contributed to produce. They charged the whole to the influence of Democratic principles, and to those who were guided by them. It is now difficult to believe, what then all knew, that there were men among us, who, to accomplish their ends—restoration to power—were willing, nay, rejoiced to see our nation humiliated and trampled upon. Such victories over us tended, in their estimation, to cripple Madison and his administration, which would open the pathway for Federalism to ride into power again. The lower Madison and his party sank in the estimation of the world, the higher they would be elevated, at least in comparison. They calculated, if once in power, they would be exempt from British aggressions, owing to the attitude they had maintained toward that power and against our own Government. Such were the feelings and purposes of the Federal party at that time. Their descendants have not really improved in principle or patriotism.

50.—THE BATTLE OF NEW ORLEANS.

The defence of Baltimore, the victory of Macdonough on Lake Champlain, and Perry on Lake Erie, are still locally celebrated by the people in those vicinities. They were great and important events, worthy of the courage and energy of those engaged in them. They form bright pages in our history. The memory and achievements of the prominent actors will go down to posterity as examples worthy of imitation. But the battle of New Orleans acquired a national consideration. Although it is local in name, its significance is national, and as wide-spread as our Union, and has its mark in the history of the world. It was won with trifling means over the most ample, and by some thirty-five hundred raw militia over fourteen thousand of England's choicest veterans. It was won by one comparatively new in the art of war, over one of Great Britain's most experienced

generals. The assailants chose their time and selected the place of conflict. The Americans had no bulwarks of defence except those hastily provided by General Jackson from bales of cotton. There was skill in the attack, but far greater in the defence. The British troops fought because that was their employment, the American troops for liberty, their country, their homes, and firesides. The former were trained to war, the latter were fired by duty, and instinctively performed it for a country of which they were proud to form a part. The watchword of the one was "Beauty and booty," and the other "Victory or death!" The cool commands of the one general were deliberately obeyed, while the martial fire and indomitable energy of the other sent a thrill to every heart, which gave it quick impulse and double power. The one line fired its aimless shots, and the other gave direction to the unerring hunter's rifle. The difference was soon told in the death-struggles of the encounter. General Packenham lost over 2,000, killed, wounded, and prisoners, and General Jackson seven killed and six wounded. No victory could be more complete. This was the last battle of the war. News of General Jackson's unparalleled achievement rapidly spread over the country, arousing the spirits and awakening the patriotism of all who gloried in our success. The news of Jackson's victory came from the South, and that of the treaty of peace from the East. These opened the hearts and mouths of all true patriots, while the Hartford-Convention emissaries at Washington were dumb, and returned home in mysterious silence to their party. The nation rejoiced, and the 8th of January, the day on which the battle was fought, has ever since been celebrated by those who glory in Democratic principles.

But General Jackson soon found that in the heart of his camp there were mutinous traitors. The news of peace had been received, but not officially. The British army remained not many miles distant. General Jackson well understood that his duty required the utmost vigilance until notified by authority of the treaty of peace. Those who, too cowardly to fight, had been protected by him, sought to create a mutiny on account of his vigilance. He arrested the ringleader for the crime of attempting

to create mutiny. A judge came to his rescue with a writ of *habeas corpus*, which the general quietly put in his pocket, and sent him four miles from camp. When peace was proclaimed, the judge returned and fined the general a thousand dollars, for contempt of his authority, while aiding in a mutiny. The general paid the fine, while it was difficult to protect the judge from Lynch law.

The enemies of the general, and others having occasion for strong precedents under which to protect themselves, have assumed that the general declared martial law and suspended the writ of *habeas corpus*, neither of which is true. He refused to obey the *habeas corpus*, because he believed it one link in the chain of mutiny. If the writ had been lawfully suspended, the judge could not have had him arrested under it and fined. He would have set up the suspension and denied his jurisdiction. He never issued an order suspending the civil and establishing martial law. Like all other officers, he controlled his camp and enforced the usual discipline, and nothing more. After taking command at New Orleans, General Jackson issued public orders requiring four things in aid of the protection of his camp. One was, that no person should leave the city without permission; another, that all who arrived should report at headquarters; another, that those going or coming on the river should report to Lieutenant Henry, of the navy; and the last, that all lights in the city should be extinguished, and people retire to their dwellings by nine o'clock at night. These were deemed judicious and necessary for the protection of both the citizens and army. He did not displace the civil law, or those administering it, but protected and sustained both.

General Jackson, on all occasions, was a rigid upholder of the laws and institutions of the country. He believed that the Constitution was sacred, and that every man should hazard his life for its defence if necessary, and that every constitutional law should be enforced. He was stern and uncompromising in defence of his own rights and honor, and equally so in protecting others. It cannot be truly said that he ever suspended the writ of *habeas corpus*, or that he ever declared martial law, or interfered with the rights and privileges of others, further than to pro-

tect his camp, and those within it receiving his protection. As commander of an army as well as in all other situations, General Jackson rigidly lived up to the rule of protecting men and their property, leaving them free to pursue happiness as they should deem best for themselves.

51.—THE BANK BILLS OF 1815 AND 1816.

It has been elsewhere stated that Mr. Jefferson gave a Cabinet opinion in 1791, against the first bank chartered by Congress which expired in 1811, and which Congress failed to renew. In 1814 Congress passed a bill which Mr. Madison vetoed on the 20th of January, 1815, on the ground that it would not remedy existing evils or answer any salutary purpose of a public nature. His reasoning was clear, cogent, and conclusive. Mr. Jefferson, in speaking of the bank mania which then prevailed, said: "Like a dropsical man calling out for more water, water, our deluded citizens are clamoring for more banks, more banks. The American mind is now in that state of fever which the world has so often seen in the history of other nations. We are under the bank bubble, as England was under the South Sea bubble, France under the Mississippi bubble, and as every nation is liable to be, under whatever bubble design or delusion may puff up in moments when off their guard. We are now taught to believe that leger-demain tricks upon paper can produce as solid wealth as hard labor in the earth. It is vain for common-sense to urge that *nothing* can produce but *nothing*; that it is an idle dream to believe in a philosopher's stone which is to turn every thing into gold, and to redeem man from the original sentence of his Maker, 'In the sweat of his brow shall he eat his bread.'"

Those favoring this bank application claimed, and perhaps some of them believed, that it would cure all the financial and monetary evils of the times, and furnish a currency of uniform value and equivalent to gold. But doubtless most of those favoring the measure saw in it the means of controlling business and making money with more ease and facility than by plodding on in the drudgery of hard labor. Patriotism and love of country had little share in the controlling inducements to action.

The next year Congress passed another bank bill, so framed as to obviate Mr. Madison's objections, and it became a law. Mr. Madison yielded to what he conceived the necessities of the times. He had not changed his opinion as to the unconstitutionality of the measure, but, yielding to the argument that a national bank had been recognized in so many ways as lawful, he was bound to yield his opinion. This did not change Mr. Jefferson's opinion. Experience showed that the new bank caused more evils than it prevented or cured. The maxim, that debts are contracted when banks loan freely and money is plenty, and paid when they contract and money is scarce, was most fully illustrated. Its capital, \$35,000,000, was a potent power in the state. It must be loaned, and its representatives, in the shape of bills, must be circulated, to make the bank profitable. All must be used to make the enterprise as effective and powerful as the promises which had brought the charter from a doubting Congress and hesitating President. The promises of its authors were glittering with prosperity and wealth. The nation and the people were all to be made suddenly rich. We copy the following from Colonel Benton's "Thirty Years:":

"The Bank of the United States was chartered in 1816, and before 1820 had performed one of its cycles of delusive and bubble prosperity, followed by actual and wide-spread calamity. The whole paper system, of which it was the head and citadel, after a vast expansion, had suddenly collapsed, spreading desolation over the land, and carrying ruin to debtors. The years 1819-'20 were a period of gloom and agony. No money, either gold or silver; no paper convertible into specie; no measure, or standard of value, left remaining. The local banks (all but those of New England) after a brief resumption of specie payments, again sunk into a state of suspension. The Bank of the United States, created as a remedy for all those evils, now at the head of the evil, prostrate and helpless, with no power left but that of suing its debtors, and selling their property, and purchasing for itself at its own nominal price. No price for property, or produce. No sales but those of the sheriff and marshal. No purchasers at execution sales, but the creditor, or some hoarder of

money. No employment for industry—no demand for labor—no sale for the product of the farm—no sound of the hammer, but that of the auctioneer knocking down property. Stop laws—property laws—replevin laws—stay laws—loan offices—the intervention of the legislator between the creditor and debtor. This was the business of legislation in three-fourths of the States of the Union—of all south and west of New England. No medium of exchange but depreciated paper; no change even but little bits of foul paper, marked so many cents, and signed by some tradesman, barber, or innkeeper; exchanges deranged to the extent of fifty or one hundred per cent. DISTRESS, the universal cry of the people: RELIEF, the universal demand thundered at the doors of all legislators, State and Federal.”

The truth of this graphic picture has never been questioned. It is a matter of history. The author might have added that after a life of doubtful utility, and floundering for years in the sea of politics, the bank sunk all its capital except a dividend of three per cent. to its stockholders. Such was the result of the great panacea, and the fate of those having faith in it. It will require a man of more eyes than the fabled Argus to discover any advantage to the people—any protection to their persons or property—in this bank, so fruitful in promises and so barren in results.

52.—JAMES MONROE, AND HIS ELECTION TO THE PRESIDENCY.

Mr. Monroe was our fifth President, and a native and resident of Virginia. He was born April 28, 1758, and educated at William and Mary College, Virginia. He entered the army of the Revolution as a cadet, and fought in the battles of Harlem Heights, White Plains, Brandywine, Germantown, and Monmouth. He rose by degrees in the army, his last commission being that of colonel. In 1781 he retired from the army, and read law under the direction of Mr. Jefferson, in his office, and in 1782 was elected to the State Legislature, which body appointed him, at the age of twenty-three, one of the Executive Council. The close intimacy between Madison and Jefferson brought Mr. Monroe in frequent contact with both. The deep feeling which impelled them was early imbibed by Colonel Monroe, and grew with his growth and strength.

ened with his strength. In their daily walk he saw their principles illustrated in a manner calculated to impress a young mind in the most favorable manner. Their public and private conduct illustrated Democratic principles in their purity, unconnected with either cunning or selfishness. Their declarations and acts harmonized as honor with justice.

Mr. Monroe was neither brilliant nor eloquent, but he had sound common-sense, and the faculty of impressing truth upon the common mind with clear and logical convictions. He believed what he said, and said what he believed. He was noted for candor and undisguised simplicity. He was found to be thoroughly informed upon all topics of the day, and able to assign cogent reasons for whatever he advised. He could neither varnish folly nor whiten wrong. He loved his friends, and was faithful to them, while tolerant to error where not prompted by vice or crime. Coming in contact with the multitude, and closely observing the motives of their actions and their manner of development, he soon acquired a knowledge of men which proved useful throughout life. Virginians saw that Jefferson and Madison gave him their unrestricted confidence, and they added their own. At the age of twenty-four they elected him a delegate to Congress, where he served to the satisfaction of those who conferred that honor upon him. After leaving Congress he served in the State Legislature, aiding in the great work of the civil reform of the statutes. Subsequently he was a member of the convention called to act upon the question of adopting the national Constitution. He voted against it, because he found that it was not framed with explicitness to protect the rights of the States. He had the sagacity to anticipate fanaticism and to foresee the necessity of providing against reckless constructionists. On organizing the new Government, he was elected to the United States Senate, where he served until 1794. He was then sent, by General Washington, minister to France.

The enthusiastic manner in which Mr. Monroe was received in France disturbed the equanimity of the Federalists who surrounded General Washington, and led to his recall in 1796. Virginia, approving his course, elected him Governor, to serve for three years. When Mr. Jefferson came into office, and set on foot the

acquisition of Louisiana, he appointed Mr. Monroe minister plenipotentiary and envoy extraordinary to France, to aid Robert R. Livingston, our resident minister there, in securing that invaluable acquisition. They succeeded. He was subsequently sent to England, then to Spain, and then back to England, in diplomatic capacities.

It was on one of his missions to France that Mr. Monroe brought with him on his return his household furniture, which was subsequently purchased as a portion of that used in the President's mansion, including the supposed gold knives, forks, and spoons, which figured so largely as political capital when Mr. Van Buren was nominated for reelection, and which have since so mysteriously disappeared.

In 1811 Mr. Monroe was again elected Governor of Virginia, which office he held until appointed by Mr. Madison Secretary of State, on the resignation of Mr. Smith, November 26, 1811. During the absence of General Armstrong, the Secretary of War, he also had charge of the Department of War. He was considered the best business man in Mr. Madison's cabinet. He was nominated by a caucus of Democratic members over Governor Tompkins, in 1816, for the presidency, running with the latter as Vice-President, receiving 183 votes over Rufus King, the Federal candidate, who obtained only 34, being those of Massachusetts, Vermont, and Delaware. Both were reelected in 1820, Mr. Monroe receiving every electoral vote but one, out of the 9 in New Hampshire, and Tompkins all but 8 in Massachusetts.

We shall speak of his administration and events occurring during it in another place. Mr. Monroe died in New York in 1831, and, like Adams and Jefferson, on the 4th of July, our national jubilee.

53.—THE ERA OF GOOD FEELING.

From the election of Mr. Jefferson to the close of Mr. Madison's administration, the contest between the anti-Democratic party and the Democracy, each in support of its principles, had been carried on with unyielding vigor. Superior talent had been called into activity on each side. The names Federalist and Republican

were unmeaning, temporary designations, applied to parties representing great and enduring principles. All were Federalists, all were Republicans. The contest related to the supremacy of principles which should control the action of Government—whether the people should rule, or be ruled—whether man should be protected in the pursuit of happiness, or forced to travel a road assumed to be best by others, whenever they had the power to dictate. Every point of controversy, when traced to its true original source, will be found concentrated here. The controversy had been long and obstinate, often productive of great violence and bitterness of feeling. The Federalists secured the aid of foreign sympathy and that of men who had dedicated their lives to the service of God, and were selected as teachers to point out the paths leading to heaven and eternal happiness. They used the name of religion in promoting the objects of politicians. Instead of charity and brotherly love, they preached death and destruction to Democrats. It is true they loved their enemies, because they loved Great Britain, but they preached hatred toward their own countrymen, often their own flesh and blood, where they did not fall down and worship the same political idol. They could see perfection where none existed, and horrid defects where they did not exist. These men, if sincere, were monomaniacs; if otherwise, were hypocrites.

Every obstacle, which human ingenuity could devise, was resorted to by the Federal party to defeat the embargo and non-intercourse measures, and to render the war destructive to our national and individual interests, and to subject us to Great Britain. For the time, England thought the Federalists their friends and willing aiders in our national degradation. She mistook the demonstrations of the noisy for the approving voice of the masses, who were honest, but misled by those professing to represent our heavenly Father, and the true principles of Government.

The instinctive acts of Federalism had sunk that party below all possible hope of resurrection. The war had ended in New Orleans in the cheering, bright lights of glory; the Administration of Madison had won a renown which time could not affect, and the nation an elevated position, recognized by the world, which could not be questioned. Although too proud formally to admit

our claims of "free trade and sailors' rights," still Great Britain has not since attempted to violate them. The Democracy was triumphant, and the Federalists had no grounds to stand upon when competing for public favor. The rank and file had left their leaders.

It was at this point that the Federalists declared that there existed an "era of good feeling," which should induce among Democrats a forgiveness of past Federal sins, by receiving them into full fellowship, like those who had spent their lives in defending and enforcing Democratic principles. This was acceded to, when the evidence warranted the belief of sincere conviction and repentance, where they were deemed certain and conclusive. But it was apparent to all close observers that the Federal leaders cherished, at heart, the principles for which they had so long and so vigorously contended. Their national organization appeared to be disbanded, but was preserved in States where hopes of future ascendency existed. No opportunity for securing a Federalist in a particular county or district was lost. But all hope of soon controlling the national Government had disappeared. While the record of their party remained, there could be no expectation of their future success, by their own name and the avowal of their principles. Their fate was sealed. A disavowal of their principles and a change of name were necessary to future success. This was readily done, at no distant day, as we shall hereafter show. It was our good fortune to hear the eloquent Elisha Williams, of Columbia County, N. Y., in the last year of his life, pass an affectionate eulogy upon the extinct party and its principles, and feelingly denounce those who had once been proud of them, for an ignominious desertion of them, leaving him alone, in his old age, as the sole representative of both, who had the courage and manliness to openly avow them. The defence of himself, and the rebuke administered to those who had abandoned him, was a most eloquent and happy effort, although it failed to have any effect upon those against whom it was aimed. The Federalists have never resumed their former name, new ones promising better success. The era of professed good feeling soon ended, and was succeeded by as bitter contests as were ever waged by the old Federal party when it was the strongest.

54.—THE MONROE DOCTRINE.

All South, and part of North America, had long been held as Spanish and Portuguese provinces. Before Mr. Monroe became President these provinces rebelled against Spain, and set up governments of their own, which they were able to maintain if they competed with the mother-country alone. To enable them the more easily to control at home and among themselves, several European governments formed a combination, which they christened the "Holy Alliance." This alliance dictated to European governments wherever it dared, and had the power to compel obedience. While those composing it confined their acts to their own countries and to their immediate neighbors, our country neither felt alarm, nor took exception to their acts. It mattered nothing to us if they issued mandates, and others chose to obey. Our Government had no cognizance of the matter, however much it doubted the legitimacy of the whole proceeding. It was their business, not ours. But they soon turned their attention to the American Continent. Spain could not regain control over her provinces without help from Europe; and the propriety of extending aid to her soon became a subject of discussion, which our Government feared might ripen into action. These provinces, now republics, had sought to follow our precedent in establishing new governments. They naturally looked to us for countenance, if not for active support. When their governments had assumed regular form, our Government promptly recognized them as belonging to the family of nations. This added to their moral strength. Further, it was neither right nor politic for us to go. The "Holy Alliance" had interposed by force in Spain to determine who should rule there. They might go further, and attempt to dictate in the new South American states. The American feeling was aroused. Mr. Monroe, in his annual message in 1823, spoke for our people. He said:

"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 have thought 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, and 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.*"

This message and the action in Congress had the effect of preventing the interposition of the "Holy Alliance" in American affairs. The independence of these new states soon became recognized by other governments, and are now flourishing republics, and their people left free to govern themselves and pursue their own happiness in their own way. In Europe this part of the message commanded great attention. Its author and our country challenged high respect. The new states have ever been our fast friends. So important, in the public estimation, were the words we have quoted, that, to the present day, they are known and referred to as "The Monroe Doctrine."

55.—BANKS AND BANKING IN NEW YORK

Banks of discount and deposit are a great convenience to those engaged in trade and commerce. They enable persons having good business paper to anticipate its payment. The holder sells, and the bank buys it. If the maker is good and performs

his duty, the transaction is ended when it is begun. Making paper to sell is simply a means of borrowing, and differs essentially from anticipating existing means. When banks of issue obtained a footing in New York, the Legislature of the State frequently disgraced itself in granting charters, some of which were obtained through bribery, and nearly all under lobby pressure. The system of free banking relieved the Legislature from importunities for bank charters. But that did not relieve the State from the disgrace of having enacted a law favorable to banks and injurious to freedom in business. In 1804 the Legislature passed what was called a "restraining act," which gave the incorporated banks a monopoly of the business of discounting notes. It made it a penal offence to contribute capital to any company or association to be used in making discounts, or transacting any other business which banks usually transact, or to receive money on deposit, and declared all notes and securities received in such business to be void. This act, so utterly in conflict with democratic principles, the banks were able to retain on the statute-book until 1837. Mr. Van Buren, when in the State Senate in 1814, brought in a bill to repeal this restraint upon the freedom of business where no injury could arise to the public interests. But the bank interest, so easily concentrated, was too strong to be overcome, and his bill was defeated. This restraining act was intended to confer upon the incorporated banks the monopoly of making discounts and doing other banking business. At the time of its enactment, there were but six banks in the State, three in the city of New York, one in Albany, one in Hudson, and one at Waterford, Lansingburg, and Troy. These six banks had the power in the Legislature to drive out all competition in business, and for a long time to prevent the incorporation of a competitor. The banks continued their monopoly of the business of banking until 1837, when every bank but one in the State had suspended specie payments, which resulted in the free banking system of the next year. Whatever political appellation those voting for the act of 1804 might have borne, the principles of it were anti-democratic, and of the most objectionable character, and unworthy of the approval of any Democrat. The public could not pos-

sibly suffer if a man having money should discount notes and buy and sell exchange, nor was there any legitimate object accomplished by declaring notes and securities he might receive to be null and void.

56.—THE ACQUISITION OF FLORIDA.

Mr. Monroe is entitled to the credit of acquiring Florida—the Land of Flowers. After we acquired Louisiana, this territory was entirely disconnected with any Spanish or foreign possession of any European government. Owing to the great extent of waste land, the settlement of it had been slow and very limited. To Spain it was hardly worth governing. Her policy in settling her American possessions partook of the character of extreme liberality to the settler. He asked for land, described what he wanted, stated his ability and intention to use it for a definite purpose, and the governor made the grant and some official put him in possession. He paid nothing but officers' fees. The better parts of Florida had been thus granted. Court favorites had also acquired large grants by special royal favor. Hence that peninsula was of little intrinsic value to the mother-country, and hence her willingness to sell. The purchase was useful to us. It had been the headquarters of pirates and other vicious men, some of whom urged the Southern Indians to aggressions upon the whites within our limits. General Jackson chased these desperate men to St. Mark's and Pensacola, and inflicted summary justice upon them. To prevent all future difficulties, Spain wisely concluded to sell and we to buy. But the treaty contained one costly error. Our Louisiana purchase clearly extended to the Rio del Norte. In defining our boundary on the west side of Louisiana our negotiator consented to make the Sabine River the boundary, thus giving Spain all between the latter and the former, being the whole of Texas, worth twenty times as much as Florida, though then doubtless thought of little value. The effort to bring this Texas region back into the Union was the chief cause of our war with Mexico. The acquisition of Florida has been, on the whole, of vast importance to us. It is far better to own it, than to have a foreign government for a neighbor. We can far better protect our people.

57.—REMARKS ON MR. MONROE'S ADMINISTRATION.

Mr. Monroe was a superior Executive officer, and he had the good fortune to call about him several very able men as advisers and assistants. John Quincy Adams, William H. Crawford, John C. Calhoun, B. W. Crowninshield, and William Wirt were able men. The general business of the Government was well conducted. He took responsibility without hesitation and without a murmur. It was his purpose to carry out the principles of Jefferson, Madison, and the Democratic party. In judging of mankind he committed one great mistake. He thought that the "era of good feeling," as it was called, had a solid foundation to rest upon, and that Government could exist without political parties, forming and dividing on principle. Such a view is pleasant to contemplate, but can never practically be of long continuance. Men never did and never will think alike upon questions affecting the public interest. Some will be selfish and others not. Some will judge wisely and others foolishly. Some will ever seek to govern, while others are only satisfied when all participate in public affairs. The affairs of Government would soon go wrong, if there were no sentinels to point out dangers. Each party is a watch upon the other, calling attention to the practical operation of whatever is done or proposed.

Mr. Monroe had seen the Federal party drop out of sight, and seemed to think that party spirit went with it. But he lived to see sorry consequences of this error. Before he left office he saw the Democratic party torn by dissensions and shattered into fragments. He saw, in his own cabinet, three aspirants for his seat, another in the House of Representatives, and another at the Hermitage in Tennessee, each claiming to be the better Democrat, and to be the most fit to become his successor. He saw, too, that this disruption of the Democratic party induced the Federal party, under another name, to rally in support of the one who sat nearest him at the council-board, and to organize a party which has under some name opposed the Democratic party and its principles, with this gentleman as an active leader. The success of Mr. Monroe in 1820, though gratifying indeed, proved that a

victory, won where there was neither battle nor contest, is usually ruinous to the victor by the consequence it entails. The contest of 1824 was sufficiently terrible to make up for the absence of any in 1820. The people gave neither candidate a majority. Jackson had 99, Adams 84, Crawford 41, and Clay 37 votes. The House of Representatives, voting by States, elected from the three who had the most votes. Instead of devoting themselves to the business of legislation, the attention of members seemed mostly engrossed in President-making. Bargains and corruptions were freely charged upon each, and, whether true or not, the reputation of that Congress, at home and abroad, suffered much from the election in the House. It is understood that, before his death, Mr. Monroe arrived at the conclusion that, if it were possible, it would not be best to try to banish political parties from among us.

58.—THE NEW YORK STATE CONSTITUTIONS OF 1821 AND 1846.

New York formed her first constitution the year after the Declaration of Independence. It prescribed a property qualification for those voting for Governor and Senators. All appointments, down to the county magistrates, were made by the Governor. The Governor, Chancellor, and Judges of the Supreme Court constituted a Council of Revision, holding the veto-power. There was also a Council of Appointment, consisting of one Senator from each of the Senate districts, to be selected by the Assembly annually. Thus all power was concentrated in a few hands at the State capital. The Democracy of the State considered these and some other provisions as anti-Democratic, and wished them changed. The Federalists were decidedly opposed to it, and resorted to various efforts to prevent the call of a convention. When the law authorizing it had passed, notwithstanding the recent lull in politics, the Federalists threw into the convention as many of their ablest partisans as they could elect, but failed in commanding a majority of the delegates. The convention was the great battle-ground for the ascendancy of political principles. Columbia County, where Mr. Van Buren resided, was then anti-Democratic. To secure the ser-

ices of this popular Democratic leader, Otsego County elected him one of her five delegates. The best talent in the State was found in this convention. Governor Tompkins was made president of it.

The anti-Democrats, though not seriously objecting to some modifications of the old constitution; were unwilling to submit to the radical changes proposed by the Democrats. They were satisfied with the arrangement of the courts, the appointing power, and the restricted elective franchise. The Democrats were not satisfied with either. Under the old system, the judges of the Supreme Court, generally twice a year, visited every county in the State, to hold Circuit and Oyer and Terminer Courts. They formed the acquaintance of the bar, sheriffs, clerks, local judges, and leading men, and especially of their own party, and became their organ, with the appointing power at the capital. This made them, in fact, the agents of their party in political matters. Their influence was potent both at Albany and in the counties. The appointing power owed no responsibility to the voters. Removals and appointments sometimes so surprised the people, that they often imputed bad motives to men in high places, and stigmatized their acts as "political jugglery." They could not well fathom the motives of the actors, and, where they could not understand them, they were more apt to condemn than approve. They could not comprehend why the owner of real estate was more competent or better entitled to vote for Governor and Senator than one of equal intelligence who had none.

The Democrats set themselves to work to get rid of these objectionable features, and substitute others which should bring home to the people the business of self-government. The old judicial system was mainly swept away, and a new one instituted, providing a Court of Chancery, to be held at the capital, a Supreme Court to perform only duties in bank, and eight circuit judges to hold courts to try issues of fact in the counties, and who were also to act as vice-chancellors in their districts. This rendered the judges politically powerless. It left no cords binding the judges and the county politicians together. The council of appointment was stricken down, and the judges, masters in

chancery, surrogates, and some other minor officers were to be appointed by the Governor, with the consent of the Senate. Sheriffs were made elective, and clerks and district attorneys were appointed by the courts. The justices of the peace were first directed to be appointed by the Board of Supervisors, but subsequently made elective by the towns. The freehold qualification was abolished, so that every man could participate in practical self-government. Militia officers were made elective, the company officers by the privates, and all above, by commissioned officers, and the State officers by the Legislature. The seat of political power was changed from the State capital to the counties. The masses became more powerful and were felt in the affairs of state. Formerly, if they had wishes upon political subjects, they could not make themselves heard, to any considerable extent, but now they can command attention and force respect from political leaders. Formerly the question was, "What will the political manager say?" now, "What will the people say?" In practice, we began to carry out self-government. The battle was long, and every inch of ground closely contested, but the victory was won. The work so well begun in 1821 was extended in 1846, so that nearly every officer in the State is made elective by immediate constituents. Every school district, town, county, Assembly, Senate, and Supreme Court district, transacts its own business, appointing its own agents. The Governor, Lieutenant-Governor, State officers, Canal Commissioners, and Judges of the Court of Appeals—all are elective by the common voters. The people, in their sovereign capacity of electors, in nearly all their business, nominate and elect their own agents, and hold them accountable for their trust. If they are indifferent, or unwise, and select weak, incompetent, or dishonest agents, the punishment falls upon them alone. They have no one to complain of. The man who thinks he can select one agent that will be more wise and honest than himself in appointing another, pays himself a poor compliment. This theory was incorporated into the national Constitution, in appointing electors of President and Vice-President, but has not once been practically carried out. Those selecting the electors have, in all cases, done so with a full understanding as to who they would

vote for. An elector of President who should cheat the people in giving his vote, would soon be politically crucified.

It has been made a question whether an elective judiciary is as safe and appropriate as one appointed by an Executive, with the consent of one branch of the Legislature. It is feared that it will assume a partisan character, and make bad decisions, to secure reelection. A man of only small common-sense, seeking a reelection, would prefer to go before the people upon his good rather than his bad decisions. The judiciary, who make their decisions, after argument, before the assembled public, and assign their reasons for them, are not likely knowingly to make bad ones to be discussed at an election, or otherwise. If they do so, the remedy is with the voters. Whoever expects that Governors, who are elected as partisans, and are sustained by party, will nominate for judicial office men who are not distinguished by their party position, and who are without party feelings, may read his disappointment in the history of the past. A Governor who would not reward his friends, would soon be without friends to sustain him. All men are partisans, though in different ways and degrees. Recent history teaches us, that diamonds, and other presents, have exerted an influence in relation to high appointments. One seeks place, another profit, and another power and notoriety. Even the venerated Marshall was an ardent partisan. Not a judge on the United States Supreme Court bench, from the gentle, firm, and honest Jay to Chief-Justice Chase—a recognized candidate for the presidency—has been appointed who was not, at the time, an ardent partisan. The blood of some, like Samuel Chase, boiled on the bench. Why not elect expounders of the law, as well as those who make and execute them? It is the plainer and simpler duty. Men without partisan feeling cannot be found, at least with brains enough to distinguish between right and wrong. Few are so debased as to manifest such feelings when holding the scales of justice between man and man. Men are the same whether appointed or elected. They have their passions and weaknesses, which they cannot always control. Of all the judges in our country who have been impeached, not one had been elected by the people. We prefer the broadest possible use of the elective principle, be-

cause it is the broadest self-government—because it comes home to the people for their decision, which they are competent to make.

Once a year the people cast about to see what agents they have to select—they nominate—warm up—talk loud, and compare the merits of candidates—and then vote. The election being over, the warmed-up feelings subside, and the voter falls into his accustomed track. He has had his say, whether successful or not, and is bound to be content. If successful, he is satisfied; but if beaten, he counts upon doing better next time. In a week after election all excitement passes away; and the people, proud in the protection which our institutions afford them, move on, seeking to be as happy as the condition of man will permit. Such is the effect of the free play of democratic principles. If unfortunate consequences ever result by following them, they will not be traceable to them, but to the imperfection of man and the infirmity of human nature itself.

59.—THE NEW YORK ELECTORAL LAW, 1824.

The national Constitution left it open to the States to select their own mode of designating presidential electors. Most of the States, and New York among them, had confided this duty to the State Legislature. William H. Crawford, of Georgia, then Secretary of the Treasury, had been nominated, like Jefferson, Madison, and Monroe, by a caucus of Democratic members of Congress. This nomination was treated as binding upon the Democratic members in the New York Legislature, and if so, electors favorable to Mr. Crawford would be appointed, at its meeting. This was expected of them by those who elected them. Clay, Adams, Jackson, and Calhoun were also candidates, variously brought before the public, though the last was early settled upon as a common candidate for the vice-presidency. General Jackson had little strength in New York. The only hope on the part of Clay's and Adams's friends was based upon an expected change of the old law which had existed since 1789. They went before the people, and aroused a warm feeling on the part of all opposed to Crawford, and a change in the electoral law was demanded of the

Legislature. There was no difficulty, when the question came up in the Legislature, in arguing that it was desirable to change from appointment by that body to election by the people, although a change at that time, under the circumstances, looked like a fraud upon Mr. Crawford. But beyond that there were other material questions upon which opinions differed. One class said, "Elect by districts," and another, "By a general ticket;" another claimed that "a majority of all the votes given should be necessary to a choice," and another "that a plurality should be sufficient." Neither plan commanded a majority of votes in the Senate. Eventually the bill was postponed and the Legislature adjourned without agreeing upon any change in the old law. The partisans of Clay and Adams soon passed fever-heat, reaching a boiling temperature. Governor Yates convened the Legislature, and it immediately adjourned, accomplishing nothing. The Legislature eventually appointed electors who gave a divided vote—Adams 26, Crawford 5, Clay 4, and Jackson 1.

Among those voting to postpone the bill, after failing to agree upon any mode of electing, was Silas Wright, who was denounced, burned in effigy, and subjected to numerous insults. These things turned the attention of the people to a modest, sincere, and honest young man, who profited more than he was injured by such exhibitions of violence.

In this struggle, New York gave only sixteen effective votes. The next Legislature adopted the district and plurality system, and at the election in 1828 gave Jackson 20 and Adams 16 votes, thus giving only 4 effective votes. This act gave satisfaction to no one; and the next Legislature, by common consent, adopted the general ticket and plurality system, under which, at the presidential election of 1832, General Jackson received the whole 42 votes to which the State was then entitled.

The attempt to change the electoral law, on the eve of an election, to promote the interest of one candidate and defeat another, occasioned much excitement, and in the end elevated those it designed to crush, while sober experience has settled the whole matter in a rational and sensible manner.

It would, in our estimation, improve the national Constitution

if the people could vote directly for President and Vice-President, and save the States the legal formalities and expense occasioned by the intervention of presidential electors. The people are as competent to express their wishes directly as through a representative agent. These presidential electors, in no way, promote the interests of the voters or the persons voted for, while they enlarge the circle claiming influence in the distribution of the patronage of the man for whom they cast a representative vote. It would be equally as sensible to provide electors to elect a Governor, or any other representative man. The fewer public agents the better, and the more direct the action of the voter, the more certain he is of attaining his own object. He should be his own agent as far as possible. It simplifies the machine of government, which always improves it.

60.—ADMINISTRATION OF JOHN QUINCY ADAMS.

Mr. Adams was an extraordinary man. His mind was wonderful as a storehouse of facts. His patriotism and love of country were ardent. He was educated a Federalist, but served long in a Democratic school. When not swayed by prejudice or passion, his enlarged mind played fairly and was well balanced. His defence of General Jackson for the taking of Pensacola and St. Mark's was able and conclusive, as well as disinterested. His negotiations were able, and often very skillful. His labors were endless, his memory tenacious, and he delighted to convey information to those in pursuit of knowledge. In relation to the affairs of our country, he was an index to a whole library. But he lacked tact as a politician, and did not understand the sentiments and feelings of the common mind. His vision had been elsewhere directed, and often to very great advantage. His efforts to be "hail fellow well met" were not spontaneous and natural.

Public opinion and long practice had made caucuses of members of Congress a portion of the election machinery. It was, in 1824, the recognized mode of selecting from among friends, and presenting a party candidate. Three members of Mr. Monroe's Cabinet, the Speaker of the House, and General Jackson, all

claiming to be Democrats, were candidates. Which should the Democratic party make its standard-bearer? The old mode of caucus selection was repudiated by all but Mr. Crawford. He received the nomination as others had, for near a quarter of a century, and which the Democrats treated as binding. The others were presented by State Legislatures where they had friends. Mr. Adams received no nomination, deemed binding, from any political party. He claimed votes on the score of not being bound by the shackles of party. His course precluded his having any claim upon the Democratic party. He had spurned its usages and repudiated its action. He put forth no platform of principles, nor did he show that those he professed were superior to those of his competitors. A damaging fact was, that every Federal State gave him her votes, and no Democratic State gave him all of hers. He failed before the people, and was elected by the House. He thus had the misfortune to be elected President with no party to sustain him, though, like Tyler, he felt the need of one. Nor was he calculated for a daring leader among the great men by which he was surrounded. Those who concurred in his election could not agree upon the principles which should govern his administration. No great State had given him her electoral vote. The voting people and voting members of Congress were found to be widely different in sustaining an administration. Unfortunately for Mr. Adams, most of his real strength lay in New England, and there the old Democrats and Federalists could not act cordially together. Removals and appointments, involving discrimination between them, were hazardous. His inaugural message shows that he considered party spirit nearly extirpated, an error in which he could not long indulge. It is a document containing many patriotic sentiments, with but one point specifying practical policy. He distinctly announced his approval of internal improvements by the national Government. On this a great battle was subsequently fought, and the proposed system fell dead under General Jackson's veto.

If Mr. Adams had had a party to sustain him in the country, his administration might have ended differently. He had friends, but not a party linked with him in feeling and principle;

and had had adversaries, all of whom readily combined against him. Proposed internal improvements had mere interested localities, which did not include States and broad regions. Besides, the States were making the improvements they desired with their own means. New York, after once being refused assistance, when that would have increased the value and sale of the public lands, had nearly completed her gigantic canals. Other States were actively progressing, and neither desired the meddling presence of Federal officers not responsible to them. Besides, the Federal Treasury was nearly empty, and our national debt not yet paid. No man, knowing and appreciating all these circumstances, could reasonably expect to succeed on such an issue. Although the public business was well discharged, there was no element of popularity about the administration, while the people were sweeping along in swarms to the standard of General Jackson, who was an avowed Democrat, and so were his supporters, although he was not a politician, and had once left the Senate because disgusted with the wiles and tricks of politicians. He was outspoken and bold on political subjects, as he had been in his military acts which closed the war in splendor. He had all the elements of popularity. The people, men and women, love a bold, sincere man. We don't believe there is an American woman who would stoop so low as to marry a known coward. Jackson touched the popular chord, and it vibrated harmoniously. The race was his. The people gave him 178 votes and Mr. Adams 83. The next time he ran he received 219 out of 288. While he professed to be a Democrat, Mr. Adams should have adhered to the time-honored usages of the Democratic party, and submitted his pretensions to the arbitrament of his friends, and if elected he would have had a party to sustain him, without which no administration can be strong and effective. We cherish the kindest feelings toward Mr. Adams, for he had many great and good qualities. But his administration has left no great marks in our history. Both before and after it, he accomplished more than during its existence. Mr. Adams was born July 11, 1767, at Braintree, Massachusetts, and died in the House of Representatives, at Washington, February 28, 1848.

61.—EQUALITY THE ONLY HONEST BASIS OF LEGISLATION.

Natural justice requires that those who unite to form a government should enjoy equality of rights and privileges in the means of pursuing happiness. They can never live together in peace and harmony where this principle is not recognized and acted upon. Envy, jealousy, and strife, must spring up where it is ignored, producing the most fatal consequences. In framing our Constitution, its authors sought to avoid these evils by inserting prohibitory clauses, deemed sufficient to meet every possible occasion, and secure perfect equality of rights and privileges through the whole Union. It was the expectation of its authors, that whenever, in a practical question, the subject came within the admitted principle, if it did not within the express letter of the prohibiting clause, it would equally restrain action. It was not the expectation of our forefathers that a continued struggle for them would be necessary to the enjoyment of our constitutional rights, and the free application of the principle of equality. They inserted these provisions in the ninth section of the first article of the Constitution :

“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 any 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.”

These provisions, though clear, full, and explicit, have failed to secure that equality of rights contemplated. They have been not only expressly violated, but indirectly circumvented and defeated. The promised equality in the pursuit of happiness, demanded by democratic principles, and intended by the framers of the Constitution, has been practically defeated by legislation. Motives, more or less laudable, are always assigned when these wrongs are perpetrated. These are less calculated to prove that

they are not within the restrictions, than that they ought not to have been imposed. The length and breadth of the prohibitions are seldom considered, while the advantages of the inhibited measure are broadly put forth. Local advantages often shed a broad light, but one that does not bring into view the restraining provisions of the Constitution, or the aggression upon the rights of those at a distance. It is our purpose to refer here to a portion of the cases where the rights of equality have been violated :

1. In 1799 Congress made provision for collecting duties at the custom-houses, and provided the fees that the officers should be entitled to receive for various services, out of which their compensation was to be made. This law was general in its operation, and is still in force upon the Atlantic and Pacific. These fees often amount to a considerable sum. In 1831, to enable those engaged in commerce on our northern and northwestern frontier to compete with British interests, these fees were all abolished, and a salary, equal to their former amount, provided for the collectors. Hence, by a regulation of commerce, the ports of entry of States in that part of our country, have, to the extent of these fees, an advantage over the other States. This shows a practical inequality. An appropriate remedy would be to promote the interests of trade by abolishing all custom-house fees. The Government says to the importer, "Pay us duties," which he does, and then says, "Pay our agent for taking them." We cannot defend such a principle.

2. The old Navigation Act contained provisions prohibiting the importation of goods from beyond the Cape of Good Hope, at any, except a limited number of specified ports. In no State were all the ports originally placed on an equal footing. This, though not a technical violation of the constitutional provision quoted, was, in spirit, an evasion of it. There can be no good reason for limiting the number of the ports, where goods from the Cape of Good Hope and beyond can be imported, to Portland, Saco, and Castine, in Maine; to Boston, Salem, Beverly, Newburyport, Marblehead, Gloucester, and Nantucket, in Massachusetts; and to the city of New York, in that State. This Act produced a practical inequality in different ports of the States. There was a

practical violation of the Constitution in relation to those States where at no port were goods authorized to be entered, if imported from beyond the Cape of Good Hope. Unless some recent Act has changed the law, there are whole States, like Alabama, Mississippi, Florida, Texas, and States on the Pacific, and those States whose only ports are on the great lakes, which cannot lawfully bring in and land such goods. Such inequality should never be allowed to exist, in defiance of the Constitution and the rights of the people.

3. The same laws created similar distinctions in relation to the rights of exporting debenture goods. Ports enjoying the larger privileges of importation, enjoy like advantages in relation to the exportation of goods entitled to the privilege of drawback. Between a few such, goods can be carried by land or sea, to make up a cargo to be sent abroad. These are privileges enjoyed by a few ports only. There is no rational ground for such distinctions. They are indirect if not direct infractions of the constitutional provision we have given above.

4. The fishing-bounties stand upon the same footing. Laws have been made, paying so much per ton on the measurement of fishing-vessels engaged in the cod-fishery, and so much on each barrel of fish taken, salted, and exported, as a bounty for engaging in the fishing business. Also to allow a drawback to the extent of the duties on the foreign salt used in curing fish. These provisions are complicated, obscure, and not easily traced. But they all have one principle at the bottom—for the Government to pay a bounty to those engaged in this kind of business, for which there is no warrant in the Constitution, and in violation of the spirit of the provisions quoted. Codfish and mackerel are articles highly esteemed, and especially north of the Potomac. But the waters where they are caught to any extent are wholly in or near New England. These bounties and advantages are shared in by no one out of those States. The benefits springing from these bounties are confined to a limited portion of the Union, and from the nature of the business cannot extend elsewhere. Its cost is paid by the whole country. The pretence that these fisheries are nurseries for seamen is without warrant in the Constitution, and has

little of truth to stand upon. While fishing is the more profitable business, those engaged in it never leave it; south of New England the fisheries never furnish a sailor, however much needed. These fishing-bounties confer local advantages on New England, in which the residue of the United States do not participate. They are clearly in violation of the principles of equality of rights and privileges upon which our democratic institutions rest.

5. The sugar and molasses bounties. We have had several statutes authorizing drawbacks upon foreign sugar, refined in the United States, and on spirits distilled from foreign molasses. How these stand at this time is not easily understood, from our confused medley of national statute law. The principle on which they were enacted is more distinct and easily understood. The business of refining and exporting refined sugar, and the distillation of New England rum from molasses, has been nearly exclusively confined to New England, and mainly to Massachusetts. These laws confer an advantage of a local character, and are in hostility to the theory of equal rights. They have no ground of principle to stand upon, nor does the Constitution afford them any support. However plausible the arguments upon which they were adopted, they are indefensible, both upon the ground of principle and policy, which is opposed to opening a door by which frauds innumerable may be perpetrated and large expenses incurred.

6. Duty of three cents per pound upon cotton. This duty is imposed upon the assumption that it is a legitimate internal revenue tax. It is imposed upon an article that, in consequence of our climate, cannot be produced, except in Texas, Louisiana, Arkansas, Florida, Mississippi, Alabama, Georgia, South Carolina, and Tennessee, to any advantage. In these States, though not the sole, it is the principal production, and upon which they rely for their prosperity and means of support, except in Louisiana and Texas, where sugar forms an important item. This taxation is, to a great extent, destructive of the cotton-growing business. No other article produced from the earth, by the labor of man, pays any tax to be compared with it. Wheat, corn, rye, oats, potatoes, hay, and fruits, which are produced the country over, pay

no tax whatever. The region where these are the principal productions is so large that no Congress will venture to impose a separate and distinct tax upon them, for fear that their opposition would prove effectual at the elections.

This cotton-tax was imposed upon the States when their resources were utterly unable to sustain it. Their active capital and means of production were extinguished. This tax was borne by no other part of the Union, because it could only be imposed where cotton was produced. Whatever may have been the object of its imposition, it could not fail to cripple the south, where they were so reduced as to be panting for breath.

If such a tax can be supported, by the forms of the Constitution, it cannot be in conformity with the spirit of its provisions, which require equality of public burdens. It was not a tax upon the national productions, but upon the resources of a limited section. The Constitution never contemplated a tax which should fall upon a small section of the country, from which other parts should be exempt. The local effect of this measure was known when enacted. It is evasive of the principle of uniformity and equality found in the Constitution, if not in violation of the provisions which we have given.

If it were known that lumber was alone produced in Maine, salted fish in Massachusetts, manufactured cotton in Rhode Island, clocks in Connecticut, cabinet-ware in New York, iron in Pennsylvania, corn in Ohio, wheat in Minnesota, hemp in Kentucky, salt in Michigan, gold in California, and silver in Nevada, would either State admit the principle of local taxation upon its productions, when they could not be produced elsewhere? Would they not denounce such tax as local and unequal, and in violation of the spirit of the Constitution? No Congress would be rash enough to impose such a tax, and few could be imposed without destroying that fraternity and union which constitutes the prosperity and strength of the nation. The democratic principle of equality and protection would disappear in the tyranny of a majority, and leave only a wreck of formal and blighted rights in their place.

62.—WILLIAM L. MARCY.

New York, and especially her Democracy, have ever been proud of Mr. Marcy. Although born in Massachusetts, he early settled as a lawyer at Troy. When the War of 1812 commenced, he was a lieutenant of a militia company in that city, which volunteered, and with it he proceeded to the northern frontier, and was stationed at Fort Covington. On the 22d of October, of that year, he proceeded to St. Regis with a detachment of men, and personally broke in the door of a block-house where there were some Canadian militia, whom he took prisoners. He there found and took a standard of colors. These prisoners and colors were the first taken during the war. He remained in service during hostilities. For a time afterward he edited the *Troy Budget*. He rose to be a lieutenant-colonel in the militia, and on one occasion, when there was no colonel in office, called out the regiment to perform duty. While manœuvring his regiment, a Federalist adjutant-general came on the ground, and handed to a political friend with a flourish a commission as colonel, directing Marcy to surrender the command to the new appointee. This being intended as a gross insult, he refused to comply. In this he was sustained by the common voice. When Governor Yates came into power, in 1821, he removed this adjutant-general, and appointed Mr. Marcy, thus punishing him for his insolent and insulting behavior. Two years afterward the Legislature elected him Comptroller, and in 1829 he was appointed a Justice of the Supreme Court, which office he held until 1831, when he was made United States Senator. He rapidly rose in the estimation of the public, and in 1832 was elected Governor, and reelected in 1834, and again in 1836. In all these situations he acquitted himself to the entire satisfaction of those who conferred them.

Mr. Van Buren, when President, appointed him one of the commissioners to decide upon claims presented by Mexico, under the treaty of 1839, which responsible position he held until 1842. President Polk appointed him Secretary of War, the duties of which office he performed through the Mexican War. It was then conceded that they had never been more ably or better

performed. After four years of retirement he was made Secretary of State, under President Pierce. In this position he added greatly to his reputation. His state papers commanded high respect. His Martin Koszta letter gave great satisfaction to the American public. It has not yet been fully answered. In all the positions he ever held, he acquitted himself in a most satisfactory manner. In all of them he was noted for his straightforward mode of transacting business. His crowning virtue was strict integrity. In no case has this been called in question by even his severest political adversaries. He died just four months after leaving Mr. Pierce's cabinet, while lying on a couch at Ballston, with a favorite book in his hand. He was a devoted Democrat, never in the least swerving from the faith. His intellect was remarkably clear and strong, and his faculties well balanced. He expressed himself in concise, simple, and strong language. It was admirably adapted to the common mind. All could understand him. What he wrote needed no interpretation, because two meanings could not be given to his language. He never said one thing when he meant another. When, in 1838, he was defeated as a candidate for reelection as Governor, it was not because the people had lost confidence in him, but because the bank power was brought to bear against him. The banks required the people to pay them, while they refused to pay their own debts. This brought hard times, which demagogues induced many to believe were occasioned by some unspecified fault of his, or his political friends at Washington. Had he remained Governor, the great debt, which is so heavily pressing upon the energies of the State, would never have grown to its present enormous dimensions.

In a debate in the United States Senate wherein the question of removals and appointments was discussed, Mr. Marcy used the celebrated expression, "To the victors belong the spoils." It was a frank and manly avowal of the principle upon which every political party has acted and ever will act. Each, as far as practicable, enjoys the fruits of its victory. Denying it will not change the fact. Mr. Webster very zealously denounced Mr. Marcy for its utterance, although through a long life he practised

upon this identical principle. His acceptance of a seat in General Harrison's and Mr. Fillmore's Cabinets was an undeniable illustration of the practical truth of Mr. Marcy's proposition. It was the principle acted upon by General Harrison when he removed Mr. Van Buren's appointees, and it was thoroughly applied by General Taylor and Mr. Lincoln when they came into power. The failure to act upon it by Mr. Adams, Mr. Fillmore, and Mr. Johnson, to any considerable extent, shows how fatal the policy is for a President to attempt to conduct an administration through the agency of enemies, and how little they have to hope for who try the experiment. Mr. Adams was without a real party, had few friends, and sank without efficient support when piloting the ship of state. Mr. Fillmore was surrounded to a great extent by the partisans of Mr. Seward, who gladly saw him sink. Mr. Johnson has been, from the beginning, surrounded by enemies, and, while he had the undisputed power to do so, he failed to remove his enemies and appoint friends, and is now more a slave than Dred Scott ever was. He has hardly freedom to breathe or even to think. Had he followed Mr. Marcy's maxim, he would now be the nation's favorite, and morally certain of becoming his own successor. There is a good religious maxim which requires us "to love our enemies," but there is none requiring us to love them *better* than we do our friends. The whole world acts upon Mr. Marcy's maxim, and none but hypocrites deny the motive. In defending it, it is not to be assumed that removals are required, that friends may be secured.

63.—POLITICAL ANTI-MASONRY.

Free-Masonry for many years spread over most civilized countries, and was esteemed a charitable and benevolent institution. Men of high character sought places in it, and proudly acknowledged their connection with its ceremonies. Imputations upon the objects and upon its honor and intentions were not even whispered. The first men in the nation sought its highest official stations. The charities and benevolent acts of the order commanded public recognition. Masonry seemed to have many friends and no enemies.

But a change came, and it received the most bitter denunciations. Not only the institution, but its individual members, were subject to every possible form of contumely and reproach. Lodges, long the recipients of respect, were driven to waive their accustomed public ceremonials, and some to discontinue their meetings. The feeling against Masonry was spread with energy and success, and soon became political, and an important element in the proceedings of partisan operations. The success of anti-Masonry in the place of its birth gave it life, and it soon spread in New York and other States, forming in some a controlling element in the elections. Men, before not successful aspirants for public favor, rose to the surface and won high positions. For a time the waves of anti-Masonry ran higher and higher, and politicians rose with them, until both fell to rise no more. Anti-Masonry, in its ascent, clung to National Republicanism, the legitimate successor of the Federal party, but both perished when the Whig party arose.

Anti-Masonry had its origin in the following manner: William Morgan, of Batavia, a Mason, commenced the publication in 1826 of a book, in which the secrets of Masonry were said to be revealed, which aroused the feelings of the Masonic fraternity. He was arrested and taken to Canandaigua, but discharged. Subsequently he was taken secretly to Fort Niagara, beyond which no authentic information was obtained, though it was charged that he was sunk in Niagara River. These things aroused the people of Western New York, public meetings were held, and the Masonic fraternity denounced. It is a singular fact, asserted by the Hon. Francis Baylies of Massachusetts, who carefully studied the evidence, that but two men knew the fate of Morgan, and they were political anti-Masons. From those presumed to be guilty, this feeling rapidly spread to all who belonged to or upheld the order. Morgan's book was published and circulated, and the oaths and proceedings of Masons denounced. It soon became apparent to managing men, that this excitement could be turned to political account, and they nominated no one for office who was not an anti-Mason, overlooking all other considerations. Ambitious and designing men found their account in becoming zealous anti-

Masons. It was resolved to destroy all Masonic societies. Thurlow Weed, Francis Granger, Frederick Whittlesey, William H. Seward, and some others, rose upon this anti-Masonic storm. Mr. Seward profited more largely by his connection with the anti-Masonic party than any of his associates. There doubtless were some anti-Masons honest and sincere in their purposes, but the mass of them were simply selfish. In some other States—Vermont, Pennsylvania, and other places—anti-Masonry took root, and influenced elections, conferring office upon many who, without the aid of some such prejudice, could never have been elected. The heroes of the “Buckshot War” in Pennsylvania, who in their fright in attempting to resist a lawful election, but made their final exit out of the capitol through the back-windows, were leaders in anti-Masonry. Thaddeus Stevens was present as the great leader. From the beginning to the end of anti-Masonry, none of its disciples gave a Democratic vote or sustained Democratic principles. It began by holding the innocent responsible for the acts of those assumed to be guilty. It sought to strike down a benevolent and charitable institution throughout the land, because a few men in Western New York had been accused of crime. It rested upon too narrow a base to stand, and soon fell, to rise no more. It was organized, not to protect individuals, but to punish a large class, because some of them were supposed to be bad. It had no just political element—it was connected with no great public policy—was sustained by prejudice and passion against all members of lodges, because somebody supposed that somebody was guilty of crime. It was not confined to the punishment of the guilty, but measured out revenge, indiscriminately, upon thousands of innocent and estimable citizens.

Soon after General Jackson refused to allow further deposits of Government money in the United States Bank, in 1833, the old National Republican party (on the suggestion of Colonel Webb, of the *New York Courier and Enquirer*, made in his paper) changed its name to “Whig,” and all who opposed that measure combined under the new name. Hammond, in his “Political History of New York,” very properly says:

“It is remarkable that when this attitude and name was as-

surged by the National Republican party, the anti-Masonic party instantly disbanded. They seemed, as if by magic, in one moment annihilated. That unbending, and, as they were called, proscribing party, comprising many thousands of electors, among whom were great numbers of men of high character for talents and standing, and distinguished for their piety and sacred regard for the dictates of conscience, who had repeatedly most solemnly declared they would never vote for an adhering Mason for any office whatever, in one day, ceased to utter a word against Masonry, assumed the name and title of Whigs, and, as it were, in an instant, amalgamated into one mass with National Republicans, a party composed as well of Masons as of other citizens. This seems to me high evidence of the community of feeling which existed among the members of the anti-Masonic party; and what is called the discipline of party was by no means confined to the Democratic party in the State of New York."

Whatever pretences were then, or now may be, made to the contrary, it is beyond question that, with few exceptions, the anti-Masonic was a political party organized and arrayed against the Democratic party and its principles. By skilful manipulations many honest Democrats were drawn into it, carried along and swept away by it, and passed into the Whig party, whose principles at first were claimed to be more democratic than those of the Democratic party itself.

That anti-Masonry had no fixed and enduring political principles to stand upon, and that the controlling spirits in the party managed it for selfish and personal purposes, and as an engine to overthrow the Democratic party, can admit of no question. This is proved by the fact that it never sought to adopt a democratic measure; that the leaders first joined the Whig party, and profited by its liberality as long as it had power to bestow favors; that they then proclaimed its death; then joined the Free-Soil, and then the Republican party, and still fight and vilify the Democracy. The political biography of William H. Seward for the last forty years, during which time he has been a leader in these parties, establishes the truth of each of these positions. Now he is seen clinging to office, instead of going full lengths with his Re-

publican friends, standing without full fellowship with any party ; like Micawber, he seems to be "waiting for something to turn up."

When anti-Masonry died, there was no funeral eulogy, like that delivered by Mr. Seward over the Whig party when he and his friends had struck it down. There were no mourners—the passing into the Whig party promising joy instead of sorrow ; nor was a monument raised, or epitaph written, to record the public good it had achieved, or to perpetuate its memory. That party never professed or cherished one democratic principle. It is remembered for the discord it produced, and the human happiness it destroyed.

Those who then most fiercely denounced secret societies are now the founders and members of many societies whose sole purpose is to control the politics of the country and continue power in the hands of the revolutionary portion of the Republican party. Loyal leagues and other kindred secret societies are banded together for the identical purpose—controlling the elections and defeating the Democracy—that anti-Masonic combinations were formed. The present secret, bloody, oath-bound societies will give way to others when the necessities of waning politicians shall require it. They are the weapons used to defeat equal rights and those benevolent principles upon which the Democratic party is founded. Patriotic citizenship requires no secrecy. Secret political associations indicate a dying party. Anti-Masonry struck a furious but feeble blow, the rebound of which destroyed itself, leaving nothing but a stain where it stood. An outspoken, bold political party, like the old Federal and the late Whig parties, will always find honest admirers and sincere followers ; but those like the anti-Masonic, which rests upon passion, prejudice, discord, and hatred among kindred, without the shadow of honest principle to stand upon, will never command the respect of mankind, nor be remembered but to be detested.

64.—INTERNAL IMPROVEMENTS BY THE GOVERNMENT.

Ambitious men have ever been fruitful in schemes to attract attention and secure favorable consideration of the masses, from

which many have derived high advantages. From the days when Washington recommended canals in Virginia, and George Clinton to improve certain streams in New York, roads and canals have been favorite objects with the American people. No reference is made to either in the national Constitution, because that instrument was designed to secure only such objects as the States could not individually accomplish. Not finding in it any expressed power on the subject, it was soon sought to obtain, by construction, the desired authority. When the War of 1812 was ended, and business again resumed, sundry politicians became prominent in soliciting appropriations for various improvements. At first, surveys for roads and canals were asked for and obtained. Just before going out of office, Mr. Monroe vetoed a bill to extend and repair the Cumberland Road. But during Mr. Adams's administration Congress made grants for canal purposes to Indiana, Illinois, and to a company in Alabama, and appropriated money to take stock in the Louisville and Portland Canal, around the Ohio Falls, and in the Dismal Swamp Canal, and the Chesapeake and Ohio Canal, all of which was so much money thrown away. When General Jackson came in, a bill was passed requiring a subscription to the Maysville Road, which he vetoed as unconstitutional. He concurred with Mr. Monroe, who said that the power over the subject of roads and canals was claimed to be incidental and derived—

“1st. From the right to establish post-offices and post-roads. 2d. From the right to declare war. 3d. To regulate commerce. 4th. To pay the debts, and provide for the common defence and general welfare. 5th. From the power to make all laws necessary and proper for carrying into execution all the powers vested by the Constitution in the Government of the United States, or in any department or office thereof. 6th, and lastly. From the power to dispose of, and make all needful rules and regulations respecting the territory and other property of the United States. According to my judgment it cannot be derived from either of those powers, nor from all of them united, and in consequence it does not exist.”

An attempt was subsequently made to discriminate between

what were called national works and those of a local or State character. But men would never agree upon the question whether a specific work belonged to the one class or the other. Until the Constitution makes the distinction and defines it, there will be perpetual conflict on the subject. When the States considered the consequences of making internal improvements by the national Government they generally ceased to desire it, and made the necessary improvements for themselves. In order to construct a road, or canal, by the national Government, it must make its surveys, take and appropriate such land as it chooses, and in such places as it pleases; must have a multitude of national laws concerning management, protection and tolls, and penalties provided for offences growing out of them; and an army of national agents, not accountable to the State for their acts. However oppressive all this might be, the people would have no remedy within reach or control. With a thousand roads and canals on hand, it would require an army of officials to look after them; and with millions upon millions invested, the Government would be likely to find its revenues from them all absorbed before reaching the Treasury. It is fortunate for the country that the stand taken by General Jackson was so far approved that this system was soon abandoned. If it had been continued, only the sagacious and designing few would have benefited by it. The multitude would not have profited to the extent of their taxes to institute and carry on the system. States and private companies have made all necessary roads and canals. Railroads, not then known, are superseding canals and turnpikes to a great extent. The object of the system was, not to promote the common interest of all, as many States had done all that was needed for themselves, but to advance various local interests, and particularly to light the way to the presidency by those who could not reach it short of laying the national Treasury under contribution. When constructed at the expense of the national Government, they were called "roads and canals to the presidency." In the States there were numerous meritorious and highly useful public works that were an honor to those who conceived and pushed them to completion. But there were others of different character, which have

hardly kept themselves in repair, and have paid but little more than superintendence. Numerous others of a similar character were vigorously pressed upon State Legislatures.

In 1825 Governor Clinton specially mentioned a large number of localities where canals might be constructed, and invited the attention of the Legislature of New York to them, who by law provided for surveying seventeen of them, which naturally excited hopes and created the expectations of the people residing and owning lands there or near by. At the session of 1827 it became the duty of Silas Wright, as chairman of the Committee on Canals in the State Senate, to report upon the subject of canals, when a multitude of cases was before the Legislature. He laid down three propositions, which he adhered to through his life, which were sustained by his political friends: "First, the practicability of making a canal upon the route proposed, and of obtaining a supply of water sufficient for its use; second, the ability of the State to sustain the expense, or the resources from which the work is to be carried on; third, the importance of the work, and the promise of its utility, and consequently income, to reimburse the treasury for the expense of making it."

The adoption of this report killed off the whole of these applications, and for many years the principles thus declared guided the action of the State authorities. The advent of Mr. Seward, as Governor, revived all these dormant and other similar schemes. He informed the Legislature that New York was dozing, and falling behind Pennsylvania and other States in the progress of improvements. He proposed to borrow \$4,000,000 a year, for ten years, and thus create a debt of \$40,000,000, to be devoted to the construction of railroads and canals, so that there should be one within five miles of every man's door. Here was a high and broad bid for continuance in and elevation to the higher power. Partially carrying out his projected improvements so affected the finances of the State, that its credit sank far below par, and occasioned the political revolution which brought Governor Bouck into office, and caused the rigid financial policy of 1842, now found in the constitution of 1846, the work of that firm, able, and honest man, Michael Hoffman.

It is one of the principles of action of the anti-Democratic party, so to use the people's money as to secure power and continuance in its exercise, and to tax the masses in order to carry out their schemes, whether of attaining and enjoying political power, or their speculations in corner lots, or other expedients for the accumulation of wealth. A pure, able, and just democratic government is all the people really need, or want, which will carry out all enterprises, having in view the welfare and protection of the whole community with strict economy.

65.—VETO OF THE UNITED STATES BANK.

The charter of the Bank of the United States, granted in 1816, would expire in 1836. Its career had been one of elevations and depressions, greatly injurious to the general good. The scenes of 1819, given elsewhere, were reënacted, but with less injury, at different periods of its career. Strict constructionists of the Constitution had ever held its charter void, as well as impolitic. The late Colonel Benton was the first in Congress, and the present writer in New York, to take ground publicly against it. General Jackson had freely given his warnings concerning it. His reelection was coming on, and the effect of the union of all parties, National Republican, anti-Masonic, and sundry political fragments, was yet uncertain. The wealth and power of the bank, through its branches, officers, debtors, and those seeking its favor, induced the belief that it would become an important, and probably, controlling ally.

The alliance was formed, and the challenge of the bank and the old National Republican party was accepted by General Jackson and the Democratic party. The Constitution provided for making our own coins, and those of other foreign countries, the money of our country. The bank claimed that its paper was worth as much as gold and silver,—which old-fashioned men believed the only lawful currency. The issues between the bank and its Democratic adversaries were thus presented. The Democrats said:

1. The national Constitution does not authorize Congress to grant any charter outside the District of Columbia, for any purpose.

2. Congress has no power to coin money, of paper.

3. It has no power to make any thing but gold and silver a legal tender.

4. That the powers, rights, and privileges conferred upon the bank are not warranted by the national Constitution.

The bank and the National Republican and Whig parties accepted these issues, and prepared for and opened the fight. They demanded for the bank what they did not show it was entitled to. True, a corporation may contract debts, but where is the power to make its contracts, in one form, more than another, a legal currency? Where is the constitutional provision that authorizes the creation of a corporation, clothing it with power to make and open a lawful currency to fill the place of gold and silver? No two have ever been able to agree upon the source of power to create a national bank, authorized to issue bills, and control the business of the country, and, for the best of all reasons, because its source cannot be found in the national Constitution, which authorizes no law giving advantages to the few which are not conferred upon all.

General Jackson's veto is one of the most powerful and conclusive documents ever issued, leaving no doubtful point for future discussion and decision. His principles were those of the Democracy. He stood upon the Constitution, and surveyed the whole horizon. He nowhere saw any ground upon which to sustain the bill, or the claims of its friends. He scrutinized Democratic principles, but found none that would authorize the creation of a bank outside the District of Columbia, where several charters then existed. Duty pointed out his path, and no human considerations could induce him to desert it.

The bill rechartering the bank was passed, with the intention of cramping him, and to extort his assent, for fear it should exert its power and influence to defeat his reelection. The object was clearly apparent, and not attempted to be concealed. Some of its friends proclaimed that, instead of his killing the bank, the bank would kill him. Like an honest and fearless man, he accepted the issue, and demanded a verdict from the great national jury, the voting people. Although a majority of his Cabinet did not support

him, he vetoed the bill without fear or hesitation. He was confident that his duty required it, and he cheerfully trusted to Providence for the consequences. He believed he was right, and he had no fears but that the American people would sustain him. He was not disappointed.

As he expected, some professed friends in Congress, some editors, and a few others, deserted him. But where one left, ten came and gave him honest and hearty support. Discounts of nominal paper, and immense sums for nominal counsel-fees and unscrutinized printing-bills, did not blind their eyes. An immense concentrated money power, wielded by politicians and reckless speculators, had no charms for the honest masses. They believed him wise, and knew he was fearless and honest. The people love fearless and honest men,—and they cheerfully followed him as a leader worthy to be followed.

The supporters of the bank claimed that it was constitutional, but could not agree in what part of the Constitution the authority to charter it could be found. Some supposed it was found in the war-power, others in the commercial, others in the financial. The Supreme Court had twice declared it constitutional, because it was an agency which Congress had deemed necessary for the management of our finances, and as such, like national bonds, could not be taxed by the States. It was wholly above State laws or authority. It was claimed that these decisions were binding upon the President, as well as Congress and the people. The President denied that they were binding, except in the particular cases, but did not bind the other departments of the Government. He insisted that the opinion of Congress could neither confer nor exclude constitutional power. Congress, in 1791, exercised the power claimed, and refused to do so in 1811; and in 1815 one Congress decided against a bank charter, and in 1816 another granted one. These precedents were even, and proved nothing, except the varying opinions of Congress. He denied that there was any necessity for a bank as a fiscal agent, and that a national bank had any special fitness for such a purpose. Experience, and especially since the establishment of an independent Treasury, with rational adaptations to business, has demonstrated

the truth of this position. He denied that the mind and judgment of men could be rightfully trammelled by precedents where they were not fortified and supported by reason. The court held that Congress could create an artificial person, and endow such person with governmental functions. But Jackson said, the Government agents authorized by the Constitution were not non-entities, but men of flesh and blood, who could be indicted, and, if convicted, imprisoned for violation of law and duty. He seemed to appreciate the value of precedents lightly, and well he might, as there are volumes devoted to showing multitudes of them, overruled by the courts themselves, as hostile to the authority of reason and justice. Men sworn to support the Constitution should be as free to act as juries, whose oath permits them to find as they understand the evidence. A President does not swear to support the Constitution, as understood by others, nor would he be justified in so doing, when he believed them wrong. If he should do so, it would be moral perjury. A large share of all the cases decided in courts have not the character of unanimity among their members, and many are affirmed by the judges being equally divided. The civil law, wiser in many things than the common law, follows precedents only when their reasons commend themselves to the understanding. Such were clearly General Jackson's opinions, and on them he acted. He was unwilling to permit any one to shackle his opinions upon any question.

On the question of the policy of granting to the owners of the bank a franchise for a comparatively small sum, for which others had offered very large ones, he was equally explicit. The bank offered three millions, payable by instalments, for a renewal of its charter. This was hardly equal to its exemption from taxation, and for the use of the deposits. Others had offered far more. All understood, if the charter was renewed, the stock would sell for at least fifty per cent. premium. Here would be fifteen millions secured, and this among a few hundreds of stockholders, one-fourth of whom were non-residents. He believed if Congress had the power to create and sell franchises, they should be thrown open to all, and secure as large a sum as was possible, and not give

those who had long enjoyed these advantages the privilege to continue them for another series of years. He also objected to concentration of the money-power of the country so that it might be used for unjustifiable purposes.

The bank had at will made money plenty and then scarce, thus controlling the business of the country, and it threatened to control its politics. It was neither necessary nor expedient to create an artificial and irresponsible being which could exert such influences.

The country was with General Jackson upon all the issues. He received 219 votes, and Mr. Clay, the great champion of the bank, only 49. Nothing could be more hostile to democratic principles than the renewal of the charter of the bank. It would have added to means by which the rich could be made richer, and the poor poorer. It conferred princely favors on the few, and none on the many. It committed to irresponsible hands the power to make money plenty or scarce, to make and break whom it pleased, and control elections by lending liberally to one class, and collecting with a vengeance from those who refused to submit to its tyranny. Instead of protecting the people and their industry, it conferred the power of plundering and crushing them. It had not one solitary approved principle to stand upon. Those who then were loudest in favor of the bank have, to a large extent, abandoned it, and conceded that General Jackson was right. Mr. Webster, then its ablest friend, afterward referred to it as an "obsolete idea."

In another place we shall refer to the present litter of national banks, and bestow some attention on those who begat them, and the authority they rest upon, they not having the pretences urged in favor of their deceased predecessor.

66.—THE REMOVAL OF THE DEPOSITS.

The act incorporating the Bank of the United States, in order to give it the semblance of constitutionality, provided that the Government might use it as a depository of public moneys, and which might be removed in the discretion of the Secretary of the Treasury. After his veto of the renewal of its charter, and the

bank had commenced its political career and expenditure, General Jackson came to the conclusion that it was not a proper and safe depository for them. Louis McLane, then Secretary of the Treasury, hesitating about the removal, was promoted to the State Department, and William J. Duane appointed. On his refusing to act, he was removed, and the late Chief-Justice Taney, then Attorney-General, succeeded him. He, and Mr. Woodbury, of the Navy Department, fully concurred in the President's views. The common expression, "removed the deposits," led to erroneous conclusions. They were not removed, but other depositories were selected to receive the accruing revenues, and the current expenses were paid out of the money then in the bank. The Whig party identified itself with the bank, which became its financial ally, and paid its heaviest expenses.

After hearing opinions for and against the course best to be pursued in relation to the deposits, General Jackson read a paper, containing his own views, to his Cabinet. In this document he demonstrated the propriety of his intended action to the satisfaction of a large majority of the American people, as is proved by the fact that it brought him a material accession of strength. The public debt was then finally paid, and the surplus of public money was large—amounting to many millions—which the bank used without charge. The failure to enjoy these deposits upon such terms was equivalent to a large diminution of its capital, and its income was millions less on that account. The only remedy was in building up the Whig party, filling Congress with its partisans, and obtaining a charter over the President's veto, which it was sure to encounter.

By way of punishing Mr. Taney for his share in this matter, his nomination as Secretary of the Treasury was rejected in the Senate, a majority of which was composed of friends of the bank. This was good fortune for Mr. Taney, who was soon nominated as successor of Mr. Justice Duval, and, before that was consented to, the Senate became politically revolutionized, when he was nominated and confirmed Chief Justice, in place of John Marshall, deceased, in which elevated position he served upward of twenty-eight years.

No act of similar importance to this disposition of the public

deposits is ever performed without involving a distinct political principle. The actor has his motive, and the objector his, which may be, direct or indirect, depending upon what he may ultimately wish to accomplish. General Jackson's avowed object was to defeat the recharter of the bank, and to prevent it from using the deposits in aid of a recharter, and thereby endangering the public money. The object of the Whig party was to aid in securing a recharter of the bank, by continuing to it the free use of millions of public money. These motives involve principles of great magnitude. We discuss one of these elsewhere, and shall now only consider this one: "Ought the bank, to aid in its purposes of securing a renewal of its charter, to have the free and unlimited use of the public moneys on hand?" This is easily answered. These moneys belong to the whole American people, and each one has the same right to their free use upon the principle of equality. Out of some twenty-five millions, a few thousands alone demand this use. Clearly they could show no legitimate claim to such a superior advantage, while it devolves upon the claimant to make clear his right to what he claims. Another question here presents itself: "Can any one claim the use of the public money to aid in influencing Congress to grant him an advantage over all others?" None will directly and openly contend for this. No one has the right, even with his own money, to use it to influence legislation. Legislators should conform to the legitimate wishes of their constituents, and not yield to outside influences, however profitable to themselves. The majority of the people had decided against rechartering the bank, by the reelection of General Jackson, and to use these moneys for the purposes proposed, would also violate the will of the people.

The great object in view was not to benefit the masses, but to empower the few to control both the business and politics of the country—to permit them to build up or crush down any interest they chose, as well as to point out a path for the voter to travel. All this is in direct conflict with democratic principles, which leave the people free to act as they choose, to the end that they may be free and protected in their persons, business, and character, and left to seek happiness in their own way.

67.—SENATORIAL CONDEMNATION OF GENERAL JACKSON.

After the combination between Mr. Clay and Mr. Calhoun, and soon after the compromise measures, the opponents of General Jackson felt strong and confident. These great leaders could readily agree in hostilities against an adversary who had successfully risen above them both. If feelings alone could accomplish it, he would have been crushed to the earth, if not to its very centre. When the Senate talked of impeaching their rising adversary, they exhibited feelings which demonstrated their unfitness to hear and determine any question where he was concerned. He was denounced by Senators for making removals, and especially for removing Duane for not obeying his direction concerning the deposits. Mr. Clay offered, March 28, 1834, a condemnatory resolution, which passed, 26 to 20. It reads as follows:

“Resolved, That the President, in the late executive proceeding in relation to the public revenue, has assumed upon himself authority and power not conferred by the Constitution and laws, but in derogation of both.”

It contemplated no action, and had no connection with legislation. It was not directed to anybody, and neither commanded nor forbid action. It did not contemplate concurrent action of the House. It was simply an exhibition of strong feeling, intended to sink the President in public estimation. Its effect was the same as the rejection of Mr. Van Buren as minister to England, elevating him who was sought to be crushed. This resolution did not shake the General's firmness. He rose with every effort to depress him. Although the Senate had exercised, to its fullest extent, the privilege of saying hard things against its adversary, it accomplished nothing. It enjoyed a triumph common to all scolds—its members “freed their minds.”

When the smoke cleared away, General Jackson determined not to seem to admit the right of the Senate to condemn him unheard, when not in the course of their duty. He sent to the Senate his protest against their condemnatory act. This manly and spirited document was sent to the Senate April 15, 1834. The concluding portion of this paper is so noble and dignified in

tone and in the principles enunciated, that we cannot forbear to copy largely from it. It contains a noble display of purely democratic principles, worthy of a Jefferson, or Madison, or Tompkins :

“The resolution of the Senate contains an imputation upon my private, as well as my public, character ; and, as it must stand forever on their journals, I cannot close this substitute for that defence which I have not been allowed to present in the ordinary form, without remarking that I have lived in vain, if it be necessary to enter into a formal vindication of my character and purposes from such an imputation. In vain do I bear upon my person enduring memorials of that contest in which American liberty was purchased ; in vain have I since perilled property, fame, and life, in defence of the rights and privileges so dearly bought ; in vain am I now, without a personal aspiration, or the hope of individual advantage, encountering responsibilities and dangers, from which, by mere inactivity in relation to a single point, I might have been exempt, if any serious doubts can be entertained as to the purity of my purposes and motives. If I had been ambitious, I should have sought an alliance with that powerful institution, which even now aspires to no divided empire. If I had been venal, I should have sold myself to its designs. Had I preferred personal comfort and official ease, to the performance of my arduous duty, I should have ceased to molest it. In the history of conquerors and usurpers, never, in the fire of youth, nor in the vigor of manhood, could I find an attraction to lure me from the path of duty ; and now, I shall scarcely find an inducement to commence the career of ambition, when gray hairs and a decaying frame, instead of inviting to toil and battle, call me to the contemplation of other worlds, where conquerors cease to be honored, and usurpers expiate their crimes. The only ambition I can feel is to acquit myself to Him to whom I must soon render an account of my stewardship, to serve my fellow-men, and live respected and honored in the history of my country. No ; the ambition which leads me on, is an anxious desire and a fixed determination to return to the people, unimpaired, the sacred trust they have confided to my charge—to heal the wounds of the Constitution and preserve it from further

violation; to persuade my countrymen, as far as I may, that *it is not in a splendid government, supported by powerful monopolies and aristocratical establishments, that they will find happiness, or their liberties protected, but in a plain system, void of pomp—protecting all, and granting favors to none—dispensing its blessings like the dews of heaven, unseen and unfelt save in the freshness and beauty they contribute to produce.* It is such a government that the genius of our people requires—such a one only under which our States may remain, for ages to come, united, prosperous, and free. If the Almighty Being who has hitherto sustained and protected me will but vouchsafe to make my feeble powers instrumental to such a result, I shall anticipate, with pleasure, the place assigned me in the history of my country, and die contented with the belief, that I have contributed, in some small degree, to increase the value and prolong the duration of American liberty.”

Colonel Benton moved a resolution in the Senate to expunge that censuring General Jackson, and, after being often voted down, it was passed, and the resolution expunged, by drawing black lines around it, and writing on its face: “Expunged by order of the Senate, this 16th day of March, 1837.” So ended this conspiracy to crush a President for performing his duty to the people and Constitution. This triumph in civil duty was like that at New Orleans in his military capacity.

68.—MICHAEL HOFFMAN.

Admiral Hoffman, as he was called, from his long service as chairman of the Committee on Naval Affairs in Congress, was regarded by all who knew him as an unpolished diamond. To a clear head he added a pure, incorruptible heart. His mind was stored with useful knowledge, which he knew how to use. In manners he was not rough, but plain, simple, and sincere, without ostentation, parade, or ceremony. He was a Democrat by profession and in practice, and understood the principles as well as the supposed mysteries of government. He studied closely and reflected deeply, and seldom drew an erroneous conclusion. He is the father of the New York financial system, now found in her

constitution; he first securing its adoption by the Legislature in 1842, and then in the organic law of 1846. No one better understood the question of the State finances, or was more sincere in securing their benefits to the people at large.

Mr. Hoffman was born in 1788, at Clifton Park, Saratoga County, New York. He first studied medicine, and was admitted a physician. But practice in that profession had no charms for him. His mind was better adapted to logic and law, and he studied in Herkimer, and was soon admitted as an attorney. In the practice of his profession he soon acquired a high position. With a naturally well-balanced mind, he added the practice, not very common among the profession, of accurately weighing and determining the facts and law involved in his case. He possessed the rare faculty of drawing all the facts in the case from his client, which enabled him to perfectly understand it. In 1824 he was elected to Congress, where he served eight years. He there mastered every subject that came up, and, when he chose to, discussed it with great clearness and force. Although from the interior, he was placed, at an early day, at the head of the Committee on Naval Affairs, where he highly distinguished himself. After leaving Congress, he was appointed Canal Commissioner, but resigned in 1835. In 1841 he was elected to the Assembly, and was reelected the next year. It was during this service that he secured the great reform in State finances. As a member of the Constitutional Convention of 1846, he achieved his highest honors. He was subsequently appointed Naval Officer at New York, and died in 1848. Selfishness never sullied his character. Throughout his public career, he labored to secure to the masses the blessings of a free government, by protecting the weak against the strong, and the machinations of the selfish. He carried his great point of protecting the State finances for the benefit of the whole against the schemes of the selfish and the necessities of those seeking political elevation, who had not the ability to secure it without using the people's money to buy their votes.

69.—REMOVALS FROM OFFICE.

There is no country where the love of office is greater than in the United States,—whether it springs from motives of gain, distinction, or the desire of power. It extends from the presidency, through all legal gradations, and is seen in the voluntary associations for the administration of charities. The Federal Constitution explicitly provides for appointments and commissions, and that the President shall see the laws executed, but is silent in relation to removals. Hence, when once appointed, the officer will hold, as long as the office lasts, or he must be removed under an implied or incidental power. As to the offices which, under an express provision in the Constitution, Congress may devolve upon the heads of departments, or courts of law, scarcely a doubt has been suggested but the appointing power can remove; and that doubt was dissipated by the express decision of the Supreme Court of the United States, in Hennen's case, some thirty years since. The Court said, in relation to appointments by the President with the consent of the Senate, that "it was very early adopted, as the practical construction of the Constitution, that this power was vested in the President alone. And such would appear to have been the legislative construction of the Constitution." This question arose, and was discussed in the First Congress by Madison and others who helped frame the Constitution, and the power was then recognized in creating the State, Treasury, and War Departments, and every President since has practically exercised it. It was alleged, by his adversaries, that President Jackson had removed about every official within his reach. So far from this being true, out of about 8,000 deputy-postmasters only 491 were removed; and the total number of all the removals made by him was only about 690, and for all sorts of causes.

The Harrison, Taylor, and Lincoln administrations were the most proscriptive known to the nation. The last scarcely left one in office who could be removed; and so tenacious of office are the friends he left behind him in Congress, that they have passed an act over President Johnson's veto, forbidding the President to make any but a temporary removal without the consent of the

Senate. Under this act, acknowledged defaulters, plunderers of public property, and those guilty of malfeasance and neglect of duty, have been restored. Congress has thus ignored the decision of the First Congress, the acts of every President, including Mr. Lincoln, who removed many thousands, where the Senate recognized the right by confirming successors, and disregarded the decision of the Supreme Court as delivered by Mr. Justice Thompson. Besides, in very many instances, removals were made at the request of the very Senators and members who passed this law, and of their political friends all over the country. This act was passed with the avowed intention of retaining political friends in office to aid the Republican party to continue in power. Such a bold violation of the Constitution was never before resorted to, merely to hold on to the offices and cripple the President, who is literally surrounded by violent enemies, and nearly all those appointed throughout the country to aid in the execution of the laws are openly seeking to thwart him, some of them being the greatest infractors of the laws. Political violence seems to have run mad, and fastened upon society a sort of epidemic that cannot be stayed.

Offices are simple machinery for carrying on the Government. They are necessary agencies, because the people cannot assemble and transact their business involving the interests of all. No one has a legal, and scarcely any one a moral, right to claim them. They are usually injurious to those who obtain and rely upon them as the main business of life, though not objectionable when only the incidental object. But all who obtain them know the tenure by which they hold. The power of removal usually induces care and attention by the incumbent, as one means of protection in his office. The hope of securing appointments often tends to conduct calculated to show men worthy of them. If an office is a burden—we do not refer to mere clerkships and the like—it is just that the incumbent should be relieved, and if it is a matter of profit and advantage, it is right that more than one should share in it. The advantages of government should not be monopolized by any one man or set of men. The Democratic doctrine is that the rights of all are equal, and whoever is in a position to partici-

part in those rights is justified in doing so. These changes, like that of running water, tend to purify and improve. They tend to keep up a watchfulness necessary for the general good, without which lethargy and inattention might produce ill consequences to the public. Although removals are often hard, and sometimes oppressive upon the individual, on the whole they are advantageous to the public service. The party in power being responsible for the execution of the laws, must necessarily make the removals and appointments.

70.—“TERRIBLE DISTRESS OF THE COUNTRY.”

This, or equivalent expressions, has been often heard from politicians, when the distress was either imaginary, or grew out of their distressing political positions. Sometimes the national bugle is sounded, and at others the sectional or State instrument. The buglers are usually trained professional blowers, or office-seekers of the anti-Democratic persuasion, and who can sound all the notes from the lowest bass to the highest octave in the gamut. It will add to our historic acquisitions to bring to view some of these terrible distresses and trace out their causes.

In 1798 the national bugle sounded its high notes. There was an impending distress which Congress was called upon to assuage by legislation. The wicked Democrats, it was said, refused sufficient respect for official dignitaries, and the unruly Irish and French landing on our shores were becoming naturalized, preparatory to committing the sin of voting the Democratic ticket. This was a clear case of great distress—among Federal politicians, and could only be abated by statute, fixing fourteen years as the term of residence before naturalization, empowering the Executive to drive out foreigners at pleasure, and the courts to punish those who were not as respectful as required. Hence, the fourteen-year Naturalization Law and the Alien and Sedition Laws were passed. These were effective remedies in relieving the affected, not from distress, but from office, and brought the Democrats into power, with Jefferson at their head.

In 1803, when we acquired Louisiana, New England blew her sectional bugle, and Massachusetts sounded her State horn with

Æolian vigor. But the highway of the Mississippi, for Western commerce, soon much larger than that of New England, was kept open, and the Democracy sang songs of joy, while Federalism wept at the distress of her politicians.

In 1807, when the embargo was imposed, all the Federal bugles sounded high notes of distress. The country was perishing, and would soon die if not relieved by repealing the law, and defeating the election of Mr. Madison. The political sufferings of his adversaries were hard to bear. They had endured them eight years without any effectual remedy. Their sufferings were deemed unconstitutional punishments, inflicted by merciless enemies. But the sounds were not loud enough to bring assistance, and Mr. Madison took the chair of state.

In 1811 when Louisiana asked admission as a State, the Northern sectional bugle sounded long and loud, giving notes of the highest distress. Massachusetts almost deafened Congress with notes of ill-omen. She saw with inflamed eyes the monstrous phantom of slavery, and fairly screamed with assumed horror. Such indications of distress had not before been seen or heard. But the great West was seen in the future by Democrats, and Louisiana was admitted.

In 1812, the Federalists throughout the nation sounded their notes of distress at the threatened declaration of war. The Democrats were so wicked as to pretend that Old England helped to pitch the key-notes. Politicians were deeply distressed, and their hopes of relief were limited to the defeat of Madison, and repealing the wicked War Act, and extending the hand of friendship to England, and shivering the war-club on the head of France. But the people reëlected Madison, fought out the war, and covered the nation with glory, making the Stars and Stripes the signals of "free trade and sailors' rights."

In 1814 the Federal politicians had a peculiar return of their distress, and, after a few Northern State bugles sounded, the doctors assembled at Hartford, and held a secret consultation, which ended in sending eminent physicians to Washington, to inform Mr. Madison of the dangers to be apprehended from the high pulse of New England. When they arrived, they learned,

to their amazement, that all the world was well, and that they were the only sick ones; they thereupon returned home to be nursed, and to receive all the consolations which distressed men can under mortifying defeat.

In 1830, when General Jackson vetoed the Maysville Road Bill, a few distress-bugles were sounded; but when it was ascertained that most of the States, and especially the larger ones, were making their own internal improvements, the notes fell off, and the sounds died away.

In 1832, when he vetoed the bill to recharter the United States Bank, every anti-Democratic bugle in the land sounded the highest notes of distress, and the thirty-five million corporation sent up its war-rockets, and threatened to make Jackson and the Democracy of the nation tremble. Such distress, it was said, was never seen or heard of. Even revolutions were talked of, and, as it was affirmed there are no Sundays in revolutionary times, every day in the week was devoted, by politicians, to telling the world how distressed they were. To prove to Congress how badly they felt, they presented memorials with thousands of names, written by somebody, telling the extent of their distress. They were sent by the hands of committees, who always told, in addition, all the alarming symptoms that they had heard from bar-room chroniclers. A committee from Albany, of great wealth and terrible distress, particularly after dinner, bore a mammoth roll of the kind to Washington. Every thing became swollen by accumulated distress. A swollen oral account was added by way of an interesting finish, when it was handed to Mr. Webster, to present to the Senate. Their painful tale deeply affected him. He, too, was affected by the swelling tendency of the times. He so clothed the subject with sentiments of sympathy, that the good people of Albany were astonished at their own sad condition, and greatly marvelled that they had endured it thus long. They became disgusted, not only with Mr. Webster, but with themselves. General Jackson saw no distress beyond that created by the bank, and that of a political character among its friends. When he vetoed the bank charter, it seemed to add to the pain of his adversaries, because there was no known remedy for sick

and distressed politicians. The people added to their distress by his reëlection by an almost unanimous vote.

In 1833 the bugles again sounded notes of distress at the removal of the deposits. The doctors were called in, but no remedy was found. The matter ended in very hard words against General Jackson for his cool stubbornness, and want of sympathy for incurable distress.

In 1840 there was again great distress, brought on by living in log-cabins, eating cold pork and beans, sitting on wagon-tongues, logs, and fences, and drinking hard cider out of gourd-shells. But this was cured by the election of "Tippecanoe and Tyler too," though, it is said, they had distressing dreams for four years, and until "Young Hickory" took the Executive chair.

Elsewhere we shall give further instances of great distress, and especially that occasioned by the inability of the Republicans to get Mr. Johnson out of the Executive chair. No rational man can doubt that when a politician wants office and power, and can't get it, he is distressed. There have been large numbers badly distressed, because the presidency was withheld from them. These are distresses of the mind, and who can minister to a diseased mind, where a million of votes is the only healing prescription? Those who sound the loudest notes, exhibiting the greatest political distress, never manifest it, when merely food and clothing are wanted by men, women, and children, like that daily seen down South among the white people. Their music-teachers have given them no instruction, enabling them to sound the proper notes for such occasions.

71.—THE PROTECTIVE SYSTEM.

Protection necessarily implies two parties, one to protect and another to be protected, as well as the necessary means by which the protection is accomplished. When a government engages in a system of protection, the whole people must be divided into two classes, one whose duty it is to protect, and another who have the right to demand and receive protection. It must also prescribe the instrumentality and the mode and manner of its use, by which the desired result is to be secured. In a government where the

rights of all are, under the Constitution, equal, before it can decree that one class shall protect the other, it must find, in the organic law, a provision authorizing it to do so. It must also find authority for selecting and forming these classes, and for defining the agents that are to be used in carrying out the work. It would also seem to be necessary to provide against changes from one class to another, or the abandonment of the specified agencies to be used in securing the intended results. If the protection intended should be for the producers of wheat and corn, if no provision is made against it, the producers of rye, oats, potatoes, and hay may leave their unprotected business and engage in raising wheat and corn, and, by increasing the supply beyond the demand, effectually defeat the intended protection. If the object should be to protect the owners of cotton and woollen mills, if not prevented by law, other manufacturers might come in and defeat the protection by overstocking the market with cotton and woollen goods. There can be no lasting protection where the favored class is free to select and pursue employments. If protection raises prices, competition is as certain, as the laws of business, to step in and reduce prices to the cost of production. If there were but a hundred hatters and boot-makers in the Union, and foreign competition legislated out, they could fix the price of hats and boots at pleasure. But when the business is thrown open, competitors will rush in and increase the supply, until hatting and boot-making would cease to be specially profitable. This will be found true of every kind of business. High duties on like productions from foreign countries will, for a time, keep up prices on our productions to the cost of the foreign article, its duty, and costs, and charges. For a time high prices naturally prevail, but time is sure to lower those of our own productions to cost, including a fair business profit.

Those who say, "Put on duties, and give protection to all our productions," seem not to understand that this would be merely raising the price of those productions without benefiting anybody. A law giving fifty per cent. protection to every article would be no more useful than to mark up prices without it. If, before the law, a hatter got two bushels of wheat of a farmer for

a hat, he would get no more, and the farmer would pay exactly the old price for a hat. Among producers and consumers neither would be benefited. If a class is to be selected to profit by protective legislation, it would be necessary to define who should compose it. Should it be those personally most meritorious? If so, who shall adjudicate and determine who they are? If it is to be composed of those without whose toil we cannot exist—the farmers—will the mechanics and seamen be satisfied? The farmers have never yet been selected. Shall it be the seamen? Then the farmers and mechanics will complain and overthrow the law, as their combined numbers will enable them to do. Shall it be the farmers? Then the seamen and mechanics will be dissatisfied and seek a change. If it shall be mechanics, then the farmers and seamen will complain, and seek to alter the law. Among the farmers are there degrees of merit? Are not the wheat, corn, wool, and potato growers, and the graziers, all on a par? Do they not all toil, work the soil, and receive about equally low profits? We rely upon them in war; shall we overlook them in peace? Among mechanics, what class shall be preferred? Is he who uses machinery to be preferred to him who uses his hands? Is the maker of farthingales more worthy of favor than the pin-maker? Who shall select, and where does he obtain his authority to discriminate among citizens upon whom God and the Constitution have conferred equal rights? We are not speaking concerning raising revenue, but of class advantages conferred by legislation, inaptly called protection, which has a less repulsive aspect. But words cannot disguise the intention. It is to select among mankind a class who shall receive worldly favors to be derived from the earnings of another class. To those who earn and yield these advantages, and to the class who receive them, it is precisely the same thing in principle, whether the receiver collects, as now, for himself, or the Government should do it and pay over to the favored class. The loss on one side and the gain on the other would be the same. But if the Government should become the organ of an aggression upon the rights of equality, those enacting and executing the law would be instantly hurled from power. When the disguise is stripped off from such a system, the voice

of the world is against it. When the injustice is indirectly perpetrated, so as not to be shown up glaringly in all its proportions, it is not clearly seen, its extent known or appreciated. When the law, by its operation, adds fifty per cent. to the price of cottons and woollens, not being collected by itself, but as added to a fair price, it is little thought of, because covered up and concealed. If the bills were made out in two items, one showing the real cost, and the other the legislative protection, few would pay the latter, and fewer still approve of the law authorizing the exaction. It is by disguising the ingredients with a sugar-coating that a disagreeable pill is easily swallowed. It would be just as fair and honest for Government to appoint officers to go to the paying class and require them to pay to the favored class specific amounts as to allow it to be indirectly done. There is no more power in the Constitution to do the one than there is to do the other. There is not a particle in it authorizing either. During the twenty-eight years of the four first Presidents, the idea of such favoritism in legislation was not proposed or thought of. There was no class controlling a sufficiently large number of the press and politicians to dare attempt any such object. Then the country was new, and men struggled to secure a livelihood, and were willing to earn it. It was not until years of prosperity had accumulated capital, and the United States Bank, and small imitations had been chartered, that men began to think of living by their wits and without labor. This occasioned the necessity of profiting by the warnings of others, and prompted men to seek the aid of legislation to accomplish their purposes. Men seek the fruits of industry, but wish to be protected from the labor necessary to obtain them. Class legislation secures this. The smaller the class, the more certain is a thriving result. The favored class is made just large enough to secure the passage of the law, and no larger. The larger the number left in the contributing class, the more profitable the discrimination. If restricted to inconsiderable numbers, the system would fail to be productive. The constitutional power authorizing this kind of legislation has never been pointed out. It is never visible, except to those whose eyes are so peculiar that they can see around a hill. The system

finds talkers and writers, but never furnished a logical constitutional argument, because impossibilities are never accomplished.

The protective system rests upon extreme anti-democratic principles—the principle that the Government is a machine created to make one class rich, and to control the industry of the other, so as to secure that object. A share, often a large one, of the earnings of one class is taken from them by law and diverted to the use of the favored one. Instead of each person working out his own happiness, according to democratic principles, the unprotected class are required, by Government, to work out the prosperity and happiness of the protected class, by contributing toward the means necessary to enable them to live. There is, in reality, slavery in this principle, because the class contributing to the support of the protected class do so, not of their own free will, but by compulsion and without compensation. The difference is in the form and dress, and not in the principle.

We have shown that, in the progress of time, this class legislation defeats itself. But not until large mischief is done. It weakens the bonds of Government, and alienates one section from another, according to the locality of the contributing and receiving classes, while it occasions a perpetual scramble for these legislative advantages. All such things tend to diminish, if not destroy, the happiness of the people, and impair the respectability of our Government.

72.—THE REVIVAL OF A GOLD CURRENCY.

The power to coin money has, all over the civilized world, and at all times, been a function of government, or prerogative of the crown. Gold and silver have ever been the currency of the world, with very limited exceptions, when speculative associations have bought the privilege of creating an inferior substitute. When our national Constitution was formed, its framers were alive to the evils of a currency not consisting of gold and silver. They acted upon the theory, reiterated in express words in the tenth amendment, 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.” The Consti-

tion nowhere authorized the creation by the Government of a currency of any thing but the precious metals. It was clothed with express power "to coin money, regulate the value thereof, and of foreign coins." The process of coining referred to was then as well understood as writing and printing, and remains so to the present time. It meant preparing pieces of gold and silver of uniform sizes, and stamping them by mechanical power with known and authorized devices, indicating a legal specific measure of value. By conferring this express power, the Constitution necessarily excludes all implied or incidental powers on the subject. The more effectually to guard against any other currency, it was provided, that "no State shall . . . coin money, emit bills of credit, or make any thing but gold and silver coin a tender in payment of debts." It is thus seen that the power of the national Government was express, but limited to coining money and declaring the value of foreign coins, and that the States were prohibited from exercising the like or similar power, or making paper a representative of coin, and declaring it a legal tender. The constitutional provisions were complete for securing a currency of gold and silver. If the Government deviates from this standard in any supposed emergency, it is without authority from the Constitution.

In legislating upon this subject, Congress fell into the error of undervaluing gold as compared with silver, which had the effect to drive gold out of circulation, and filling the channels with silver. Gold was sold as an article of merchandise above its stamped value. An effort was made to equalize the value of gold and silver, so that the former would be used in the larger, and the latter in smaller transactions and for change. The difficulty was, how to apportion the quantities, so as to secure actual equivalents. History and science were called in to aid, and experienced coiners and bankers gave their opinions; but doubts still existed. Mr. Campbell P. White, a member from the city of New York, reported a bill, but it did not become a law. Colonel Benton proposed to adopt the proportions so long used in Spain, and was supported by Mr. Cambreleng and some others, including the writer, and the bill became a law in January, 1837. Gold soon began to flow in the channels of

circulation, and continued to do so until the Legal Tender Act of February 25, 1862. On the 26th of March, 1836, the writer made a report to the House on gold coinage, and introduced a bill directing the coining of gold dollars, which was afterward authorized; and these coins were largely in circulation down to the suspension of the banks early in the late war.

Colonel Benton's agency in restoring the circulation of gold gave him the acceptable title of "Old Bullion." He was sustained in his efforts by President Jackson, who believed in and favored a currency having an intrinsic value at home and abroad. He remarked that he never knew an imitation of piety and virtue that was equal to real piety and virtue. In California and on the Pacific, gold is the standard, and is principally used; and the products of the earth and industry are at about former gold prices. East of the Rocky Mountains, the currency is paper, worth but little over half the value printed upon it. All former investments have diminished in value nearly one-half, and vibrate from day to day, according to the action of the Government and the scarcity in Wall Street. The currency used here will neither pay debts, nor pay travelling-expenses abroad, nor duties at the custom-house. Without selling it at a sacrifice, there are no legal means out of which gold and silver enough can be obtained to fill a tooth or make a thimble. Ignorant and reckless men have declared that this currency is as good as gold and silver. But they will not give either for it, nor will it buy much more than half as many of the necessaries and comforts of life. By using this depreciated currency, when gold could easily have been obtained, our public debt has been nearly doubled, owing to its depreciation, not purchasing much beyond half as much for the nominal amount, while we are left to wrangle about the currency in which this debt shall be paid. While silver and gold are the currency of the world, and of the Federal Government for nearly half its income—near \$200,000,000 a year—all of which it pays out or sells, it will be difficult to make mankind believe in the legality or honesty of the Government in forcing the holders of any portion of the debt to receive at par a currency which it has voluntarily depreciated.

The Democracy demand the currency of the Constitution, and not that made outside of it. It will be of equal and uniform value to all, and injurious to no one. They desire protection in their property, preserving its value from the fluctuations incident to a vicious currency not authorized by the Constitution. As things now are, the value of their earnings may change to their ruin over night, without their having any means of preventing it. Our present currency is a perpetual see-saw. No one is safe in making contracts under it, because it does not always represent the same value. The Constitution requires a better one, and on the principle of protecting us from evils not unavoidable, the people have a right to demand a better one. The great argument, necessity—never true or valid—has gone by, and we are entitled to a currency as good as the rest of the world, and which will buy things at par the world over.

73.—DISTRIBUTION OF THE PUBLIC REVENUE.

The national Government had been in operation for nearly two generations before there was any surplus revenue which could be distributed, the old national debt not being finally discharged until 1833. The Constitution did not authorize distribution to the States, and it limited the power to collect taxes to paying national debts and providing for the common defence and general welfare of the United States. The framers of the Constitution were too wise to provide for the collection of revenue—always attended with hazards and expenses—from the people at large and then distributing it, not to the people from whom collected, but to States, some of which may never have contributed to the fund to be distributed. Without such authority, Congress could make no distribution, nor even collect money for that purpose.

But events produced a surplus. The income of the Government, after the public debt was paid, exceeded its expenses. This surplus was deposited in the State banks selected as depositories for the public moneys. This stimulated discounts and increased importations and the sale of the public lands, which, of course, increased the surplus, which was again loaned out for the like purpose. These surpluses lighted the fires of the speculations of

1835-'36, and added fuel to increase their burning. The surplus on hand became large, and the question arose, "How shall it be disposed of?" General Jackson preferred that it should be used in fortifications, in favor of which, General Cass, Secretary of War, made an able report. Some desired to improve the navigation of rivers and harbors, while not a few desired the Government to construct new harbors in aid of their speculations. But nothing definite was agreed upon.

In June, 1836, a bill establishing a system of depositing public moneys in State banks was before Congress. Sections, directing a distribution among the States, in form of deposits with the States, were proposed, under which the sovereign States apparently became the agents and money-keeping servants of the national Government. The provision covered all the moneys then on hand but five million dollars. The writer moved to except from the operation of the bill the money already appropriated, and sustained his views in a short speech. On this amendment, Mr. Hamer, from Ohio, demanded the yeas and nays, which were refused, and the proposed amendment was rejected.

The bill passed the Senate on the 18th of June, 1836, by yeas 40, and nays 6—Benton, Black, Cuthburt, Grundy, Walker, and Wright. It passed the House on the 22d of June—yeas, 155, nays 38. Fourteen of the latter were from New York, including the writer, and two from New Hampshire, including ex-President Pierce.

Undoubtedly some members believed that this was a real deposit act and that the States would consent to become deposit agents, and upon no other ground can many votes be accounted for. But that such was not the object, and that the States so understood it, cannot now be questioned. Some States refused to receive, others distributed *per capita*, and others applied the amount received in different ways. No interest was to be paid for the deposit, which has not to this day been called for, and no one expects it ever will be. New York added her share of this distribution to her common-school fund, applying the interest derived to the use of common schools.

It is possible that Congress thought that the then twenty-five

States comprised in the Union would constitute that number of good and obedient fiscal agents ; but, were it not for the elevated character of some voting for this measure, it would be difficult to believe it. An infatuation seemed to seize upon the minds of men, completely precluding them from reasoning freely and accurately. Within a few days, many who had voted for the bill expressed their deep regrets. Those who voted against it nowhere received censure, but generally the reverse.

This act organized the State bank system of deposits, which had not been previously legalized by Congress. Land and other speculation increased with the deposits in these banks—a fatal consequence of their connection with the Government. Within less than a year they all exploded, carrying with them nearly every bank in the United States. The Government could only use the paper of specie-paying banks, and could deposit in none which did not so redeem. The Government, with nominal millions on deposit in the deposit banks, had not a dollar it could lawfully use. The deposit-bank system blew up, and was not worth repairing. The Government was financially at a stand still. Money, which a year before was so plenty as almost to burst the Treasury, had to be sent to the States to be kept, and would answer no lawful purpose under the Constitution. The situation of President Van Buren, who had just previously entered upon his duties, was extremely embarrassing. The abundant resources of the previous year had disappeared, and he was without means. But duty required action, and he was not the man to shrink from it. He issued a proclamation convening Congress, on the 4th of September, 1837, which was the earliest practicable day after the Tennessee and other Southwestern elections. An earlier day would have left some States without representation. The country was full of projected remedies. The friends of the United States Bank insisted that a recharter of that institution would remedy the evils. But Mr. Van Buren understood too well the cause of the suspension of specie payments, and the liability of frequent occurrence, to trust to that or any other banking corporations for remedy. He knew that the United States Bank was one of the causes of present difficulties by its irregular action and crippled

condition. He had seen the Government deposits, in the State banks, loaned and loaned over again in aid of speculations in the public lands; so that instead of selling from two to four millions in a year, in a little over one year the sales had risen to nearly forty millions. It was also known that the Bank of England had declined to discount for American houses in London, who relied upon these State banks for reimbursement, and that their drafts were returned protested. It was clear that the State bank system could not be relied upon, and could not be rendered safe and efficient by legislation. Advising with men like Silas Wright, Levi Woodbury, and John Forsyth, his own views were strengthened, and he determined to recommend a complete divorce of the Government from all banks, and the establishment of additional Treasury offices for keeping and disbursing the public money. He was of opinion that, while one set of officers were generally safely intrusted to collect our revenues, another, under suitable guards and restrictions, and provided with proper means, might be relied upon for keeping and paying out on the Secretary's warrants. We then had only a treasurer, who really kept and handled very little money, it remaining in banks. This recommendation contemplated assistants at points where large amounts were collected. This system, when eventually passed, was called the "Sub-Treasury." On the meeting of Congress, Mr. Van Buren communicated his views in one of the clearest and ablest messages ever sent to that body. As he expected and had foretold, his recommendation brought down upon him the combined friends of the national and State banks, which, for the time being, threw him and his party in the minority. When he had determined upon this recommendation, he informed Benjamin F. Butler, Francis P. Blair, and others, that it would probably be the means of his political destruction, but that it was necessary and right, and would eventually receive the strong, decided, and lasting approval of the nation, and that he preferred hazarding his own position to resorting to temporary expedients, which must end in disappointment and loss; and that he should cheerfully take upon himself all the hazards that doing right might subject him to. His predictions proved true.

At the extra session, the first Act passed was one to post-

pone the making the fourth and last deposit with the States ; and the second to borrow ten millions of dollars, and, if not obtained, to issue Treasury notes, in order to carry on the Government. As it was provided that this loan should not be sold below par, our agents sent abroad to negotiate it, returned without selling any part of it, and the Government was compelled to resort to Treasury notes to meet its necessary expenses. Such were the fruits of unwise, ill-advised, anti-democratic measures, by which the Government lost literally millions, the people were subjected to heavy losses and trying evils, and the Democratic party for the time defeated. Distribution had its origin with the enemies of Mr. Van Buren, who sought to organize a third party, which should hold the balance of power in Congress by the management of the public money—or rather giving it away—so as to make that party a favorite. It was intended to divide the Democratic party, then strong and powerful, and to bring such men as William C. Rives, Nathaniel P. Tallmadge, Hugh L. White, and others prominently before the public for the succession, to the exclusion of Colonel Benton and Silas Wright. They more than accomplished their work. They not only temporarily divided and in that way defeated the Democratic party, but they prostrated themselves, and never rose again. The Whigs, from policy, aided in the division and overthrow of the Democratic party, hoping to prevent Mr. Van Buren's reelection, and expecting to secure a President from their own party. In this they were not disappointed. Their President, Harrison, only lived a month, and their Vice-President, Tyler, proved more fatal to their party than distribution, and bank failures, and combinations did to Mr. Van Buren and the Democratic party. Of the sub-Treasury growing out of this disastrous policy, we shall hereafter speak.

74.—THE SPECIE CIRCULAR.

Prior to the adjournment of Congress on the 4th of July, 1836, a movement was made by Colonel Benton to test the feeling of Congress on the subject of refusing the receipt of bank-paper for public lands, and he became satisfied that no action unfavorable to its receipt could be expected from that body. After

the adjournment and before the next session, General Jackson became satisfied that the public lands were being converted into worthless paper at the rate of several millions per month, as well as saddling upon the West non-resident land-owners, who would not improve the lands, but would withdraw the consideration when sold, which was expected to be several times Government price. The first would injure the Treasury, and the last injure the settlement and prosperity of the West. Nor would these distant land speculations be likely to prove ultimately beneficial to Eastern and Northern people engaged in them. Their sales were not probable until a far-distant day, and the profits largely absorbed in paying interest on money borrowed to make them, in taxes, agents' fees, and journeys to look after such lands. The mania for these speculations was wide-spread, and was rife everywhere, even in Congress. Makers and indorsers of notes, to large amounts, often were found with nothing but political capital. Political opponents indorsed for each other, so that neither party would have an object in exposing operations and partisans. A Government depository at Washington had exhausted its deposits, dividing them about equally between partisans. General Jackson consulted freely, but found a majority of his Cabinet opposed to taking any measures tending to eradicate and prevent these evils. Congress, in 1816, had passed a joint resolution requiring the Secretary of the Treasury to adopt such measures as he deemed proper, to cause our revenues to be paid in legal currency, notes of the Bank of the United States, or specie-paying State banks. It was fair to say that this resolution authorized, if it did not require, the Secretary to exclude, in the collection of the revenue, all bank-notes that were not readily convertible into specie. General Jackson, on the meeting of his Cabinet, instead of further advising, announced his determination to issue a circular, under this resolution, requiring specie in all cases of sale of the public lands. It was drawn up by Colonel Benton, then sitting in an adjoining room, engrossed by the President's secretary, and signed by the Secretary of the Treasury. This Specie Circular being sent to all the land-offices, prevented further throwing away the public lands. Its issue was one of the President's most firm and

useful acts, and saved the nation millions, and put an end to ill-timed speculations in the public lands.

Of course the act was denounced by both the banks and speculators, and a variety of severe epithets were applied to the President. But he remained unmoved. He had performed his duty, and was indifferent to consequences. No act of his life shows General Jackson to better advantage. He was in very bad health and was soon to retire from office, and it was natural that he should seek peace and quiet, and to be on agreeable terms with those he was about to leave. He would leave a friend in the Executive chair who would respect his advice and wishes. But in this matter omission and delay were treason to the interest of the people. No consideration could induce him to postpone or avoid duty. He made the order, and saved in the value of our public lands nearly the amount of a year's expenses of the Government. The few sought to profit by the continued use of a worthless paper currency. In behalf of the many he stepped in and prevented it. His action was intended to secure the rights of all and not the favored ones, and he prevented the better parts of the West from becoming the property of non-resident landholders, which is a curse to any country. In this measure he stood upon democratic ground, and the Democracy fully sustained him, while the anti-Democrats, who always demand and expect to enjoy greater privileges than the masses, condemned with the greatest possible bitterness. At the next session his enemies in the Senate and House opened a furious war upon him. But it all ended in loud and hard words; and soon after the 4th of March he parted with his ardent friends and admirers at Washington and returned to his beloved Hermitage. The last time the writer saw him, he was sent for to his room. His venerable form lay prostrate on a couch. Opposite his head and in front was a small light-stand, on which lay a well-worn Bible and Psalm-book which had belonged to his beloved Rachel, and leaning against them was a miniature of her, upon which he gazed when alone. A more striking exhibition of devotion to the memory of a departed wife cannot be found on record. They now sleep in the same tomb at the Hermitage.

75.—THOMAS H. BENTON.

Colonel Benton made his mark in American history, and his name is widely known to the world. Though some, who did not know him well, charged him with being dogmatical, no one has ever had the hardihood to accuse him of dishonesty or suggested that his motives were selfish. He labored hard in his investigations, formed opinions for himself, and maintained them with firmness and ability. They were honest opinions, and conscientiously and manfully defended, whoever might assail them. He was born in North Carolina in 1782, and died at Washington in 1858. His education was originally imperfect, but liberally supplied in after-years by his own exertions. His father dying when he was quite young, his mother removed to Tennessee, and occupied lands he had left his family. Here young Benton studied law, and commenced practice. While thus employed, he became one of General Jackson's staff in the militia, with the rank of colonel, which title he always retained. In the War of 1812 he served in a volunteer regiment under General Jackson, and when that was disbanded, President Madison commissioned him a lieutenant-colonel in the army, but, before reaching his regiment in Canada, peace rendered his services unnecessary and he resigned, and went to St. Louis to reside, where he devoted himself to his profession. He thoroughly identified himself with the interests of the West, and became their leading and most prominent advocate. He was elected a Senator in Congress by the Legislature of Missouri, but, owing to difficulties concerning her admission, he did not take his seat until 1821, after which he served continuously in the Senate for thirty years, until 1851, and subsequently two years in the House from the St. Louis district. After his retirement from Congress he devoted himself principally to the production and publication of two great works—"Thirty Years in the United States Senate," and an "Abridgment of the Debates in Congress." The latter he had hardly completed when he died.

Colonel Benton possessed a powerful frame, enjoyed excellent health, had a vigorous intellect, and a memory of wonderful tenacity and accuracy. He could endure as great an amount of labor

as any other person; and often, when any pressing emergency seemed to him to require it, contented himself with only from two to four hours of rest and sleep in twenty-four. With his retentive memory, and such persevering industry, he was seldom found wanting in complete preparation to meet and discuss any question that arose. After making an off-hand speech, he has been known to report it himself *verbatim*, without changing a word in his manuscript. His great devotion to business was often mistaken for coldness or haughty reserve. He never stooped to petty expedients to carry a point. He deemed his publicly-expressed reasons as quite sufficient to satisfy the minds of others why he acted. He often moved measures alone when others would not or dared not follow, and time usually proved him to be right.

When he believed himself right he did not hesitate to move, even alone, as in the case of his first attack on the Bank of the United States. This proves, that he was far more devoted to principle than to expediency and policy. He seldom quoted the authority of names, relying more upon reasoning and illustrations from history. He was remarkable for self-possession, and the fearlessness with which he spoke and voted. He was a fast friend and a vigorous opponent, whom few wished to encounter. He was no friend of needless forms and ceremonies, but always adhered to such etiquette as he believed necessary to support the dignity of his senatorial position. As members of the Cabinet could not become such without the consent of the Senate, and as foreign ministers did not rank above them, he never made the first call upon either, except when business demanded it.

No Senator was ever more familiar with our public affairs, or was more felt in their discussion. He did not sustain President Adams during his administration, but he gave General Jackson, Mr. Van Buren, and Mr. Polk most hearty support. He headed those who resisted the efforts of the Bank of the United States to obtain a recharter, and defended with irresistible force General Jackson's vetoes, removal of the deposits, and Specie Circular. He united cordially with Silas Wright in his efforts to establish our Treasury upon a solid basis, and to divorce the State from banks, as recommended by Mr. Van Buren. He resisted both the first

and last distribution schemes, and predicted their disastrous results. He was faithful in his support of all Democratic measures. The offer to place our army under his general direction during the Mexican War was wisely declined. The post of his greatest usefulness was elsewhere, while, if at the head of the army, it was liable soon to become disorganized and diminished in energy and usefulness.

Colonel Benton took strong ground against nullification, and made some of his greatest efforts to sustain the cause of the Union against that heresy. His steel was so much felt by Mr. Calhoun, that he never forgave or afterward associated with him. Having, at an early day, examined our rights to Oregon and their extent, when the question of its boundary arose, he took ground for the line of 49° instead of $54^{\circ} 40'$, and carried the country with him. He took strong ground against what he called the "trick," in the annexation of Texas, and firmly opposed Mr. Douglas's amended bill, repealing the Missouri Compromise. He predicted where the matter would end. Colonel Benton was honest, sincere, and fearless in his political views, always regretting a difference of opinion with friends. The great efforts of his life were designed to secure to the masses that protection and independence which the Constitution intended to secure to them. His invectives against those who sought to use the Government as a machine to make money, or promote private ends, were terrible. He believed in and defended equality of rights and burdens, and always set his face like steel against class legislation, so often pressed for the benefit of the few. To defend the right, there was no hazard too great for him to run. He was most efficient in his efforts to restore and continue gold as a currency, and the country was indebted to him more than to any other man for our having enjoyed this constitutional measure of values for a quarter of a century. He was a firm opponent of sectionalism, from the time it sought to prevent Missouri coming into the Union to the end of his life. He always feared it would end in destroying the Union. The memory of Colonel Benton will ever be cherished as one of the most firm, consistent, and useful Democrats of his day. Christening him as "Old Bullion" tends to strengthen the attachment of the Democracy for him.

76.—DISTRIBUTION OF THE PUBLIC LANDS, AND LAND SALES.

Since the establishment of the Government there has seldom been a time when some politician, or political party, has not been engaged in fostering or executing plans to secure improved position by the use or management of our public resources. It is a strong element among the anti-democratic principles. From the organization of the Western States, down to near the present time, there have been large bodies of public lands within their limits; while, at the same time, these States have exercised an important, if not a preponderant influence in presidential elections. Hence, whoever secured the support of these States, entered the presidential contest with a respectable capital. It will, therefore, disappoint no one to learn that there have been numerous efforts made to secure their good-will. During the last year of General Jackson's administration, Mr. Calhoun brought forward a plan for the cession of all the public lands to the States in which they lay, to be sold by them at graduated prices, extending over a term of thirty-five years—the States to bear the expenses, and to pay over to the General Government a third of their receipts. This proposition was denounced by the friends of General Jackson as a palpable bid for Western and Southern support for the presidency, and, on coming to a vote, received only the vote of Mr. Calhoun and five others.

When the Whigs brought forward their measure for distributing the proceeds of the sales of the public lands, Mr. Calhoun again brought forward his measure of ceding the public lands to the States in which they lay, to be sold, and a portion of the proceeds paid over to the national Government, but without success.

The general distribution of 1836 having proved so unfortunate, a different one was proposed by the Whigs, based upon the same motives concerning the vote of the Western States that had been manifested by Mr. Calhoun. It was for the Federal Government to sell the public lands, and pay over to Ohio, Indiana, Illinois, Alabama, Missouri, Mississippi, Louisiana, Arkansas, and Michigan ten per cent. of the net proceeds, and the residue to be divided among all the States, including these. These provisions

became a law at the session called by the President, during the first year of the Harrison-Tyler administration, on the 4th of September, 1841. This new distribution was strongly opposed by Democratic Senators and members, but, being in a minority, their efforts proved ineffectual to defeat it.

Like its predecessor, this measure proved fatal to the public interests, and had to be suspended, and virtually repealed in less than a year from its enactment. The compromise Tariff Act of 1833 provided for the biennial diminution of duties at the rate of ten per cent., in all cases where they exceeded twenty per cent., and all duties were reduced to twenty per cent. on the 30th of June, 1842. It was apparent to all, that twenty per cent. on our importations would not pay the necessary expenses of the Government. From the peculiar manner of enacting, amending, and repealing laws by Congress, it became a question, in the minds of some, whether the collection of any duties at all could be enforced. The Government almost came to a stand-still. Two remedial provisions were necessary to put it in motion—to abrogate the land distribution and increase the tariff—both of which received the sanction of Congress in August, 1842. It was mortifying to those who carried this land distribution to see it perish so early—too early to affect a single presidential election, and especially to see every one of the States, except Ohio, to whom this great temptation was held out, vote for and secure the election of James K. Polk, the Democratic candidate.

In this distribution act there was a clear wrong and a palpable violation of the Constitution. The sales of the public lands produced "revenue," both in the literal and popular sense of the term. It is equally revenue, whether derived from duties, imposts, excises, or the sale of property. They all equally produce funds for the Government Treasury—they are, as stated in the best law dictionary, "what is returned." Under the Constitution, all revenues must be devoted to paying national debts, and providing for the common defence and general welfare. It cannot lawfully be applied to any other purpose. A great wrong was attempted. Its failure was not owing to a disposition to renounce the wrong and correct the error, but to the consequences of the previous

wrong in the distribution of 1836, and in the want of statesmanship in those in power, in not providing revenue equal to the necessities of the Government, instead of unlawfully distributing it. These distributions were in conflict with democratic principles, which forbid any such disposition of our public moneys.

77.—DISUNION IN ITS EARLY STAGES.

Washington was a careful observer of passing events. He undoubtedly saw specks as well as clouds of disunion before he prepared his Farewell Address. In it he cautions the American people to be on their guard against both, and to repress them when seen arising. Sectionalism is one of the instrumentalities of disunion, if not the father of it. The very year in which the Farewell Address was issued, the *Hartford Courant* published a carefully-prepared series of papers urging a dissolution of the Union. Washington wrote with a knowledge of these in his mind. Among other things this writer said :

“The Northern States can subsist as a nation, as a republic, without any connection with the Southern. It cannot be contested, that if the Southern States were possessed of the same political ideas, a union would be still more desirable than a separation. But when it becomes a serious question, whether we shall give up our government, or part with the States south of the Potomac, no man north of that river, whose heart is not thoroughly democratic, can hesitate what decision to make. . . . I shall, in future papers, consider some of the great events which will lead to a separation of the United States; show the importance of retaining their present Constitution, even at the expense of a separation; endeavor to prove the impossibility of a union for any long period in future, both from moral and political habits of the citizens of the Southern States; and, finally, examine carefully to see whether we have not already approached the era when they must be divided.”

Among the charges made against the South, the following, which has been a thousand times repeated since, without the slightest foundation to rest upon, would do credit to the abolitionists of the present generation :

“Negroes are, in all respects, except in regard to life and death, the cattle of the citizens of the Southern States. If they were good for food, the probability is, that even the power of destroying their lives would be enjoyed by their owners, as fully as it is over the lives of their cattle. It cannot be that their laws prohibit owners from killing their slaves, because those slaves are human beings, or because it is a moral evil to destroy them. If that were the case, how can they justify their being treated in all other respects *like brutes*? for it is in this point of view alone that negroes in the Southern States are considered in fact as different from cattle. They are bought and sold—they are fed or kept hungry—they are clothed or reduced to nakedness—they are beaten, turned out to the fury of the elements, and torn from their dearest connections, with as little remorse as if they were beasts of the field.”

We have given elsewhere the testimony of Mr. John Quincy Adams and Governor Plummer on this subject. Their evidence covers a period of some ten years after the purchase of Louisiana. This evidence is full, clear, and irresistible. It involves the names of Timothy Pickering, James Hillhouse, Roger Griswold, Samuel Hunt, Aaron Burr, Uriah Tracy, and others.

No one who knew them will question the veracity of Mr. Adams or Governor Plummer. They fasten upon the Federal party the avowed intention, in Jefferson's time, to dissolve the Union, and Mr. Adams says it continued until the catastrophe of the Hartford Convention. No one has ever pretended to connect the Democratic party with it. The plan of operations was through the State Legislatures, in which Southern secession followed their plan. The difference between them was, the one countenanced and intended treason, and the other acted it—many of them by compulsion and against their will. The ghost that Pickering said haunted Washington, seems to have revelled in New England with the Federal party, and then appeared open on the stage in the land of Dixie, with helmet, shield, and bludgeon, and then disappeared when the shrill notes of the American eagle were triumphantly sounded. Disunion still lurks in the hearts of descendants of these old Federalists in New England to the present time, and occasionally sounds

its hoarse notes in denouncing the Constitution as "a covenant with death and an agreement with hell," in hurling anathemas against all who sustain Democratic principles. Washington understood these men, and pointed out the danger. Neither they nor their purposes change. As a distinguished New-Yorker once said of a politician, "that he had rather rule in hell than serve in heaven." The Constitution is good and the Government wise and safe, if they can control it. But, in the hands of the Democracy, every thing is wrong and intolerable. Those actuated by anti-Democratic principles will never be satisfied when such principles prevail and Democrats administer the Government. With them, disunion is preferable.

78.—WASHINGTON'S FAREWELL ADDRESS.

Washington had a hold upon the affections of his countrymen never excelled and seldom equalled. He was called the Savior and the Father of his country. Most of the people cherished for him the feelings which children entertain toward a father, and he felt for them as for children. The people placed implicit confidence in his wisdom and patriotism, and looked to him for that advice so necessary in a young Government. He had passed through the perils and vicissitudes of war, and the anxieties and inquietudes of peace, and formed the resolution to retire to the peaceful shades of his own Mount Vernon. He was appealed to by those near him for a parting word of advice, which might add to the value of the services he had rendered his country. It was suggested to him that it would be the cloud by day and the pillar of fire by night to guide his countrymen in leading them in the path safety. He complied with their request, and issued his Farewell of Address, dated September, 1796. The country then had its dangers and perils to encounter, but was too weak and feeble, and had too many external enemies to fear, to leave room for suspicion that disunion would ever be thought of, much less attempted. All were laboring for safety and seeking happiness in prosperity. It was under these circumstances that he gave his cautions and tendered his advice. The following extracts will serve as examples:

"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 prosperity, of that very liberty 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 (although 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 yourselves to think and to speak of it as a 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 the country from the rest, or to enfeeble the sacred ties which now link together the various parts. . . .

“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, benefitting by the same agency of the *North*, sees its agriculture grow and its commerce expand. 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*, in the progressive improvement of interior communications by land and water, will more and more find a valuable vent for the commodities which it brings from abroad or manufactures at home. The *West* derives from the *East* supplies requisite to its growth and comfort; and, what is perhaps of still greater conse-

quence, it must of necessity owe the secure enjoyment of the indispensable outlets for its own productions to the weight, influence, and future 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 connection with any foreign power, must be intrinsically precarious. . . .

“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 fraternal affection. . . .

“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 have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear.”

These are words of wisdom, and should command the entire respect of every American. Had they been heard and observed, the whispers of separation of that day would never have occurred nor the growl of secession at the embargo, or the threats of disunion in the times of the Hartford Convention. Nullification would not have shown its snaky head, nor abolition issued its fierce denunciations, to be met by counter-blasts from the

South, nor war shown its frowning, furious front; nor, when it was over, would there have followed under the name of peace a conflict worse than war, by the addition of pestilence and famine, with liberty and the Constitution crushed out, and men groaning and perishing under legislative intolerance and fury, and the iron hand of military tyranny. That Washington consulted Madison in preparing this address, who probably wrote most of it, is a fact that belongs to the record of Democracy.

79.—SILAS WRIGHT.

In 1847, at the time of his death, no man in the United States had a stronger hold upon the confidence of the American people than Silas Wright. The son of a Vermont farmer, he had acquired and preserved the tastes, habits, and many of the manners of that invaluable and reliable class of people. He had risen, by mind alone, from a simple town officer to that of United States Senator and Chief Magistrate of the great State of New York. In Canton, N. Y., where he resided, he cheerfully served his neighbors in various town offices, including that of path-master, working with his own hands on the highways. In the militia he had served from captain to brigadier, and in the civil service from a justice of the peace to the high court for the correction of errors—the latter in virtue of the office of State Senator. His service in the House of Representatives was followed by the more important one of Comptroller of the State, and that followed by the still higher one of United States Senator. His last public service was as Governor of the State in 1845-'46. For no one of these places did he make himself a candidate, but in each was the selected leader of others. No one ever complained of the manner in which he performed the duties of any station he ever held. He was of medium size, erect, and active in all his movements, possessing indomitable energy and perseverance. His appearance was prepossessing, and his manners simple, but those of a gentleman, combining elegant courtesy with sincerity. He was polite to all, and overbearing to none. As a magistrate, he was the settler instead of the promoter of litigation. As a surrogate, he was the able and conscientious adviser of all having business be-

fore him. As a lawyer, he has been known to lock his client with his adversary in a room until they settled their difficulties. As a neighbor, he was the standard of comparison for every thing good. As a friend, he was the most reliable. He even declined, when offered by President Tyler, what he would have preferred to all other offices in the world, a seat on the bench of the Supreme Court, because of his attachment to Mr. Van Buren, not being willing to desert him during his contest for the presidency. He was placed in the Senate by his political friends, expecting he would stand by Mr. Van Buren, and neither his inclination nor his duty would permit him to disappoint this expectation of his friends. During the canvass for Governor, the writer had occasion to say what he knew of Mr. Wright, and among other things stated:

“Whatever tended to promote the substantial interests of his town was certain to receive his attention. The construction of roads and bridges, the erection of churches and public edifices, were objects that attracted his early attention, and were essentially promoted by the labor of his own hands. Until public duty called him away, he often acted as path-master in his district, and personally performed as much labor as any citizen. A competition between his and other districts led to results still visible in his town. In case of sickness he was always the first to offer his services. I have known him to walk miles in stormy weather, over muddy roads, to watch with the sick. No one performed this task more frequently or cheerfully. No one is more devoid of selfishness. During my long acquaintance, I never knew him to be laying plans for pecuniary gain or personal advancement. No man has ever accused him of doing a personal wrong or any injustice. He always fulfils his engagements, of every description, with scrupulous fidelity. The example of Mr. Wright on this, as on many other subjects, has exerted a most salutary influence upon the citizens of his town, often noticed and frequently mentioned by the people of other towns. There are but few among his neighbors, of either party, who do not feel heartily proud of him, and manifest an anxiety to act so as to meet his approval. His frankness and sincerity have made impressions upon his friends and associates, which a stranger will readily notice.”

Such was his real character, as seen in his every-day life, by those who knew him best. It was not only the old and middle-aged that became attached to him, but the young, and even children, would arrange themselves where he was expected to walk, to receive his recognition and to be made happy by his kind remarks. More than thirty years ago, a sort of a fairy young miss, from the Green Mountain State, was asked why she liked him. Her answer, full of the real philosophy of life, was this: "He always speaks so kind to me." She still lives in the first town in that State, and practises the great philosophical principle which she unconsciously announced.

Mr. Wright was not free from temper and strong impulses, but they were under the most absolute control. Upon only two occasions were they ever shown: one, when Daniel D. Barnard, in Congress, spoke slightly of his parents, and called him, then a member of the House of Representatives, a mere county court lawyer, and another, when it was evident that the vote of a New York member and messmate had been tampered with on a pending question.

A more honest and conscientious man never lived. It was an inflexible rule with him, in all matters between him and his neighbors, never to take the doubtful penny. Before leaving in the fall to attend the Senate, he inventoried every thing he had in a book, and whenever there was a private understanding between him and another, such as postponing the payment of a note, or bond, a memorandum was always made of it in the proper place in this book. He kept his business so snug, that when he died his only debts were the wages of his hired man for the current month and a shilling to a blacksmith for work done a day or two before.

His industry was proverbial. When at home, he labored on his small farm beside his assistant, performing quite his share of the work. As Comptroller, he was indefatigable in his duties, and was perfect master of the whole of the extensive business of that office. While in the Senate, no one performed a greater amount of committee duty. Whatever devolved upon him was performed with his own hand. Even when chairman of the Committee on

Finance he always refused to have a clerk, as is now the fashion of most committees in Congress. One consequence was, that his reports, bills, and remarks, were free from blunders. To avoid the interruption of company, he very often left his own committee-room and worked in another. To relieve the brain when overworked, he, like the distinguished Meredith, read light works which he did not attempt to remember. When young, and in his law-office, he was an incessant reader of Shakespeare. He was then a liberal smoker, to quiet his nerves, and frequently left his bed for that purpose. He was exceedingly fond of hunting and fishing, and frequently shouldered his pack and went with friends to that vast wilderness lying between the settled parts of St. Lawrence and Saratoga and Montgomery, commonly called "John Brown's Tract." On such occasions he always sustained his full share of the hardships.

He never engaged in speculations, being content with the slow gains of his labor. On two occasions, friends, without his knowledge, made in his name subscriptions in two companies, which he did not feel at liberty to disavow, although against his wishes, in one of which there was a small profit, and in the other a loss quite sufficient to balance the account.

In dress he was neat, but plain and simple. He was only anxious to appear respectable in his position. Although apparently cool and collected, he was really quite diffident, which contributed to his wish to avoid occasions where formalities and display were the leading features. His colloquial powers were great. He won the hearts of those who called upon him, by the peculiar charm of his conversation, which was always natural and easy. His speeches were usually prepared with considerable labor, but were never written out in advance, nor were forcible or eloquent expressions studied. It was common for him to write on note-paper his propositions, with sums and dates, if figures were necessary, each proposition being on a separate half-sheet, and folded and arranged in the order in which they were to be used. The object of this seemed to be, the orderly presentation of his thoughts, and to render his positions clear and distinct. Neatness and order pervaded every thing he touched. When

writing, his thoughts were so arranged and his words so chosen, that he often wrote a long report without there appearing an interlineation or erasure. His celebrated agricultural address, prepared shortly before his death, was sent to certain friends for suggestions, if thought proper. His friend A. C. Flagg suggested the change of one word, the meaning of which might be the subject of question. His last labor with a pen was performed the evening before his death, in rewriting the page containing it, rather than to mar it by erasure and interlineation. This habit of perfect order pervaded all the acts of his whole life.

As a speaker, he was distinguished, not by brilliancy, or flights of imagination, or winning expressions, but for clear, forcible, powerful, and logical argument. A celebrated foreign traveller once listened to a debate in which Preston, Clay, and other distinguished orators took part, which was closed by Mr. Wright. He declared, when he returned to his quarters, that he was charmed with the eloquence of these distinguished speakers, but when they had finished he could not see that they had made much progress in elucidating the subject under consideration. But after them followed an unpretending Senator, a Mr. Wright, of New York, who took up the subject and presented it so clearly and argued his propositions with so much judgment, force, and effect, that he felt as if he was master of the whole subject, and should never forget it. He said he was irresistibly carried along, and could not doubt the Senator's conclusions—that he had been in all the leading legislative bodies in Europe, and had heard distinguished men speak, but had never heard a more forcible, or logical argument.

Mr. Wright had one faculty, of great use to a man in public life, which he naturally, if not unavoidably, cultivated, and which proved vastly useful, though not generally recognized. He successfully read the thoughts and characters of men with whom he came in contact, and seldom made a mistake. Had his suggestions, resulting from this knowledge thus acquired, prevailed, many mistakes in appointments would have been avoided by General Jackson and Mr. Van Buren. This scrutiny into character became so much a habit, that in later years it seemed unavoida-

ble. When a stranger, who had spent half an hour with him, left his room, he often told the writer what his character was, and by what motives he was actuated, and future knowledge nearly always confirmed his opinions. The knowledge thus acquired gave him great advantages in his intercourse with men, and essentially prevented misplaced confidence.

Our space will not permit our giving even an outline of the political life of Governor Wright. The writer expects, at a future day, to give the world a full account of his life and public services. We can now only refer to his official life. He entered the State Senate the 1st of January, 1824, and retired on the 4th of March, 1827. It was during this service that he succeeded in placing the New York canal policy on the debt-paying principle, and established a high character for talents and integrity. In 1826 he was elected to Congress, and served one session and part of another, distinguishing himself by advocating the placing of the wool interest on as favorable a basis as others of a more pretentious character. On the 27th of January, 1829, he was elected Comptroller of New York, and, resigning his seat in Congress, repaired to Albany, and entered upon his new duties, which he performed until early in January, 1833, when he was elected to the United States Senate, to supply the place of Mr. Marey, who had been elected Governor of New York.

He took his seat in the Senate on the 14th of January, 1833, and served until December, 1844, when, having been elected Governor, he resigned. In the office of Comptroller, he essentially contributed to carry out his own canal policy, under which New York improved in her finances, and was working out of debt, with diminished taxation. In the Senate of the United States he participated in all the great measures before that body, in the thrilling times of Jackson, Van Buren, and Tyler. By perseverance, he finally succeeded with his Independent Treasury Bill, which eventually became a law. As Governor, he was successful in substantially putting down and quieting anti-rentism. He was nominated for reëlection in the fall of 1846, but was defeated by the treachery of a few leading Democrats, some of whom were representatives of Departments at Washington. Instead of low-

ering him in the estimation of the public, this defeat elevated him everywhere, and, had he lived, he would have been the candidate of the united Democracy for the presidency in 1848, and would have been triumphantly elected. His memory is now cherished by all parties throughout the country, as that of an able, upright, honest, and patriotic man. He is never named except in words of sincere and high regard.

He was born at Amherst, Mass., on the 24th of March, 1795. When about one year old, his father removed to Weybridge, Vt., where he resided until his death. Silas was educated there, and at Middlebury College, and read law at Sandy Hill, N. Y., mostly with Roger Skinner, afterward United States District Judge. He taught school winters, to aid in his own support. He settled in Canton in 1819, and died there in 1847, sincerely mourned by all who knew him, whether residing there, or in distant States. Governor Wright was a Democrat of unflinching firmness, who believed that the perpetuity and prosperity of our institutions depended upon the ascendancy of Democratic principles.

Governor Wright during his political life declined numerous high offices. He repeatedly declined the use of his name for the office of Governor, and only accepted the nomination in 1844 because his friends demanded the use of it to render the election of the presidential ticket certain. He refused cabinet appointments under Mr. Van Buren and Mr. Polk, and a seat on the bench of the Supreme Court under Mr. Tyler. In 1844 he refused the use of his name for President, and, when actually nominated for the vice-presidency, declined it. He also refused foreign missions. Colonel Benton, in his great work, says:

“He spent that time in declining office which others did in winning it, and, of those he did accept, it might well be said they were “*thrust*” upon him. Office, not greatness, was thrust upon him. He was born great, and above office, and unwillingly descended to it; he only took it for its burdens, and to satisfy an importunate public demand. Mind, manners, temper, habits, united in him to form the character that was perfect, both in private and public life, and to give the example of a patriot citizen—of a farmer statesman—of which we read in Cincinnatus and

Cato, and seen in Macon, and some others of their stamp—created by Nature—formed in no-school; and of which the instances are so rare and long between.”

The country is greatly indebted to him for the introduction of the telegraph. Neither the inventor nor his friends had the means of fully testing it. After thorough examination, he arrived at the conclusion that it would prove a success. He thereupon reported the Act of 1843, which passed the Senate upon the strength of his recommendation, appropriating \$30,000 to build a line between Baltimore and Washington, which, when completed, met his expectations, and caused the introduction of the telegraph throughout the country.

80.—JACKSON'S FAREWELL ADDRESS.

On the 3d of March, 1837, General Jackson issued a Farewell Address to the people of the United States. It was on the last day of his official life. His first service for his country was in the tented field, when a lad, where a British sword had caused his blood to flow. His last was at the head of the great American Government. On various occasions, between these dates, he had successfully served his country under difficult and trying circumstances. For a period of more than half a century he had been a careful observer of events connected with our history. His attachment to his country was strong and unwavering; and he regarded the future with deep solicitude. He had observed the happy effect of Washington's Farewell Address upon the country generally, and especially in shaking the purposes of the Federalists in New England, when its leaders, Pickering, Hillhouse, Griswold, Tracy, Hunt, and others, in 1804-'5 proposed and organized a plan of practical disunion, frustrated probably by the death of Hamilton. He had before him abundant evidence of the ardent attachment and unlimited confidence of the people. Under such circumstances, it was a very appropriate method of closing his official career, and performing a parting service. The address produced a deep sensation, and was hailed as a most valuable legacy from a loved father to loving children. To recall it to the

recollection of our readers, we shall make liberal extracts from it. After stating the true principles of taxation, he says :

“Plain as these principles appear to be, you will yet find that there is a constant effort to induce the General Government to go beyond the limits of its taxing power, and to impose unnecessary burdens upon the people. Many powerful interests are continually at work to procure heavy duties on commerce, and to swell the revenue beyond the real necessities of the public service ; and the country has already felt the injurious effects of their combined influence. They succeeded in obtaining a tariff of duties bearing most oppressively on the agricultural and laboring classes of society, and producing revenue that could not be usefully employed within the range of the powers conferred upon Congress ; and, in order to fasten upon the people this unjust and unequal system of taxation, extravagant schemes of internal improvement were got up in various quarters, to squander the money, and purchase support. Thus one unconstitutional measure was intended to be upheld by another, and the abuse of the power of taxation was to be maintained by usurping the power of expending the money in internal improvements.”

Referring to disunion and sectional action, he said :

“We behold systematic efforts, publicly made, to sow the seeds of discord between different parts of the United States, and to place party divisions directly upon geographic distinctions ; to excite the *South* against the *North*, and the *North* against the *South*, and to force into the controversy the most delicate and exciting topics, upon which it is impossible that a large portion of the Union can ever speak without strong emotions. Appeals, too, are constantly made to sectional interests, in order to influence the election of the Chief Magistrate, as if it were desired that he should favor a particular quarter of the country, instead of fulfilling the duties of his station with impartial justice to all ; and the possible dissolution of the Union has, at length, become an ordinary and familiar subject of discussion. Has the warning voice of Washington been forgotten ? or have designs already been formed to sever the Union ? Let it not be supposed that I impute to all those who have taken an active part in these unwise

and unprofitable discussions a want of patriotism, or of public virtue. The honorable feelings of State pride, and local attachments, find a place in the bosoms of the most enlightened and pure. But while such men are conscious of their own integrity and honesty of purpose, they ought never to forget that the citizens of other States are their political brethren; and that however mistaken they may be in their views, the great body of them are equally honest and upright with themselves. Mutual suspicion and reproaches may in time create mutual hostility; and artful and designing men will always be found, who are ready to foment these fatal divisions, and to inflame the natural jealousies of different sections of the country. The history of the world is full of such examples, and especially the history of republics.

“What have you to gain by division and dissension? Delude not yourselves with the belief, that a breach once made may be afterward repaired. If the Union is once severed, the line of separation will grow wider and wider; and the controversies which are now debated and settled in the halls of legislation, will then be tried in the fields of battle, and determined by the sword. Neither should you deceive yourselves with the hope, that the first line of separation would be the permanent one, and that nothing but harmony and concord would be found in the new associations formed upon the dissolution of the Union. Local interests would still be found there, and unchastened ambition. And if the recollection of common dangers, in which the people of the United States stood, side by side, against the common foe—the memories of victories won by their united valor; the prosperity and happiness they have enjoyed under the present Constitution; the proud name they bear as citizens of this great Republic—if all these recollections and proofs of common interest are not strong enough to bind us together, as one people, what tie will hold united the new divisions of empire, when these bonds have been broken, and this Union dissevered? The first line of separation would not last for a single generation; new fragments would be torn off; new leaders would spring up; and this great and glorious Republic would soon be broken into a multitude of petty States, without commerce, without credit;

jealous of one another; armed for mutual aggressions; loaded with taxes to pay armies and leaders; seeking aid against each other from foreign powers; insulted and trampled upon by the nations of Europe; until, harassed with conflicts, and humbled and debased in spirit, they would be ready to submit to the absolute dominion of any military adventurer, and to surrender their liberty for the sake of repose. It is impossible to look upon the consequences that would inevitably follow the destruction of this Government, and not feel indignant when we hear cold calculations about the value of the Union, and have so constantly before us a line of conduct so well calculated to weaken its ties."

He thus closes his advice :

"You have no longer any cause to fear danger from abroad; your strength and power are well known throughout the civilized world, as well as the high and gallant bearing of your sons. It is from within, among yourselves, from cupidity, from corruption, from disappointed ambition, and inordinate thirst for power, that factions will be formed and liberty endangered. It is against such designs, whatever guise the actors may assume, that you have specially to guard yourselves. You have the highest of human trusts committed to your care. Providence has showered on this favored land blessings without number, and has chosen you as the guardians of freedom to preserve it for the benefit of the human race. May He who holds in His hands the destinies of nations make you worthy of the favors He has bestowed, and enable you, with pure hearts, and pure hands, and sleepless vigilance, to guard and defend, to the end of time, the charge He has committed to your keeping!"

A noble legacy. Its timely cautions were directed to the real sources of danger. The motives and causes of disunion are clearly and plainly stated. Had they been heeded, North and South, the sectional curses that have befallen us, withered our resources, and destroyed the Union and the happiness of the people, would never have overtaken us. The cupidity, corruption, disappointed ambition, and inordinate thirst for power, are pointed out as the sources from which sectional difficulties and disunion must emanate.

From whom have our sectional and disunion difficulties come? The answer is explicit—from the enemies of General Jackson, and those who derided and spurned his advice. The leaders of abolition and nullification carried on a mock war, to alienate the kind feelings and arouse all the bad passions of both sections. Abolition would blister its mouth in uttering scorching and bitter words, which the newspapers sent South to stir up the people. These being read and commented upon, words of burning fire and fury were uttered and sent North in the papers. Each section supplied the fuel and kept the fire burning in the other. The leaders understood it, but the masses did not, and became terribly in earnest. The defeat of a Southern Union man for Congress was hailed with joy by the Northern conspirators, and the success of an abolitionist at the North was chuckled over by Southern secessionists as a triumph. Each wished to widen the breach and render healing it impossible. Both had disunion in view. The Southern States, tired of Northern annoyances, wished to go by themselves and enjoy in peace their own institutions and laws. The abolitionists wished to get rid of them, and have a government where slavery should not be tolerated. If these two sections had had their own way, the South would have been permitted "to go in peace," as advised by Chief-Justice Chase, Horace Greeley, Banks, Wade, and others. But there was another and numerous class of men who could not be converted to these doctrines. They consisted of the followers of General Jackson, North and South, and Union-loving Whigs everywhere. The Southern secessionists openly proclaimed their wishes and intentions. But the Union Democrats and Union Whigs were so numerous and decided, that nearly all the Abolition party shrank from avowing what they desired, and those who had spoken out recalled their words and clamored the loudest for the Union, and for punishing those who rebelled. The secessionists were surprised and astonished, and met a united resistance of all parties from the North that they had not anticipated or feared. The most sturdy of the real abolitionists were more easily found in the ring of thrift or talking positions, than where powder and ball showed the real havoc of war. They made up in noise what they

lacked in actual fighting, and now put forth claims similar to those of the redoubtable Falstaff. The real fighting was mainly done by Democrats and old-line conservative Whigs, who were favored with more opportunities to display their courage than to receive compliments and favors at the hands of the Government. The enormous sacrifice of men and means in this war came from not following the salutary advice of General Jackson's Farewell Address.

81.—MARTIN VAN BUREN.

Mr. Van Buren acquired his eminence by the force of his mind and unsurpassed energy. His parentage was respectable, but not such as to give him special advantages in the start or progress of his elevated career. His early education was moderate, but whatever knowledge he acquired, whether in school or the law-office, was clearly, and distinctly, and permanently impressed upon the mind. He was never satisfied in half learning or understanding any thing, but made sure that whatever he undertook he perfectly mastered. In studying legal principles, he was not content in merely remembering what he found written in the books, but his investigations never ended until he learned the reason of the rule laid down. In practising his profession as a lawyer, he relied far more upon the reasons in favor of his own positions than upon the authority of great names and accepted writers. This gave him superior advantages, which contributed largely to his success. In giving advice and in preparing cases, like Felix Grundy, he settled in his own mind what he thought, upon principle, was clearly right, and acted accordingly, and was seldom wrong.

He was born at Kinderhook, Columbia County, N. Y., December 5, 1782, and was admitted as an attorney in 1802, and commenced practice in his native town, but soon removed to Hudson, where the field of professional labor was larger. While a student he took an active part in the political contests in the county, and, espousing the Democratic party, he came in conflict with the leading Federalists of the day. The efforts of these politicians to crush him, contrary to their expectations, contributed

essentially to his success and elevation in the world. It tended to increase his energies and sharpen his faculties, and he soon rose to be the equal of those who hoped he would fail. His constitution was strong, his health good, and his mental faculties never tired, and his industry never flagged. His character, in every respect, was above reproach, while his manners and appearance were highly in his favor. Neither envy, hatred, nor malice, could stay the progress of such a man. He steadily rose, step by step, until he reached the highest position in our Government.

Always honest in his intentions, and firm and unwavering in his purposes, and persevering in whatever he undertook, he soon became a favorite with the Democracy of his county, and eventually of the State and nation. The Democrats in 1808 first manifested their respect and confidence by conferring upon him the responsible office of Surrogate of Columbia County, which he held many years. He was next, in the spring of 1812, elected State Senator for four years, at the end of which term he was reelected. His rise was now rapid. When General Hull was tried for his cowardly if not treasonable conduct in the surrender of Detroit, he was selected as judge-advocate, and performed the duties in a manner which elevated his character as a lawyer. During the War of 1812 he was Governor Tompkins's right-hand man in the Legislature. When the question of constructing the Erie and Champlain Canals was before the Legislature, contrary to the wishes of some of his friends, he espoused these measures and lent them invaluable support. He was appointed Attorney-General of the State of New York in 1815, and continued to hold the office until removed by his political opponents in 1819. Although residing in Albany, he was elected a delegate to the convention of 1821, to revise the State constitution, by the Democracy of Otsego County.

During the same year he was elected to the Senate of the United States, and took his seat in December. In that body he immediately rose to a high position. He was reelected in 1827, but resigned on the 1st of January, 1829, on being elected Governor of New York, which office he resigned in March, having been appointed Secretary of State by General Jackson. This

office he resigned on the 7th of April, 1831, because circumstances beyond his control had placed him before the country as a candidate for the presidency, a position which he thought incompatible with a proper discharge of his duties as the head of a department. The duties of the office of Secretary of State were never more ably and efficiently performed than by Mr. Van Buren. Soon after his resignation as Secretary, General Jackson, in vacation, appointed him minister to Great Britain. The enemies of the Democracy were at that time in a majority in the Senate, and his nomination as minister was rejected, 26th January, 1832, by the casting vote of John C. Calhoun, then Vice-President, and president of the Senate. It is believed that there was a well-understood arrangement among his opponents to place the responsibility of his rejection on the shoulders of Mr. Calhoun, of which he had no knowledge. When the news of his rejection reached London, he was met by a distinguished member of the British Government, who, instead of looking upon him as a dishonored and fallen statesman, remarked that he had never known a person to reach the highest political positions without at some time having been temporarily the victim of the injustice of his enemies.

On returning home, Mr. Van Buren was most cordially received by his political friends. The greetings of General Jackson were cordial and sincere. The whole country felt that gross injustice had been done to Mr. Van Buren by his rejection. No man then living was more fit for the English mission. The authors of the rejection believed that their vote would deprive him of public confidence, and defeat any future aspirations he might have. In the minds of the people the question was, not what the Senate thought of him, but whether he had been unjustly dealt by. The electors condemned the act by their votes.

General Jackson had consented, contrary to his own wishes, and former expressed opinions, if nominated again, to run for the presidency. A nominating convention from all the States met at Baltimore, on the 22d of May, 1832, when he was unanimously renominated for the presidency. Mr. Van Buren was selected for Vice-President. The election resulted in a great Democratic triumph, Mr. Van Buren receiving the same vote as General

Jackson, except in Pennsylvania. On the 4th of March, 1833, both were sworn into office, Mr. Van Buren becoming presiding officer over the Senate which the year before had rejected his nomination as minister to England—a triumph, although it did not seem to affect him, which was keenly felt by those engaged in the movement to crush him. He was a most dignified and impartial presiding officer, and commanded the respect of all who preserved their own self-respect, and a proper regard for the Senate.

The people were not satisfied with the rebuke they had administered for the wrong done Mr. Van Buren. In 1836 he was nominated for the office of President, and was elected. The nullifiers at the South, and the abolitionists at the North, made common cause with the Whigs against him, although professing conflicting political opinions. Richard M. Johnson, of Kentucky, who ran with Mr. Van Buren for Vice-President, lacking one vote of a majority, was elected Vice-President by the Senate. Both were sworn in on the 4th of March, 1837.

On assuming the duties of the office of President, Mr. Van Buren exhibited qualities fitting him for the high position that few supposed he possessed. He was prompt in the discharge of all his duties, and soon satisfied every one about him that he was President in fact as well as in name. He made calls upon his Cabinet for information, and assigned its members duties to perform, so that B. F. Butler said it reminded him of former days in Mr. Van Buren's law-office in Albany. Every duty devolving upon him as President was performed promptly, and all necessary responsibility was cheerfully borne. On the other hand, he held all about him responsible for what the law, or duty, devolved upon them. He never interfered with the rights and privileges of the members of his Cabinet, or any one else. When asked for a clerkship in one of the departments, his reply was, that he had not the power to appoint one, and both his inclination and duty forbade his interfering with matters that did not belong to him.

As a business man Mr. Van Buren had no superior. He transacted business without any apparent effort or labor, and it never accumulated on his hands. When office hours were over,

he usually found time for a horseback-ride before dinner. The dignity, proprieties, and hospitalities of the Executive mansion were sustained on all occasions with the greatest propriety. He was attentive to those friends who were sick, looking after their wants, and giving them rides in the country when able to bear them. Contrary to the custom of some Presidents, he visited the families of the members of his Cabinet. In his every-day living he preserved his early taste and relish for the Dutch dishes which his mother had made for her family, and they were very often on his table.

In another place we have given most of the leading events of his administration, and cannot repeat them. He failed in his reelection, not because he was in any respect in the wrong, but owing to a combination of circumstances which prevented a right appreciation of what he had done. His reply to the address of his friends inviting him to a public dinner on his return to the city of New York will ever remain a proud monument of his dignity and superiority as a man, and of his unbounded confidence in the people, and especially in their sober second thought.

In the Baltimore Convention of 1844 Mr. Van Buren received a majority of the votes, but, owing to the adoption of the two-thirds rule, failed of a nomination.

In 1848 he consented to be governed by the judgment and wishes of certain of his friends, and, yielding his own inclinations, reluctantly consented to run for President when there was no hope of an election. This error of his friends was visited upon him, and defeated all future chances of success. But it had no effect upon his political principles, which remained uniformly and firmly Democratic to the end of his life. On retiring from the presidency, Mr. Van Buren returned to his native town, and became a cultivator of the soil until his death, July 24, 1862. His last years were spent most pleasantly among those ancient Dutch families in Columbia County, who, like him, continued to speak their native tongue on all convenient occasions. Mr. Van Buren was an eloquent as well as a forcible speaker. In an address to the jury, at Hudson, in a seduction case, he is said to have drawn tears from every eye in the court-house. His conversation had a peculiar fascination and charm about it, which was

more easily felt than described. His attachment to his friends was strong and lasting. Like Jefferson, he never spoke evil of any one, and disliked to hear others do it. He believed in democratic principles, and could not help it, and he supposed those who took opposite ground did so because they could not believe otherwise. He therefore never allowed differences of opinion on political subjects to disturb personal and neighborhood friendships. At a public reception at Ogdensburg in 1840, the writer, as a chairman of a committee of citizens, said to him, among other things: "It affords us pleasure to reflect that your whole life has been distinguished by an entire absence of those bitter and exasperated feelings which so often characterize the acts of those engaged in political controversies. Personal animosities materially disqualify the mind for judging accurately—they destroy those fraternal and national feelings which are so essential in judging accurately, and, without which, our efforts to harmonize are doubtful, and disputed questions in our public affairs will prove entirely unavailing."

To these remarks he replied: "It can scarcely be necessary to say how cordially I approve the opinion you have expressed, in regard to the spirit in which political controversies should be conducted everywhere, and particularly under institutions like ours; and I allow myself to hope that the sentiment which does you, and those you represent, so much credit, will soon become that of the whole country."

Mr. Van Buren lived up to these professions, and it would be fortunate for our people if they would follow his example. Every man who has political or religious principles, should be firm and consistent in their support, but this should not make him the personal enemy of those who entertain different sentiments. Men who honestly entertain opinions on such subjects cannot avoid doing so. It is as impossible for all men to think alike as it is to look alike. Faults show themselves when men will not strive to understand, and will not think, but will blindly follow without doing either. This may occasion want of respect, but is no cause for hatred and persecution, and those politicians who preach and practise the contrary doctrines are unworthy of being followed,

either as the leaders of a political party, or as teachers of the charitable doctrines of the Christian religion.

In person, Mr. Van Buren was of medium size, but became large in his old age. He was always neat and conformed in dress to the usages of the times. He was no speculator or miser, but relied upon his industry for the comforts and conveniences of life. He was not poor. A counsel-fee in wild land, which he desired to avoid taking, at a future day made his circumstances easy, owing to public improvements in the State. On all occasions he used his earnings freely to sustain the dignity of the position he occupied. At the time of his death he was engaged in preparing memoirs of his own times, which he did not complete. An episode on political parties, which wanted the finish of his pen, has been published, and is highly interesting. His papers are in the hands of Charles H. Hunt, of New York, to be arranged and prepared for publication. Mr. Van Buren was charged by his adversaries with being a non-committal and managing man, but this charge had no foundation in fact. However wary he may have been in his intercourse with his opponents when not called upon to act, when business demanded an avowal, or duty required it, no man was ever more frank, open, and decided. The record of his life proves this to be true. His assumed management was simply this—he was a follower instead of a teacher of the people, and excelled his contemporaries in ascertaining the wishes and will of the people on new questions as they were arising, and shaped his movements accordingly. No man ever discovered more readily the channel in which the Democratic sentiment would flow. His pride was to go with the masses of the Democracy. It was never his policy to rule his party, but to go with it. He was sometimes in advance of the public mind in his actions, as in his efforts in favor of the canals, the abolition of imprisonment for debt, the repeal of the restraining laws which gave chartered banks a monopoly of the banking business, and in the establishment of an Independent Treasury. But the moment the disturbing causes which unsettled and misled the public mind were removed, the masses were found united and acting in concert, and sustaining him. Pointing out the acknowledged true path before the majority are pre-

pared to walk in it, cannot be deemed management. It is simply early and superior foresight, in which none of his day excelled him.

82.—THE SUB-TREASURY.

It is not strange that a Government springing into existence in the midst of a Revolution, and utterly without means, should do no more than appoint a Treasurer. Michael Hillegas was quite equal to the task during the Revolution and for many years afterward, of receiving, keeping, and paying out all our revenues. When the first bank was chartered by Congress, in 1791, it claimed and enjoyed the profits derived from keeping any surplus, and its successor, chartered in 1816, did the same thing, with more ample powers. During the period between 1811, when the first bank charter expired, and 1816, when the second was established, we had neither surplus nor means for anybody to keep. Keeping our money in banks had grown like a parasitic plant, and seemed to form a necessary part of the system of collecting, keeping, and disbursing the public money. There was no absolute pressure upon the point of separating the banks from the Treasury, although highly objectionable, until the charter of the Bank of the United States was about to expire. State banks were tried, and, after withstanding the hostility of the old bank and opposition of a political party, failed and sunk under their own folly. Nothing was then left but for the Government to cut loose from all banks, and to authorize a sufficient number of assistant treasurers, located where the collection of the revenue should require it, which was recommended by Mr. Van Buren at the called session of 1837. The subject, in the Senate, went to the finance committee, of which Silas Wright was chairman, who reported a bill to carry the recommendation into effect. Although an Independent Treasury had been suggested in private circles, and among others by the writer, as early as 1834, as a measure preferable to the State bank deposit system, which was legalized in 1836, which he opposed, still Mr. Wright's bill was the first practical step toward separating the public moneys from those of the banks, and keeping them in a Treasury belonging to and controlled by the Government. Out of

a floating thought, Mr. Wright gave form to a grand system, one worthy of a great and free Government, and which harmonizes with the spirit of our institutions.

This bill, as amended, prohibited the receipt of any currency but gold and silver by the Treasury, and was violently opposed by Mr. Wright's colleague and Senator Rives (both claiming to be Democrats), and every Whig Senator. It passed by a vote of 26 to 20, but was laid on the table in the House by a Whig majority. At the December session Mr. Wright again presented his bill, which passed the Senate and was again laid on the table in the House. The specie clause was struck out before the bill passed the Senate. At the December session of 1838-'39, Mr. Wright again presented his bill, which passed the Senate, but was again laid on the table in the House. The next Congress, containing a majority of Democratic members, met in December, 1839. Mr. Wright again introduced his bill; it passed both Houses, and *received Mr. Van Buren's approval on the 4th of July, 1840.*

Here was a triumph of principle, after a persevering effort of almost three years, upon the question whether the Government should keep its own moneys, or commit them to the custody of irresponsible and exploding banks. The Whigs, true to anti-Democratic principles throughout, sustained the pretension of the banks that they ought to have the custody of the people's money, that they might speculate on it, as well as make it an active and efficient agent in defeating the Democracy at elections.

The elections of 1840 brought into power on the 4th of March, 1841, a Whig President and Congress. A session of Congress was soon called, to meet on the 31st of May, whose seventh Act repealed the Independent Treasury and the State Bank Deposit Law, leaving the administration to take care of the public money in its own way. At this distant day it seems strange that any political party could be so infatuated as to deprive the Government of a Treasury, having the necessary working machinery to make it convenient, safe, and practically useful. The State bank system could not be practically used, because the banks did not conform to the requirements of the law. They could not be trusted. The object of the Whigs in repealing the Independent Treasury

Law was apparent. It was to compel Congress to pass a United States Bank Bill. Such a bill passed both Houses of Congress, but unexpectedly encountered President Tyler's veto, which they could not overcome by a two-thirds vote, and the measure was finally defeated.

In 1844 James K. Polk was elected President, and Silas Wright became Governor of New York. Congress met in December of that year, and on the 6th of August, 1846, reënacted the Independent Treasury Act, which remained in force about twenty years, the Government not having lost a dollar by it. But at the commencement of the late war, on the recommendation of Secretary Chase, he was authorized to deposit public moneys with specie-paying State banks, and, on his further recommendation, the Secretary was permitted to use all the eighteen hundred new national banks as depositories of the public money. This provision was inserted to give each of them the same semblance of being fiscal agents of the Treasury that the old United States Bank had. That bank was sustained by the Supreme Court solely upon the ground that Congress had made it a fiscal agent, having the right to provide such agencies as it chose. In order to give these new national banks the semblance of ground to stand upon, Secretary Chase had to provide eighteen hundred such agents, and, as the number of banks increase, these agencies will increase. Mr. Chase and his political friends are responsible for thus adding this immense number of unnecessary agents, out of whom the Government cannot collect a dollar of constitutional money, but whose irredeemable notes they have bound the Government by statute to receive at par—they being made a legal tender to the Government, except at the custom-houses for duties.

Why was the Independent Treasury thus impaired? To get a supposed constitutional ground to stand upon. But why did Mr. Chase and his friends desire the creation of a multitude of banks, not as safe and sound as the State banks when they were authorized? Because they desired to organize and concentrate the money-power of the country to secure concerted and efficient action of those managing and controlling it in aid of the Republican party at the elections. To avoid the possibility of a counteracting

power, the State banks were taxed out of existence, and, with trifling exceptions of those not issuing bills, none of them remain. These new national banks are Secretary Chase's children. Do not fathers always expect support from their children in their great enterprises? But we have high authority for saying that the love of money is the root of all evil. May he not find his children loving money better than their now powerless father? Experience has proved the great error of impairing the Independent Treasury Law. Before this was done, that law made it a crime to loan, use, or appropriate money in the Treasury, or to deposit it in banks. But since this unwise change, Secretaries have made pets of some of these children, and millions, when the Government was borrowing money, were deposited in favored banks, and used without paying interest. When not needed for discounting notes, these deposits have been lent direct to the Government as temporary loans at five per cent., or invested in compound-interest notes, or seven-thirty notes, or six per cent. stocks, and thus held until called for. Hence it is seen that the Government itself paid interest on moneys it had gratuitously deposited with banks. When this has not been done, such moneys have been loaned out to customers of the bank. It thus appears that this change of the Independent Treasury Law has opened the door to abuses. There has been as much as thirty millions of public moneys thus on deposit at one time, if the financial articles in city papers can be relied upon, when good management would not have allowed the deposit of one dollar in these banks. Such management and use of the public money is in direct conflict with the doctrine of equality of rights, forming a portion of the creed of the Democratic party. Keeping the public money anywhere except in the nation's Treasury, where the Government can control and use it, as required by law, is a violation of the principles cherished by the Democratic party. The Democrats insist upon keeping the public money where it can neither be wrongfully used, nor stolen, and the anti-Democrats where speculators and rogues can have access to it and profit by its use. This presents a striking difference between the two parties.

83.—THE PRESIDENTIAL ELECTION OF 1840.

Mr. Van Buren was elected in 1836, with the hearty concurrence of popular opinion. But the smash-up of the State bank deposit system, the financial crisis and distress it occasioned, the disappointment of the speculators occasioned by General Jackson's Specie Circular, his strict adherence to our neutrality laws during the Canadian Patriot War, and the war of all the banks against him, rendered the defeat of Mr. Van Buren inevitable. The performance of every duty of his office with strict fidelity and superior ability, had no effect in staying the whirlwind, which untoward circumstances, for which he was in no way responsible, had raised against him. He was one of the best business-men ever in the presidential office, and General Jackson committed no error, when, on his death-bed, he told B. F. Butler he was the wisest man he ever saw. But neither wisdom nor merit could stay the current that was destined to sweep him away. His renomination was united and cordial, and the platform on which he stood was sound, and cordially concurred in by the Democracy of the nation. His renomination was unopposed and unanimous. At the instance of Felix Grundy and John A. Dix, the writer prepared the platform on which he ran, which the convention unanimously adopted, and which received the indorsement of every considerable Democratic convention in the United States, and has been reiterated by every national convention of Democrats since held down to 1864, and most of it was once adopted in declaratory resolutions by the House of Representatives, John Quincy Adams voting for many of them. These resolutions may be rightfully considered as declaring settled Democratic principles, in which all Democrats cordially concur. They are as follows :

1. 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 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 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 the country 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 and foreign aggression.

5. That it is the duty of every branch of the Government to enforce and practise 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. 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 above the laws and will of the people.

7. 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 every thing appertaining to their own affairs, not prohibited by the Constitution; and 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 will 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.

8. 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. That the liberal principles embodied by Jefferson in the Declaration of Independence, and sanctioned in the Constitution, which make 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.

The adversaries of Mr. Van Buren took the opposite side of the questions to which these nine resolutions pointed in practice, and in the shape of addresses and resolves as to nearly all of them. The resolutions pointed out the consequences which would flow from the opposite policy. By not conforming to the principles of the resolution against national banks, we have now eighteen hundred such banks; and by not honestly and firmly resisting the intermeddlings of the abolitionists in the affairs of the Southern States, we, besides destroying half a million of lives, have on our shoulders a public debt of more than three thousand millions of dollars, to say nothing of municipal and State debts, a divided Union, and a demoralized people, who are taxed beyond their ability to bear, simply to support the Government and pay interest.

Mr. Van Buren cordially approved of these resolutions, as the Democrats did everywhere. But it was impossible to resist the combined influences brought against him. Since 1840 the Democrats have elected three Presidents, each openly avowing that he approved of the principles put forth in the foregoing resolutions. Although the questions before the public at the time were different in form, the principles there involved were the same as at the present time. The constitutional principles then declared as necessary for the protection and prosperity of the people are identical with those now under discussion before the people. The line of policy then suggested as wisest and best to be pursued is the same as now urged by the Democracy. The Democratic party have ever recognized the binding effect of the principles

thus avowed in 1840, and the anti-Democratic party, by whatever name they may be known, have ever practically opposed them, if not in authoritative public avowal.

84.—TARIFF DUTIES ON FOREIGN IMPORTATIONS.

The Constitution expressly authorizes Congress to lay and collect duties, "to pay the debts, and to provide for the common defence and general welfare of the United States, but all duties shall be uniform throughout the United States." The power and object are indisputable. There is no room for cavil or argument. There is nothing left to form the basis of a question in the ordinary and honest mind. Money for the Treasury, for particular uses, is the express and only object, the collection of which may collaterally affect other things. Incidentally, duties raise prices to the extent they are imposed, and so far our own productions are increased in price, giving them thus an incidental advantage, which necessary follows. For more than half a century, there has been a struggle on the part of domestic producers to give the incident the place of the principal object. Such a course, in fact, is equivalent to making and collecting a general tax to favor particular interests.

In 1783 the Congress of the Confederation established a tariff of duties, and in 1789 Mr. Madison, under the new Government, proposed the same, which consisted of the following items on which he proposed specific duties, the amount being left blank:—On rum, —; on spirituous liquors, —; on molasses, —; on madeira wine, —; on all other wines, —; on common bohea teas, —; on all other teas, —; on pepper, —; on brown sugars, —; on loaf sugars, —; on all other sugars, —; on cocoa and coffee, —; on all other articles, — per-cent. on their value at the time and place of importation. Such was the beginning of our tariffs, which are now swollen to pages upon pages, and are nearly as unstable as the winds. They do not remain at one point long enough for the business of the country to accommodate itself to them, as it would in time. These perpetual changes are profitable to the few and ruinous to the many. There have been over fifty laws enacted in

relation to duties on importations. When changes are sought for the benefit of a class, their extent is determined by the number and extent necessary to secure votes to make them. Sectional and local interests are attended to, or overlooked, as this necessity shall dictate. Interest, and not principle, determines what shall be done. If votes from Louisiana and Texas are needed, sugar will come in for favor. If support is needed from Illinois, Wisconsin, Minnesota, and Michigan, lead, copper, and pine lumber are provided for. If the votes of Pennsylvania are wanted, coal and iron receive full attention. If help is wanted from Vermont and certain Western States, wool and butter are cared for. If the votes of New England are needed, ship-building and manufactures are the objects of favor. If support is desired from Missouri and Kentucky, hemp must not be overlooked. The principle of protection under a tariff never expands beyond the objects necessary to carry a bill. In form, these bills contain most ample encouragement on articles like hay, grain, and cotton, where there can be no competition by importation. In such cases, whether the duties are on, or off, can make no possible difference in the price. All such pretences of protection are delusive cheats, and are only intended to prevent discussion and stifle complaint. While the Constitution declares expressly the object of tariff duties, no other can supersede or exclude that object. It is legally impossible that there should be express and implied objects on the same subject, under the Constitution. The former necessarily excludes the latter; and this is the more clear when the implied one conflicts with that which is express. If duties, higher than the necessities of the Treasury require, are imposed for the benefit of one class, they must be paid by those who do not receive protection. Under the high-tariff theory, a clause in the Constitution, for raising revenue by duties on importation, imposes, in legal effect, two distinct taxes: one for the Treasury, and another for a class engaged in particular branches of business, by way of protection. In other words, under a clause which declares duties shall be equal in all parts of the United States, there shall be two taxes, one direct, for the Government, and the other indirect, upon one class of people, for the exclusive benefit of another. The

Constitution gives no countenance to any such construction. All it demands is duties to pay debts, and for common defence and *general* welfare—not the welfare of a class, or a section of the country. There is no rational pretence of authority to enable one class of the community to lay and collect duties of another class. If equal justice were extended to all, tariffs would never be demanded. Aside from the Constitution and its restraints, legislation which could impose two taxes upon one part of the community, and but one on the other, can have no justification. It would be in conflict with the principle of equal rights, upon which our Government rests, and without which we can never live in harmony and quiet, and enjoy prosperity.

Although the tendency of protective duties is in favor of making us dependent only upon ourselves for supplies, it can never fully accomplish that purpose, because the larger number of articles we use can only be obtained abroad. But any such assumed independence has its accompanying evil of great magnitude. It tends to destroy our commerce and our commercial marine, from which our navy is supplied with bold and stout-hearted sailors. Besides, it deprives us of markets abroad for our productions, in exchange for which we receive foreign productions. Few nations become buyers when they are not also sellers. It is impossible that any nation could long do this. Commerce carries abroad the products which we can spare, and brings others in return which we need. This gives employment to ship-builders, seamen, and merchants. The nations of the earth will neither know nor respect us if we have no commerce. If we have none to aid and protect, our navy would, of necessity, disappear from the seas, as no longer of practical use. If we lock ourselves up as self-dependent, and cease to be largely buyers and sellers, our Treasury would soon collapse, and increased internal taxes must be imposed to pay debts, and provide for the common defence and general welfare. Commerce is the great civilizer, and teaches us the improvements made throughout the world. Any policy which fails to place agriculture and commerce on as favorable a footing as any other interest is unconstitutional, and cannot long continue without the most ruinous consequences. The true rule is, equal and

exact justice to all, and special favors to none. The Constitution means this, and sound policy demands it. There must be a true principle in framing tariffs as well as other laws, and this principle cannot be a vibrating or changing one. It is always applicable. If duties are too low, the receipts to the Treasury will be too small, and if so high as to be prohibitory, the effect will be the same. That rate should be adopted which will produce the largest amount of necessary revenue, taxing only a limited number of articles, and including in the free list as many of the absolute and common necessities of life as the wants of the Treasury will permit. Such rates can be arrived at with tolerable certainty, by a diligent comparison of our commercial and financial tables. In such examinations the original and complete statistics should be examined and relied upon, without reference to compilations and reports, which are often so framed as to lead the mind to a desired conclusion. Clerks in departments have been furnished with propositions, and directed to make compilations of statistics to sustain them. In Congress, we see many compilations made, not for the purpose of developing truth, but to sustain one side of a question, and by these the country is misled.

A careful examination of the tariffs passed in this country will show that local and sectional interests have exercised a preponderating influence in their passage—that the masses paying duties beyond those imposed for revenue receive no protection in fact, if they even do so as a mere matter of form. Most of them have been used, more or less, as instruments with reference to elections, mostly for President and Vice-President. When such motives prevail, wise and just legislation cannot be expected, and seldom occurs. When principles cease to be our guide, we never go right; and, when we follow self-interest, we always go wrong.

Upon the principles for which we contend, no such legislation as described can be based. It has neither equality, justice, nor constitutional authority to support it. It is anti-Democratic in its whole length and breadth. It practically gives a few localities, and especially New England, more advantages than are enjoyed by all the rest of the Union; and still, like "Oliver Twist," they are continually crying for "more." The true interests of all parts

of the country demand a tariff as fair and just as the wisdom of intelligent and honest men can make it, and that it remain unchanged. If the exigencies of the revenue should demand more or less revenue, the tariff can be made to conform to the wants of the Treasury by adding or diminishing by a certain percentage, and let that be done by those administering the Government, only when the necessity is upon us, and for a specified period, leaving the people to adapt themselves and their business to the requirements of the permanent law.

This tariff system has other attendant evils. It lies at the foundation of sectional discontent, and, whether the sole or true cause or not, the consequences in endangering the Union are the same. When a man believes himself aggrieved by the act of another, his unhappiness is the same, whether his belief is true or false. In legislation, we should not only avoid all wrong, but such acts as those interested and associated with us may deem the source of wrong. The tariff of 1828, based upon the principles which we have condemned, caused the South, not only to complain, but portions of it to resort to nullification as a remedy—a remedy far worse than the disease. While justly bidding defiance to nullification, Congress, by the Compromise Tariff Act of March 2d, 1833, conceded the wrong. But this act rested upon a wrong basis. It provided biennial deductions until no article should pay over twenty per cent. duty, thus committing an error, which, in 1842, left the Government without the means to meet its expenses, and, but for the self-sacrificing efforts of Silas Wright, Mr. Tyler's administration would have been broken down, and the country, at home and abroad, utterly disgraced. Legislators should reflect that it is less their duty to bring numbers to bear in imposing taxes, than in so regulating them as to promote the welfare and happiness of all the people. Those who believe themselves oppressed will speak, and show their discontent, and discontent will produce weakness in the Government and unhappiness among the people, who have a right to expect that the Constitution will be so administered as to promote their happiness. Although Shay's Rebellion in Massachusetts, the Whisky Insurrection in Pennsylvania, and nullification in South Carolina, had no good ground

to stand upon, they created as much unhappiness and mischief as if they had just causes of complaint. It is far better to leave power unexercised than to resort to that which is unauthorized or doubtful under the Constitution.

85.—JOHN A. DIX.

The name of General Dix is familiar to the American ear, and is always spoken with respect. He was born at Boscawen, in New Hampshire, July 24, 1798. He received a limited education in his native State; but, before he was fourteen, joined his father in Maryland, who was performing the duties of commandant at Annapolis, and acted as his clerk, in the recruiting service. He was soon after appointed an ensign, and accompanied Wilkinson on an expedition down the St. Lawrence, when his father died near Chryster's Fields, below Prescott, in Canada. He remained in the army, and rose to the rank of captain; and, after the close of the war, on the recommendation of that close observer, the late General Roger Jones, was selected (in 1819) by General Jacob Brown as one of his aides, to assist him as the Commanding General of the Army. General Brown, becoming physically disabled, his duties were mainly performed by Captain Dix. On the death of General Brown, he drew up for the War Department the general order to the army, which is a production worthy of the best pen of the country, being at once accurately descriptive of his chief, his great powers and ready resources, and, at the same time, paying his memory a beautiful and feeling compliment. Captain Dix, while sojourning with General Brown at Brownville, studied law, and was subsequently admitted to practice. He was, for a time, in charge at Fortress Monroe, but resigned, and settled in Cooperstown, New York, in the practice of the law, and as a land-agent. Soon after, Governor Throop, appreciating the man and his qualifications, made him Adjutant-General of New York. Two years after he was made Secretary of State, and, as such, had charge of the common schools of the State as superintendent. In this place he rendered most important service, and reduced the common-school system to order. In 1842 he was elected to the Assembly from Albany county,

and aided, by his active influence, to establish the Conservative policy of that period.

In the winter of 1845 he was elected to fill the vacancy in the Senate of the United States, occasioned by the resignation of Silas Wright, who had become governor, which office he filled until the 4th of March, 1849, when he was succeeded by William H. Seward. While in the Senate, he was Chairman of the Committee on Commerce, and was also the Acting Chairman of the Committee on Military Affairs. Several highly important commercial and financial bills were reported by him, which were passed, and became, and still remain, laws. His speeches in the Senate were confined to business matters, and were remarkable for their clearness, force, and pertinency.

During Mr. Pierce's administration, he consented to accept the office of Assistant-Treasurer at the city of New York. But the duties were so arduous and confining—he always attending to them in person, and examining every day the accounts, and carrying the keys himself—that he soon resigned.

Toward the close of Mr. Buchanan's administration, the Treasury Department became considerably embarrassed for want of money. On the resignation of Mr. Thomas, the President appointed General Dix as Secretary of the Treasury. This was a wise and fortunate appointment. Capitalists had great confidence in the new secretary, and readily supplied all the money the Government needed. His previous familiarity with the affairs of the Federal Government enabled him to master the affairs of the department in a very short time. When he left it on the 4th of March, 1861, its business was in excellent condition. It was in this department that his strong Union feeling was developed. It was here he made the celebrated order, "If any man attempts to haul down the American flag, shoot him on the spot," an order designed to protect the Stars and Stripes on board of the revenue cutters, which were under his control as secretary. It was the ring of the true metal, and electrified all classes of men not secessionists. He was in the department sufficiently long to manifest a superior capacity as an executive officer, and to win the confidence and esteem of President Buchanan and the country.

In 1848, while yet in the Senate, much against his own wishes, as the writer knows, he was nominated for Governor of New York, on the Van Buren, or anti-Cass, ticket. The Democratic party being divided, he was of course defeated. In his letter of acceptance of this nomination, he fully avowed the principles of the Democratic party. His course has been such, that this act has not impaired his standing with the Democratic party. No one is more thoroughly attached to Democratic principles, both in theory and in practice.

When the recent war was commenced, New York brought him forward as a suitable person for military command. He was made a major-general of volunteers. General Scott, then at the head of the army, telegraphed him to come to Washington, to take a command on the Virginia side of the Potomac. On his arrival, he was most cordially received by the veteran hero, and was informed that his command would be between Georgetown and Alexandria, "nearest the enemy."

The Secretary of War (Cameron) received him with cold courtesy, without consulting with him at all.

Without any explanation this command was given to General McDowell. When General Patterson's term of service expired, it was expected General Dix would be given the command at Harper's Ferry. But General Banks, who found the duties at Maryland unpleasant, and wished to achieve military glory, was sent there, and General Dix ordered to the command of Maryland. Nearly a month passed before he was offered any command, which so annoyed and disgusted his friends, that they advised him to resign and return home. Others, and among them the writer, advised otherwise, and he remained. The duties assigned him in Maryland were more of a police than of a military character. Such as they were, he performed them to the satisfaction of every one. He so far restored patriotic feeling there that the State gave 30,000 Union majority in November, 1861. He organized the expedition which restored Eastern Virginia to her former loyal relations. When these duties were performed he was ordered to the command of Fortress Monroe, a colonel's command, against his earnest remonstrance. He applied to the President for command at

Charleston, but was refused. After General McClellan retired from Virginia and took command at Antietam, General Dix commanded several military enterprises, which he was not permitted to complete. President Lincoln offered him General Butler's command at New Orleans, which he accepted verbally. But no order ever came, General Banks being sent to relieve General Butler, and General Dix ordered to New York, at the time of the riots, and to perform little but police duties. The suppression of newspapers and the arrest of their editors do not seem to be the legitimate duties of a soldier. Against his wishes and advice he was compelled to lay violent hands upon the *Journal of Commerce* and *The World*, for publishing what came to them as ordinary telegraphic dispatches, anticipating news. They were forgeries, by a republican friend of the Administration. In these things he merely obeyed orders from his superiors at Washington. Throughout the war General Dix manifested the patience and resignation of a martyr. He served his country faithfully and well in the positions assigned him. No one could have done so better. But his superior abilities and great experience entitled him to the highest commands. General Scott thought he should be assigned to his place when he retired from active duties. But his place was given to General McClellan, who was equal to its duties, and soon taken from him to prevent his rising too fast in the estimation of his countrymen.

Why this remarkable treatment of General Dix? Why compel him to perform mostly odious and painful services, instead of giving him a high and active command in the field, where his experience, knowledge, and capacity would have been of great service to the country? Why ignore him, and take such men as McDowell, Banks, Pope, Hooker, Meade, Burnside, and others who had fewer qualifications? The answer is at hand. When in the Senate of the United States, General Dix's high character, talents, and experience became known throughout the Union, as it had been for a long time in New York. His name, in various quarters, had been associated with the office of President. Although there was no organized party in his favor, a large number of Democrats preferred his nomination in 1860. Had he been then

nominated, secession would have had nothing to stand upon. There would have been no division in the Democratic party, without which Mr. Lincoln could not have been elected. Without his election the South would have had nothing to complain of or fight about.

It was well understood in all quarters, by good observers, that Lincoln's reelection depended upon not allowing any Democratic military man to win victories and military success enough to aid in his election. A man of the high character and standing of General Dix, as a civilian, might be a formidable candidate. If to his present qualifications should be added successful military achievements, he would prove a formidable competitor. Hence, instead of giving him the command General Scott had intended, he was not permitted to occupy a military position where he could add to his already high reputation. To make all safe against popularity already acquired, he was placed where he must perform just those services which would tend to diminish it. He was called upon to perform odious and known illegal duties which would tend to injure him and prevent his nomination. He was doomed to be killed by the administration, and was compelled to strike blows which those ordering them intended should have that effect. The loss of two battles at Bull Run, at Fredericksburg, and other places, are among the fruits of this fatal policy of refusing commands to competent men and conferring them on men of known unfitness. If permitted fair play, competent generals would have ended the war the second year, and with it would have ended the sectional administration of the Republican party, as well as the thrift of the shoddyites. The maxim "not to swap horses when crossing a stream" was in point, and to which full effect must be given. Lincoln must be reelected. This was the supposed necessity. Nothing must stand in its way. There was great thrift, as well as hopes of reelection, in continuing the war. It was the question of reelection and Republican supremacy which prevented General Dix receiving a command worthy of him. President Johnson wisely sent him minister to France. A more suitable appointment could not have been made. General Dix is a ripe scholar, and has travelled much. He is now an industrious

student. His "Winter in Madeira" and "Summer in Spain and Florence" prove him a close and accurate observer and charming writer. He stands deservedly high in France and with all foreign ministers there. He is now rendering our country good service. We have said thus much of General Dix because we know some of his acts and positions, and the conduct of others toward him have been misapprehended. We state what we know, and draw our own conclusions, for which he is in no respect responsible.

86.—INTERNAL REVENUE TAXES.

The word taxes is broad enough to cover every thing which the Government collects of the people. They are direct and indirect, the latter including duties, imposts, and excises. Direct taxes are imposed directly upon property, upon which they are a lien. The amount to be collected is fixed, and this is apportioned among the States according to their number of members in the House of Representatives. This is expressly required by the Constitution, so that there must be twice as much collected in States having two members as in those having but one. The last act, laying a direct tax, passed in 1861, has never been executed. The mode of assessing and collecting very much resembles that in use in New York and other States.

Duties are a tax paid on imported merchandise for permission to land and consume it, collected at custom-houses.

Imposts, although the meaning has varied in different ages, mean those further demands at the custom-houses made by governments for various purposes, such as harbor charges, money to be expended in lighting the coast, tonnage on vessels, fees of officers, and money paid for the king's private use for permission to carry on trade with different foreign countries. In this country we now collect officers' fees, and formerly collected tonnage dues and light money.

Excise originally meant a tax paid by the manufacturers and venders of beer, cider, perry, and like drinks; but in time extended to nearly all kinds of manufactures, sometimes imposed upon those who made, and at others upon those who consumed them. The internal revenue taxes are, except that on incomes

and some others, which are of doubtful constitutionality, all excises, and rest upon the excise provision in the Constitution. This instrument provides for the collection of taxes, which mean direct taxes, and duties, imposts, and excises, as the other form of taxes. The specification of these three kinds of taxes was intended to exclude all others. Were it not for this limitation, exports might be taxed, and people might be compelled to pay a tax for permission to reside in the United States, or hold State offices, or for rearing children, or sending them to school, or the privilege of belonging to a church. The Constitution also provides, that all duties, imposts, and excises shall be uniform throughout the United States. A law may in terms be uniform, but be far otherwise in its practical effect.

COTTON.—Cotton can only be raised in certain Southern States. A duty on the cotton produced is, in effect, a local duty, and can only be collected there. The Internal Revenue Law levied a duty on all the cotton produced, which is in violation of the spirit of the Constitution. When this cotton is taken to New England and manufactured, and is then exported, this very three-cent duty is refunded, not to the grower of the cotton, but to the manufacturer and exporter. This bounty is unconstitutional—the Constitution authorizes the collection of taxes to pay debts and to provide for the common defence and general welfare, and this bounty is not paid for either of these purposes.

DISTILLED SPIRITS.—Distilling whiskey can only be successfully carried on in the great grain-growing States. It cannot be advantageously done in New England, which does not produce its breadstuffs. This law imposes a tax of two dollars per gallon on all that is manufactured. This tax, although nominally uniform, is really a sectional one, bearing heavily upon some States and lightly upon others.

DRAWBACKS ON MANUFACTURES.—It is known that manufacturing is the great business of New England, while it forms but a small portion of the industry in some other States. This Internal Revenue Law provides for refunding taxes paid on raw materials when manufactured and exported, notwithstanding they may have been paid by others. This drawback privilege extends to all ar-

ticles, with specified exceptions. These drawbacks have no constitutional ground to stand upon.

The free list includes many things manufactured in few places outside of New England.

ALTERATION OF STATE LAWS AND CONTRACTS.—The States are prohibited from passing laws impairing the obligation of contracts; and Congress has no authority under the Constitution to pass any such law. Still Congress has done this under the taxing power in the form of an excise duty. Under this law they have provided that, where property is delivered under a contract made before the passage of the law, the party may add the amount of the duty imposed by it and collect it of the other party beyond the provisions of the contract. They have also provided that gas companies, which are limited by State laws in the amount of their charges for gas, may add the tax to their bills and collect it in defiance of the State law. The same is true in relation to omnibus fares.

If Congress, under the taxing power, can nullify State laws and other contracts in small matters, they can in large. If the power exists, there can be no limit to its exercise, nor any restriction as to the contracts and laws that shall be nullified or changed. The principle upon which this legislation rests is broad enough to enable Congress to control all State laws and all transactions of the people. If this be so, then we live under a government where all power rests, in the estimation of Congress, in its sovereign will, which is the definition of a plural tyranny.

The enactments to which we have referred are not only unconstitutional both in form and substance, but they are anti-Democratic in principle. They are not equal in their operation, and only protect the few in the favored quarters and are oppressive in others. They do not permit mankind to seek happiness in their own way, but they exact of some and confer what is thus exacted upon others. One man is compelled to pay the Government three cents per pound on the cotton he produces, and the Government pays it out to another for manufacturing and exporting it. If a man has made a contract that is diminished in value by the act of the Government, instead of the latter indemnifying

him, the other party to the contract is compelled to bear all the loss. If gas and other companies have charters, which the act of the Government has rendered unprofitable, instead of relieving them from the consequences of its acts, Congress throws the whole upon the other party. Such legislation cannot be defended by those who believe in equality of rights and privileges. These instances of unconstitutional legislation were not accidental, but were the result of deliberate reflection, and more than once reviewed, and are the natural results of the principles of the party who enacted this statute. This law will fail to command the general respect of the people until the Democratic principle of equality of rights and uniform security becomes a controlling element in it.

It is under this law that the State banks are taxed ten per cent. on their circulation, the consequence of which is that nearly every one has ceased to exist.

But the execution of this statute is as bad as the act itself. Where Congress has failed to provide for cases, and sometimes when they have made ample provision, the Commissioner legislates and makes laws to suit himself, without the least regard to the principles of the Constitution. He makes, what he terms, decisions, many of which are inconsistent, and others are unequalled for their display of ignorance and absurdity. All such things are in violation of the rights of the people, and are indefensible under the statute laws, and the rules concerning equality of rights.

87.—THE FORCE OF BAD PRECEDENTS IN LEGISLATION.

We have elsewhere remarked upon the error of giving an effect to precedent over that of logical reason. This error early crept into legislation, and has often bled the Treasury. The authority of precedent is most frequently invoked in aid of private claims and pensions. Those engaged in prosecuting claims hunt up and cite them as authority. If a private claim is a debt, we are bound to pay it, as much as any other debt; but if it is a gratuity we have no constitutional authority to vote money or means on account of it. The distinction is plain and easily understood.

The Constitution is the only authority for raising money, and that confines it to paying debts, providing for common defence and general welfare. Neither of these authorizes gratuities, or any like purpose. Sometimes these gratuities have rested upon even a worse foundation than personal favor, though seldom frankly avowed.

In 1841, after a month's service, President Harrison died. A bill was introduced by his friends to give his widow, or, in case of her death, his legal representatives, the sum of \$25,000. Mrs. Harrison did not claim that the Government owed her any thing. It was a gift outright, and given for a reason assigned by Mr. J. Q. Adams, who reported the bill to the house, in these words :

“There had been more objection to the constitutionality than than there had been to the sum proposed. So far as there had been any discussion in the committee, it seemed to be the general sense of those composing it, that some provision ought to be made for the family of the late President, not in the nature of a grant, *but as an indemnity for actual expenses incurred, by himself first, when a candidate for the presidency.* It had been observed in the committee, and must be known to all the members of the House, that in the situation in which General Harrison had been placed—far from the seat of Government, and for eighteen months or two years, while a candidate for the presidency, exposed to a burden of expense, which he could not possibly avoid—it was no more than equitable that he should, to a reasonable degree, be indemnified.”

Here the ground is distinctly taken, that when poor men are elected President the Government ought to indemnify them for their expenses in obtaining the office. Once admit this principle, and the indemnity must be made, regardless of amount. This bill passed both Houses, which were decidedly anti-Democratic. This precedent, though not resorted to on the death of President Taylor, was invoked in behalf of the widow of President Lincoln, and \$25,000 granted her, although a hundred thousand was claimed. It is to be presumed that this grant was made as an indemnity for election expenses, as in the case of Mrs. Harrison. If these appropriations were made on the ground of right, then the like sum is due to Mrs. Taylor, or her legal representatives. If they

were mere gifts, or provisions to cover election expenses, then there was a wanton violation of duty on the part of Congress in making them.

These cases are cited to show how little Congress observes the Constitution when legislating on such matters. Bad precedents in granting pensions are often made, and almost daily followed. Invalid pensions are clearly right, and necessarily result from the power to raise and support armies and navies. But these only form a part of the immense sum paid out as pensions. There is an army of people supported on pensions who have never seen any service whatever, and who are not invalids.

The Government at an early day set aside its share of naval prizes to pension the wounded and disabled, and for the temporary support of the widows of those killed in battle, or in the line of their duty. After the War of 1812 this fund amounted to a million and a quarter of dollars, and, being invested, produced over \$70,000, which was applied for these purposes, and when insufficient the Government provided what more was needed. In March, 1837, a bill with a false title swept the whole of this fund away, and required an immense additional expense. It required that pensions should commence, not from the completion of the proof, but from the date of disability, even though the applicant continued in service, and received full pay. It extended them in all cases of death, whether incurred in the line of duty or not, so that, if the person became disabled from excesses or immoral acts, he would be pensioned. It extended widows' pensions, which had been only for five years, during their lives, and pensioned children until they were twenty-one, thereby conforming to the English system. It was ascertained that this act had passed without discussion on the last night of the session, in the House, under the gag of the previous question. In 1841 an attempt was made to repeal it, and restore the former law. Mr. Adams, who did not vote for the repeal, gave this account of its passage: "He was in the House, but could not say how it passed. He was not conscious of it, and the discussion must have been put down in the way in which such things are usually done in this House—by clapping the previous question upon it. No questions were asked; and

that was the way in which the bill passed. He did not think he could tell the whole story; but he thought it very probable that there were those in this House who could tell, if they would; and who could tell what private interests were provided for in it."

The amendment repealing this act was lost. It is remarkable that in the Senate, when this amendment was voted down, all the Whigs voted against the amendment, and all the Democrats but one for it. The vote in the House presented nearly the same division. No objection can be made to voting all moneys that are needed for the support of the Government. But passing laws to provide for paying electioneering expenses, and gratuitously pensioning for life those who have never served in the army or navy, is in violation of the Constitution and the rights of the people, whose labor provides the funds. There are now persons, whose original pensions were granted for five years under the old laws, who have drawn them for more than thirty years. Sometimes these pension acts are so worded that their real meaning is not understood by many voting for them. These acts, as far as they go beyond the old necessary laws, are not passed for the good of the service, but with reference to nominations and votes at elections. On examination, these things become quite apparent. Now, when the people are almost sinking under heavy taxation, these errors should be corrected and the ancient laws be restored.

88.—HEMAN J. REDFIELD.

It is with great pleasure that we give a short sketch of Mr. Redfield. His life has been a long and useful one, ever devoted to the maintenance of democratic principles and upholding the country in the days of its peril. He was born in Connecticut, December 27, 1788. His father moving to Western New York, he assisted him on his farm until 1808, when he entered the Canandaigua Academy. He remained there two years, and then read law with John C. Spencer, and was admitted to practice in 1815. When the War of 1812 came on, he laid aside Blackstone, Bacon, and Tidd, and volunteered as a private soldier, and served two campaigns. He was in the battle of Queenstown

Heights, in September, 1812, and was with General Harrison at Fort George, in November, 1813, where he received a brevet from the commanding general for gallant services. He commenced the practice of the law at Le Roy in 1815, and was appointed a justice of the peace and master in Chancery, and soon afterward district-attorney. He was a State Senator during 1823, '24 and '25. It was during his service in the Senate that he became distinguished as one of the celebrated "seventeen" Senators who were shown up in coffin handbills, and whose effigies were hanged and burned. From the adoption of the Federal Constitution down to 1824, the Presidential Electors in New York had been elected by the Legislature. In Governor Jay's time he was called upon to convene the Legislature to the end that the law might be changed, and thus deprive Mr. Jefferson of electoral votes of the State. He indignantly refused to do so. The Legislature elected in 1823, a majority being Democrats, it was understood, would give the votes of the State to whoever should be nominated by a Democratic caucus. William H. Crawford was thus brought before the people, and fairly entitled to the votes of the State. The friends of other candidates sought to defeat the will of the State by changing the law. For this purpose a bill had passed the Assembly and was sent to the Senate, where it received full consideration and much discussion. As no one of the proposed methods of election received a majority of the votes of the Senate, a motion to postpone further consideration until after the election prevailed, seventeen Senators voting for it. Among these were Mr. Redfield and Alvin Bronson, of Oswego, who are the sole survivors of those distinguished men. Instead of their conspiring to cheat the people out of their rights, they sought to prevent a fraud upon those who had elected the Legislature to carry out their wishes. Not one of all this number of Senators failed to be sustained by the people. Two of them—Charles E. Dudley and Silas Wright—subsequently became United States Senators, and the latter Governor of the State. Both Mr. Redfield and Mr. Bronson feel proud of their votes on the occasion.

In 1825, Mr. Redfield was appointed one of the commissioners on the part of New York to settle a boundary question with

New Jersey. He was post-master at Le Roy for more than twenty years. He soon became distinguished as a lawyer. When the arrangements were being made for the trial of those accused of abducting William Morgan, he was offered the position of special counsel to assist the Attorney-General. He declined the offer, and recommended John C. Spencer, who accepted and acted as such on the trials. He also, in 1835, declined the office of circuit judge, tendered him by Governor Marcy. During the same year the Legislature appointed him canal commissioner, which he declined. When the Holland Land Company, in 1836, sold out their remaining lands in five counties, he was appointed agent of the new proprietors, and acted as such for thirteen years, for which purpose he removed to Batavia, where he now resides.

President Pierce, on coming into office, tendered him the appointment of Naval Officer in New York, which he accepted, but was soon transferred to the office of Collector, which he held until June 30, 1857, when he resigned, although President Buchanan offered to continue him. In every official position held by Mr. Redfield he gave complete satisfaction. It is highly creditable to him, that when he rendered his accounts as Collector, they were found correct to a cent, although they involved the large sum of \$143,493,957, and were promptly settled, exactly as he rendered them. He is now a cultivator of the soil, which has ever been a favorite employment with him, making two blades of grass grow where only one grew before. In all the perils to which our country has been exposed, he has ever been on the side of his own Government. He sustained Mr. Polk through the Mexican War, and exerted himself on the side of the Government during the late war. He was a member of the Peace Congress at Albany, which sent delegates to the one at Washington. He presided at meetings and lent his influence to secure the quotas of men called for at different times during the war, and contributed largely in raising funds to aid in that purpose. Although he believed the war was needlessly brought on and might have been avoided, and that its management was not creditable to the Administration, still, the life of his country was involved, and halting was wrong,

if not criminal. He therefore lent his best energies to sustain our side of the conflict, never doubting the final result.

In his intercourse with men he is frank and manly, never misleading any one concerning his views, having nothing to conceal. Those who know him best love him most. In the community where he resides, his interests harmonize with those of his neighbors. Although he practises economy, he is not greedy for wealth, either on its own account or for the distinction it often confers. The poor are not turned away starving, nor the orphan unprotected. He is proud of being a life-long Democrat. He learned the principles when young, and personally fought, to sustain them, in the War of 1812, when Federalists mourned over our victories, because defeats would be more likely to overthrow Madison and bring them into power. He is opposed to all class-legislation, and to using the Government, State or national, as the means of making one class rich and keeping another poor. It is one of his theories, that the less mankind are governed, the better for them. He believes the true object of government is to protect men in their person, character, and property, and then leave them to work out their own happiness in their own way. There can be no common standard of happiness, as men's enjoyments differ as much as their features. Government cannot bring all to the same standard, if it desired to do so. But each individual will fix his own, and endeavor to arrive at it. Mr. Redfield has ever believed he should be allowed to do so.

89.—CONGRESS RESPONSIBLE FOR THE EXTRAVAGANCE OF THE NATIONAL GOVERNMENT.

Abuses in Government seem to be self-multiplying and enduring. It can now be proved in a court of justice that the unconstitutional expenses of the national Government, as that instrument was construed by Jefferson, Madison, and Jackson, exceed the whole expenses incurred by it in General Jackson's time before nullification and the Indian wars. Now the "deficiency" bills alone usually equal the whole expenses of those days. The extent of these expenditures depends upon the appropriations made by Congress. It is the Legislative branch that determines

for what purposes, and to what extent, public money shall be spent. It creates the offices, fixes the compensation, and what shall be done that requires money to do it. The Executive branch is only responsible for good faith and reasonable prudence in executing the laws as it finds them in the statute-book.

We will refer to some of these expenditures, which have no warrant in the Constitution, that our readers may understand where, how, and for what the public money goes :

1. The Freedmen's Bureau has been created without constitutional authority. It feeds, clothes, doctors, transports from place to place, and educates and makes bargains for negroes who are claimed to be citizens of the United States, entitled and qualified to vote and participate in the affairs of the State and national Government, while some claim that they are, in fact, superior to the white race. In other words, for the first time citizenship is sought to be based upon pauperism. No one has ever doubted that it would be unconstitutional to do these things for white citizens. The purposes for which taxes may be imposed do not include these things, or any of a similar character. The Republicans seek to confer on these negroes the right of suffrage, so that they may control the State elections where they reside, as well as that of the presidency. If they are competent to do this, they must be capable of feeding, clothing, doctoring, travelling from place to place, and of paying their own expenses and making bargains for themselves. Both assumptions cannot be true. Either the negroes are capable of taking care of themselves, or they are not competent to vote and participate in political affairs. This bureau swallows up from twelve to fifteen millions of dollars a year, and indirectly costs considerably more than a hundred millions a year.

2. The Reconstruction Acts, now being executed by officers of the army, aided by many thousands of soldiers, are undoubtedly unconstitutional, and, if for no other reason, because the States already exist under statutes of Congress which are unrepealed, and have organized governments of their own, of which Congress has no power to deprive them. Congress has no more authority to interfere with the affairs of these States than they have in those

of other States. If they had the power to do so, the army is not needed for any such purpose. Congress is authorized to raise and support armies, but only for the purpose of common defence—to repel invasion, and to quell insurrection—but not to participate in the management of civil government. No army was ever engaged, under the authority of Congress, in any such duty before the present time. These military men have spent and will spend, in the performance of unconstitutional duties, immense sums of money. They, in fact, are destroying that Union which all good men so much desire to save.

3. The expenses of the army engaged in this unauthorized service, in one form and another, must amount to more than the expenses of the whole national Government within the recollection of the writer. The Government has no power to keep on foot an army to control the affairs of our citizens, and, least of all, to influence political affairs.

4. At the last presidential election thousands upon thousands of soldiers and officers were permitted to leave the army and return home to vote, but scarcely one was allowed to do so who was not known or understood to be a Republican. Those who were Republicans were taken home in immense numbers and brought back at the expense of the Government, through the machinery of the War Department, controlled by Mr. Stanton. This proceeding not only endangered our armies, and produced discontent with those who were allowed no such privilege, but it occasioned an enormous expense. President Lincoln and his Cabinet were parties to this illegal proceeding, contrived and carried out to secure the success of the Republican ticket.

5. The large sums spent in establishing and putting in operation the nearly two thousand national banks were without any warrant in the Constitution. These expenses, direct and indirect, must amount to over two millions of dollars, and will be followed by large annual drains upon the Treasury.

6. Formerly the Post-Office Department was self-sustaining, but now calls for some twenty millions to keep it in motion. A large portion of this expense is occasioned in consequence of the hundreds of tons of printed speeches and useless documents carried

free under the franks of members of Congress. The mail has frequently carried, free, books sometimes bought by Congress, as large as our largest Bibles, and often put up in light pine boxes to protect them. This abuse of the mails costs millions annually, and is not authorized under the power "To establish post-offices and post-roads." More than one-half of the expenses of the Post-Office Department are occasioned by what is outside of its legitimate duties.

7. Congress, without authority, has established an Agricultural Bureau, which is worse than useless—for neither its seeds, information, nor opinions are reliable—which costs an immense sum: first, in buying and distributing seeds almost exclusively to officials and favorites, and then in preparing, printing, and distributing useless volumes. Other bureaus, like that of education, statistics, etc., will prove to be equally useless to the Government and the people, because they cannot, by possibility, be reliable and safe to act upon. All these things have high-sounding names, hold out great promises, and may aid some in electioneering, but will prove worse than useless in legislation. These bureaus have no authority in the Constitution.

8. The millions of speeches and political pamphlets folded at the expense of the Government and sent through the mails, at a heavy cost, to influence the elections, occasion a very heavy outlay. And as each side fires about the same quantity of these paper bullets, neither gains much advantage by it, while the Government loses, and the Washington press profits by a patronage to which the home press is more entitled. These expenses are wholly unauthorized by the Constitution.

9. The book and newspaper business, by which members are supplied with volumes of books, and bound and unbound newspapers for home consumption, costs the Government annually very large sums of money. These are not used as aids in legislation, but are variously disposed of, including exchanging for law-books. There can be no justification for these expenses. They are unconstitutional.

10. The published accounts show an immense list of articles which are not used in legislation, and cannot be lawfully obtained

by members. The Senate expenses show these items, such as "cocoa mats, damask towels, bathing-towels, combs, soap, alcohol, feather dusters, sponges, hair-brushes, blank-books, memorandum-books, card-cases, pocket-books, match-boxes, taper-candlesticks, matches, shears, scissors, corkscrews, thermometers, key-rings, gold pens and cases, tooth-picks, diaries, pin-cushions, medicated paper, charmois-skins, cloth-brushes, flesh-brushes, fans, kid gloves, yards of silk, washing-soda, olive-oil, bay rum, gum-camphor, geranium-oil, toilet-powder, pomade, razors, clocks, lemon-squeezers, lemons, sugar, brass-bound buckets, bath-tubs, curry-combs, *Tribune Almanacs*, *Colton's Atlas*," etc., etc. This list might be extended, while the quantities of some articles are very large.

11. Travelling committees of Congress, wandering about the country hunting for sin committed by some one, have cost, within a few years, millions of dollars, including the printing of their reported scandal, all of which have in view, not legislation, but the manufacture of political capital for those whose principles and conduct have furnished so little to be safely relied upon. These things are not within the spirit and intention of the Constitution. They are not only in gross violation of it, but they are no less than insulting imputations upon the people.

The House has not permitted the Senate to outstrip it in extravagance. The Clerk makes and publishes his account concerning "stationery" and "incidental expenses" of the House. It makes a volume of 231 pages, not a page of which is footed up so that the aggregate of these expenses can be ascertained without many days' hard labor. There is more "stationery" and more "envelopes" mentioned in this report than the House could legitimately use in ten years. The Government pays for "gloves" at a rate that will allow each member several pairs. The report shows 1,059 inkstands, 2,726 penknives, 726 gold pens, and 527 portemonnaies. Under the head of stationery are hair-brushes, nail-brushes, toilet-soap, Martinique snuff by the dozen bottles, corkscrews, visiting-cards, paper collars, and cuffs. Under the same head are charges for coffee-urns, saucepans, broilers, flour-sifters, and fish-kettles, key-rings, pocket-books, scissors, charmois-skins, rubber-bands, sponge-cups, mo-

rocco desks, *New York City Directory*, *Colton's Atlas*, map of Washington, *Brightly's Digest*, 325 palm-leaf fans, diaries, *Statesman's Year-Book* for General Banks, six sets of castors, griddles, cullenders, graters, coffee-mill, and meat-forks. The list of objectionable and illegal items could be greatly extended. But we give enough to show that wrong exists and goes unquestioned. Neither House will inquire into these abuses. They are found too profitable to be inquired into. The regular committees pay no attention to these abuses, and no select one will ever be raised to show up the perpetual plundering of the Government.

12. Committees on the conduct of the war were organized, travelled about, and made reports, which were printed in eight large volumes, costing a large sum. The object of these committees was not to ascertain the number of men required for the army, and the means necessary to carry on the war, but to interfere with the duties of the Executive and control his action, and to accumulate political capital. These committees contributed far more to prolong the war than to aid in its prosecution. They were mere political machines run by the Republicans in Congress to aid in the elections.

13. Various committees have been appointed to ascertain whether certain crimes have been committed, and by whom, when no legislative action could possibly result from the inquiry, thus usurping the duties of the judicial establishment, and incurring needless expenses. These committees have not risen above the dignity of police detectives. They have been little more than spies, serving as the organs of tattlers. The reports, when made and printed, are of no use, except that they may answer party electioneering purposes.

14. The people are not aware that the Government pays for reporting and printing the proceedings of both Houses of Congress, including the endless and useless speeches—as a general thing—which appear in the reports in the *Globe* and sometimes elsewhere. They even order the printing of speeches never delivered at all. These things cost large sums, and are of but little use except to those who report and print them, and to those whose vanity is gratified by them. The proceedings of Congress

that are read, to any considerable extent, are those short, pithy reports made for distant papers and sent by telegraph. The enterprise of the public press furnishes all that is important to be known, and their competition will continue to do so. This reporting and printing is unauthorized by the Constitution.

15. The fancy work done for the Government occasions much expense. The public probably are not aware that on the public grounds at Washington there is a somewhat expensive fancy building, erected at public expense, for the purpose of photographing, where money is uselessly and unprofitably spent. These expenses grow mainly out of the vanity of those engaged in our public works. Those in power should promptly stop them.

16. The people are not aware that horses and carriages are kept and used by some of the heads of departments and bureaus, and especially by military officers, at the expense of the Government, which saves them the expense of keeping such things for themselves, or hiring hacks, or going on foot, like other people. This, though not a very expensive abuse, is a glaring and growing one.

17. Certain heads of departments keep military sentinels at their doors and vicinity. Unless it is an important object to display their want of courage, this is certainly a useless expense, and should be discontinued. Democrats have never had occasion for such guards.

18. Members of Congress accumulate, while at Washington, immense quantities of books, documents, etc., which they desire sent home. These are now boxed, and sent off at the expense of the Government, if it does not pay the transportation, which is probable. Where the authority is to do this, no one can tell.

19. Our custom-house establishments cost vastly more than is necessary, growing mainly out of paying a large number who really render no service, or none that is of any use whatever. These abuses can easily be corrected by the collectors, naval officers, and surveyors, and the Secretary of the Treasury, by which hundreds of thousands of dollars can be saved annually.

20. The great source of Government expense is occasioned by

Congress providing and requiring the use of a currency the common depreciation of which is about forty per cent. This necessarily increases the expenses of the Government at a corresponding rate. Nearly all salaries have been largely increased in consequence of it, including the pay of Congress, which has been enlarged from three to five thousand dollars per annum. The expenses of the army and navy have been increased in a like ratio. The prices of labor at the navy-yards, on public buildings, and elsewhere, have increased at about the same rate with the depreciation of the currency. But Congress takes no step toward diminishing, but many to increase this evil. At least one-third, if not more, of the expenses of the Federal Government is occasioned by using depreciated paper.

We might extend this list of abuses to an almost indefinite extent, but these instances are sufficient to put thinking men on inquiry, and to induce reformers to act, if we have any who dare grapple with abuses under which Government is reeling and staggering.

These abuses have their origin in anti-Democratic principles, and are destructive of that equality, protection, economy, and purity, which form a part of the Democratic creed. They will continue until the people rise in their majesty, and command and enforce reform.

90.—ADMINISTRATION OF JOHN TYLER.

The administration of Mr. Tyler was crowded with extraordinary events, a full history of which would fill a large volume. For the first time, a Vice-President had become President under the Constitution. Harrison had been sworn in as President on the 4th of March, 1841, and died within a month, during which, under the promptings of Mr. Clay, he had issued a proclamation, convening Congress on the 31st of May. Although Mr. Tyler had called the attention of Congress to the various subjects he deemed suitable for their attention, Mr. Clay, in resolutions offered in the Senate, rather imperiously announced what ought to be attended to. A repeal of the Independent Treasury, the incorporation of a national bank, and the distribution of the

moneys derived from the sales of the public lands, to aid the States in paying their debts, were the leading objects. A bankrupt law was proposed by his friends. Both Harrison and Tyler had been Democrats; and, in 1819, had taken grounds in favor of a judicial repeal of the charter of the United States Bank. But both had become Whigs, and were expected to approve whatever a Whig Congress should do. Mr. Tyler, in his message, had confirmed this expectation. Bills were reported for repealing the Independent Treasury, for chartering a bank, for distributing the proceeds of land-sales, and an insolvent law, under the name of a Bankrupt Act, and all were passed by Congress. The Bank Act was alone vetoed by Mr. Tyler, who objected to some of its provisions. A second bill, with these modified, and an altered title, was passed; but this was also vetoed. This created a breach between Mr. Tyler and the Whigs who had elected him. A third Bank Bill was reported by Mr. Cushing in the House, but was never acted upon. From this time until 1863, when Mr. Chase was Secretary of the Treasury, a period of twenty-two years, the bank question slept, with no attempt on the part of the anti-Democrats to waken it; Mr. Webster saying it was an "obsolete idea." The approval of the repeal of the Independent Treasury, and the Land Distribution Bill, rendered it impossible for the Democrats to sustain Mr. Tyler beyond the specific acts which they approved. A tariff bill, fixing the rate of duties at twenty per cent., and regulating the free list, was passed and approved. This special session resulted in pleasing neither party. The Whigs had carried three measures—the repeal of the Sub-Treasury, and passing an Insolvent Law and Land Distribution Bill; and the Democrats rejoiced at the defeat of the Bank Bill. But both parties had their complaints. At the annual session, commencing in December, the Bankrupt Law and the Distribution Act were repealed by the Congress that enacted them; and in 1846, the Independent Treasury Act was reënacted, and still remains, though somewhat damaged by Mr. Chase's National Bank Law, authorizing the using the banks established under it as Treasury depositories.

At the annual session Congress was informed of the deplorable

condition of our finances, we having neither money nor credit, and debts were heavily pressing upon us. The remedy was plain to those whose sight was not bewildered by collateral objects. A tariff increasing the rate of duties and the restoration of the land moneys to the Treasury would soon produce the desired relief. A Tariff Bill raising the duties above twenty per cent. and continuing the land distribution after a certain day was passed and vetoed by the President, on the ground that it violated the Compromise Act of 1833, and continued the land distribution. A second bill, somewhat modified and changed—more in words than in principle—was passed and also vetoed. By the terms of the Land Distribution Act, the distribution was to cease whenever duties above twenty per cent. were levied. A third Tariff Act, raising duties above twenty per cent., and saying nothing about distribution, but in effect killing it, was passed and approved by Mr. Tyler. In this controversy, Mr. Tyler was struggling to preserve his consistency in regard to the Compromise Act, and the Whigs to do the same to save their distribution measure. Surrounding circumstances and the condition of the Treasury compelled both to yield. This last Act was carried by the aid of Silas Wright and a few other Democrats, who, although the rate of duties was unsatisfactory, saw in the bill the destruction of the land distribution, and felt it a duty to supply the Government with the means necessary for its existence.

It has been charged that Mr. Tyler saw that Mr. Clay would be nominated as his successor, and felt stung by his overbearing and dictatorial course, and he therefore sought, by his peculiar course, to build up a separate party for himself, hoping to be made his own successor. The evidence in favor of this theory satisfied Colonel Benton of its truth, as he states in his "Thirty Years in the Senate." If he entertained such views, he was disappointed in the result. His course was such as fully to satisfy neither party, and as there can be but two sides to any question, there was no ground for a third party to organize or stand upon, and hence he was disappointed if he expected to build up one. Instead of rising politically, Mr. Tyler sank down, and had few supporters in Congress and fewer elsewhere, except those in office.

If he had remained with the Whig party, he would have suffered much mortification at the domineering spirit of some of his friends, and been forced into subordinate relations. Had he joined the Democrats, after approving the land distribution and the repeal of the Independent Treasury, he never could have commanded their respect and confidence. It was fortunate for that party that he did not return to it. They could not rise under the weight of his inconsistencies.

Personally, Mr. Tyler possessed many good qualities. He was benevolent, kind, and warm-hearted, and without greediness for money, or a disposition to trench upon the rights of others. He possessed some qualities that unfitted him for the presidency. He was careless, indolent, easily persuaded to any thing, where old Virginia doctrines did not point out the contrary way. He was not prompt nor firm like those governed by inflexible principles. If Virginia had fully settled the question, he was ready to conform to it, but even then he was not always firm and immovable, but often drifted. On other questions he was apt to follow the course of an easy mind. The natural promptings of his mind were such as mankind could approve. The errors came in when he attempted to control his natural impulses and yield to those of selfish calculation. The attempt to limit him in the enjoyment of privileges which had been permitted all other Presidents has left more salutary enactments on the statute-book than were made in the same length of time since the repeal of the Alien and Sedition Laws. Mr. Tyler was born March 29, 1790, and died January 17, 1862. He went with the secessionists, and was a secession member of Congress when he died, showing that he had outlived all the Democracy he ever had.

91.—JAMES K. POLK, HIS ELECTION AND POLITICAL PRINCIPLES.

The late civil war has prevented the preparation, by an eminent biographer in New York, of a complete work on the Life and Times of Mr. Polk, which his sudden death prevented his preparing. Born and educated in North Carolina, he early became an adopted son of Tennessee, reading law with Felix Grundy.

He commenced practice in 1820, was elected to the State Legislature in 1823, and to Congress in 1825, where he continued fourteen years, and from 1835 to 1839 was Speaker of the House, and was in 1839 elected Governor of Tennessee, and in 1844 President of the United States, from which office he retired on the 4th of March, 1849.

A majority of the Baltimore Convention of 1844 were in favor of nominating Mr. Van Buren, but the adoption of a rule requiring two-thirds of all the votes to make a nomination caused his defeat, he not favoring the acquisition of Texas in the manner and for the purpose of extending slavery, as insisted upon by Mr. Calhoun. Mr. Polk was thereupon nominated and elected. He had always been an ardent Democrat, and approved the Baltimore resolutions of 1840. He became distinguished as a debater and well-informed statesman, in his opposition to Mr. Adams's administration, and was the leader in the House during General Jackson's administration. He was elected Speaker in December, 1835, and again in 1837, in which position he distinguished himself for intelligence, impartiality, and firmness. His discussions were distinguished for their clearness and logical force, and for an earnest sincerity which tended to carry conviction. His industry knew no bounds, and his devotion to his duties was not excelled by any of his contemporaries. He enjoyed the unlimited confidence of General Jackson and the entire Democratic party. He manifested great sincerity and cordiality of manners among his political friends, without being rude or even cold toward his adversaries. His incorruptibility was proverbial, and even his enemies never questioned his truthfulness or integrity. His construction of the Constitution was of the strictest kind. He designed to keep within its unquestioned powers, and to restrain others within the same boundaries. He was kind-hearted, liberal, and generous with his own means for all approved objects, but nothing could induce him to adopt latitudinarian constructions and under them indulge liberality and generosity with the people's money. He sought to be right, and when he believed he was so, nothing could turn him. He believed our Government was framed to protect men and their property, to the end that they might seek

happiness in their own way, and that no man or class of men had any right to use the Government to promote their own interests or selfish purposes. The principles of democracy lay in his heart, next to those of his religion, and he deemed both sacred, and tending to promote the true happiness of mankind. His administration was complimented by Mr. Webster.

92.—MR. POLK'S ADMINISTRATION.

Many important events occurred while Mr. Polk was President, some of which will be mentioned.

1. THE MEXICAN WAR.—Texas was admitted as a State of the Union under legislative authority near the close of Mr. Tyler's administration, before Mexico had ceased claiming her. Mr. Van Buren, Silas Wright, and others had expressed their fears that such admission would bring war with it, as it would be, in effect, espousing the cause of Texas and taking her quarrel off her hands. We then had a treaty of peace and amity with Mexico. These distinguished statesmen doubted the propriety of admitting Texas, without the assent of Mexico, while she continued her claim and proposed still to enforce it. Texas claimed southwest to the Rio Grande. After the admission, General Taylor was sent down with a force to protect this boundary. The Mexicans came over to drive him away, and were defeated in two battles and driven back. The war thus commenced was prosecuted by direction of Congress. The city of Mexico was taken, and California and New Mexico yielded to our power. The war ended in a treaty, fixing our boundaries, in which she ceded to us New Mexico and California, we paying fifteen millions of dollars.

2. THE OREGON QUESTION.—The Oregon country, first explored by Lewis and Clark, by direction of Mr. Jefferson, and whose principal river was entered by Captain Gray, of Boston, had so much increased in value, that its exact boundaries became a subject of interest. We claimed north to $54^{\circ} 40'$, and the British claimed many degrees farther south. In this controversy James Buchanan, then Secretary of State, displayed his wonderful industry in making researches, and remarkable clearness and force in presenting the facts and arguments on our side. His

vindication of our rights seemed unanswerable, but the Senate, whose advice Mr. Polk took in advance on the question, advised him to accept the line of 49°, and a treaty was concluded accordingly, much to the regret of very many of our people. Colonel Benton insisted that our claim did not properly extend beyond that parallel of latitude, and his views were adopted and carried out.

3. **THE DISCOVERY OF GOLD AND ITS CONSEQUENCES.**—In examining the beds of streams near Captain Sutter's establishment in California, particles of gold were found. Further search led to the discovery of considerable quantities, but in small particles. But ere long, in the latter part of the year 1848, very considerable specimens were found. A full knowledge of these discoveries was unknown in the Atlantic States prior to Mr. Polk's annual message in December of that year. This directed attention of miners to California. More gold and more gold was discovered. California was soon admitted as a State, supplying many millions of gold annually. She has now become one of our most flourishing agricultural States.

4. **CONGRESSIONAL LEGISLATION.**—During Mr. Polk's administration, the Independent Treasury was restored, and so was hard money. From the time the Sub-Treasury Act of 1840 was repealed in 1841, the Executive kept the public money where and in such manner as he chose. It was now made criminal to keep it anywhere but in the Treasury, or with an assistant treasurer. This Act passed in 1846.

The protective tariff of 1842 gave place to a revenue tariff of 1846, many of the principles of which still remain in our tariff laws.

The Department of the Interior was created in 1849, just before the close of Mr. Polk's term.

The warehouse system was modified and placed upon a new footing, and drawback allowed on goods imported from Canada. The Smithsonian Institution was organized.

An Act in relation to the weight of gold coins, and authorizing the coinage of double eagles and gold dollars, was passed by Congress, and approved by Mr. Polk on the last day he was in

office. This was one of the most important Acts passed while he was President, as it tended to restore the use of a gold currency.

Mr. Polk's administration accomplished much. It settled our dispute with Great Britain, fixed our northern boundary on the Pacific, secured New Mexico and California, and put at rest the British claim to Oregon and Washington. These events have led to searches for the precious metals from the Pacific almost to the Mississippi. These have been found in the whole Rocky Mountain region, which are being filled with an active and energetic population. Roads are opened in every direction throughout all these vast regions, and railroads are now being extended from the Mississippi, through the Rocky Mountains, to the Pacific settlements; roads, cities, States, and Territories have sprung into existence as if by magic. These are some of the consequences of the Mexican War, and the fruits of Mr. Polk's administration. But for his administration, all these States and Territories might have remained a trackless wilderness, save a Mexican settlement at Santa Fé, and a few weak missionary and military posts in California. Consequences have resulted from Mr. Polk's administration far more important than he, in his most sanguine moments, anticipated. The Louisiana and Mexican purchases have added unlimited wealth and advantages to our country. Taken together, they have realized what the old Federalists used to call "Jefferson's day-dreams." All that he anticipated has been more than realized. Let us give Mr. Polk his share of the credit.

93.—ZACHARY TAYLOR AND HIS ADMINISTRATION.

General Taylor was born in Virginia, in 1784, and died at Washington, July 9, 1850. He entered the army in 1808, and rose by regular gradations to be a major-general. He was distinguished through life as an honest and worthy man. His successful battles at Palo Alto, Resaca de la Palma, Monterey, and Buena Vista, gave him so much public favor that the Whigs nominated him for President, and elected him in 1848, over General Lewis Cass, the regular Democratic candidate. Millard Fill-

more, of New York, was elected on the same ticket with him as Vice-President. In forming his Cabinet, General Taylor selected Whigs (although he had claimed to be a no-party man), some of whom were able and experienced, and some far otherwise. He was pledged against removals from office on political grounds, and to remove none without a hearing. In the first month he was in office, he refused to make a vacancy, except on charges, for a friend of the Vice-President, and on the latter's application. Only a few months elapsed before removals on political grounds were of daily occurrence, and apparently without consultation with him. He knew his want of qualifications for civil office—often spoke of it to the writer, and expressed his regret that he ever consented to run for the presidency—saying that Mr. Clay ought to have been in his place. He was a confiding man, and freely trusted his friends. He had never seen one of his Cabinet before the time of their appointment—so he said, and often felt the want of old tried friends about him, although he had full confidence in the ability and integrity of his Cabinet. His want of knowledge in the affairs of civil government, and his inaptitude in learning them, greatly embarrassed him, and instead of being a Taylor administration, it was soon a Cabinet-officer affair, in part very able, and continued so until his death, sixteen months after he was sworn into office.

A defect in his speech greatly embarrassed him on many occasions. But his sincerity and sterling honesty rendered him a favorite with those who knew him intimately. He delivered but one message, and in that he came out firmly against disunion. Whether he did right or wrong, he meant right, but in political matters he was so unskilled that he did not readily comprehend their meaning, or the results that would naturally flow from them. He was a Whig, and had full faith in the Whig leaders, but the consequences to result from the practical application of their principles to the business and affairs of the world he did not understand. From habit, he had taken whatever the Whig leaders said as literally true. He trusted their judgment without being at the trouble of exercising his own. He believed the Democrats were wrong, because those in whom he confided said so, and not

because of any personal knowledge or scrutiny by him. He trusted others, as others trusted him in military affairs which he understood. His natural impulses were in the direction of equal rights of mankind, but his confidence in others led him to ignore such ideas in practice, and he went with those who believe in class legislation, which confers advantages on one class by taking them from another. This made him an anti-Democrat in practice. Of himself, he had no policy to propose or carry out. He received impressions from others, but impressed no one in return. His administration terminated so soon after its commencement, and contained so little that has passed into history, that not much can be said for or against it. But of him it can be said that he was a good man, with honest intentions. As a military man he had done good service, and practised rational economy. He rendered the same service for half the expense that some others occasioned Government. President Polk often said this to the writer.

94.—MILLARD FILLMORE AND HIS ADMINISTRATION.

Mr. Fillmore was born in Cayuga County, N. Y., on the 7th of January, 1800. He received very little education during his minority, but learned the occupation of a clothier. At the age of nineteen he resolved to become a lawyer. His abilities, energy, and industry, were equal to the undertaking. Having devoted his leisure to the acquirement of an education, he became qualified, and taught school days, and read law mornings and evenings. His mind was well-balanced, and his careful and accurate study soon made him a good lawyer, and, when admitted, business soon came to him. He was not remarkably quick, but industrious and thoughtful, and he prepared his cases with great care and judgment. He never omitted any thing that ought to be done. His thorough preparations enabled him to discover the strong and weak points of his adversary. The whole case on both sides was committed to paper before he went into court, which made trials comparatively easy. In these preparations lay the secret of his success. It would be fortunate for clients and useful to many lawyers if they would follow Mr. Fillmore in pre-

paring their causes, which would greatly lessen the labors of courts and juries.

In 1828, soon after his admission as an attorney, he was elected a member of the Assembly by the anti-Masons, and was twice reëlected. In 1832 he was elected to Congress as an anti-Jackson man, and served one term. After an interval of two years he was again elected, and twice reëlected. In Congress his talents, industry, and business capacity led to his occupying the highest places on committees. The reputation he won during his service in Congress led to his nomination and election as Vice-President. On the death of General Taylor he succeeded to the presidency.

Soon after becoming President, Mr. Fillmore formed a new Cabinet, all Whigs. Few great events occurred during his administration. But the seeds of disunion previously sown began to germinate, and they have since grown and produced fruit as deadly and fatal as the fabled upas-tree. These seeds were first sown on the purchase and on the admission of Louisiana and Missouri, in the movements of the abolitionists and nullifiers, in the proceedings in Congress concerning our Mexican acquisitions, and on the question of the extension of the Missouri Compromise. These matters became the subject of much feeling with a very considerable portion of the people, both North and South. The Free-Soil party sprang from them, and weakened and often dissevered party ties. Abolition and secession fed upon these difficulties, while the patriot mourned over them. Attempts were made in Congress to remedy existing difficulties. This produced a series of measures in 1850, called the Compromise. These consisted of acts concerning Texas and the organization of the Territory of New Mexico, the admission of California, establishing a territorial government in Utah, and to suppress the slave-trade in the District of Columbia, and the Fugitive-Slave Act. The latter Act was exceedingly distasteful to the abolitionists of the North, and the others contained provisions which were strongly objected to by the South. Each of these measures received the approval of Mr. Fillmore. Hopeful men believed that they constituted a lasting compromise, and that the

slavery agitation was finally ended. This hope proved a delusion. The severity of the Fugitive-Slave Law, intentionally made worse by Southern manipulation to prevent its passing at all, provoked the abolitionists to renewed and greater exertions to arouse the public mind against slavery, and many States passed laws intended to cripple and defeat its execution. The South was not behind in the effort to arouse the public mind and prepare it for a conflict. The Kansas troubles followed, and the whole ended in the recent civil war and in the practical destruction of the Union, with a majority in both Houses of Congress claiming that ten States have been reduced to conquered colonies for which they are enacting laws to be enforced by the military with the bayonet.

We cannot affirm that Mr. Fillmore is responsible for any of the consequences which have flowed from these small beginnings, and clearly not if he had anticipated their magnitude. But the Whig party, of which he was the ostensible head, are unquestionably responsible. At the North they encouraged, courted, and fraternized with the abolitionists, and finally amalgamated with and were absorbed by them. From pure white, they became shaded and grew darker and darker, until they became of the abolition hue, and were found worshipping at the African shrine. At the South, the Whig party, first warmed at the secession fires, became more and more heated, then became friendly to secession, then loved, and then adored it, and finally exploded with it. There were noble exceptions both North and South, showing that, in the struggle for party ascendancy, some have soared above the common motive, and entitled themselves to the appellation of constitutional patriots. But their numbers are limited.

Had the leaders of the Whig party continued their fidelity to the principles of that party and confined themselves to its usages, secession would never have arisen, nor the country been involved in civil war. There was scarcely a spot North where abolition by itself could carry an election for any thing, or in the South where a candidate ran as a secessionist. The contests were between Democrats and Whigs, and their common enemies seldom fought in their own name. Democratic principles were generally the most popular and best received, resulting in success a large por-

tion of the time. Under these circumstances the Whig leaders became restive, and impatient for success. This could only be secured by bringing their party and the abolitionists at the North and secessionists at the South together as one party. The abolitionists and secessionists would not consent to be wiped—blotted—out, and hence the Whigs must abandon their organization and come to them. This was done, and the consequences are upon the country. The calamitous state of things which all good men deplore is the natural result of a want of fidelity to its principles by the Whig party. Probably no one more sincerely regrets the present state of things than Mr. Fillmore, who is undoubtedly truly patriotic and loves the Union, and feels for those who compose it. If any fault attaches to him, it is in not sufficiently resisting the effort of bad men to control the Whig party. He can hardly have forgotten that he was victimized and deprived of a nomination for the presidency in 1852 by this class of unprincipled men, one of whom was the most active in killing off the Whig party, and now stands next the throne faithful to nothing but his devotion to self-interest.

In person, manners, and conversation, Mr. Fillmore is pleasing and amiable. In all he says, there is a vein of truthful sincerity which insures confidence. He is kind-hearted and generous, and most firm in the performance of what he believes to be his duty. He is in very easy circumstances, but he practises an exemplary economy. He dispenses a cheerful and generous hospitality, devoting much time to reading and study. At the age of sixty-eight he enjoys robust health, in the good city of Buffalo. We understand that he openly repudiates Republicanism, and joined with the Democrats in defence of the Constitution and in putting down those who are trampling it under foot—a glorious work for his ripe old age.

95.—JOHN BROWN AT HARPER'S FERRY.

In former times, when words were used to communicate the thoughts of men, a martyr was a person who suffered death or persecution on account of his belief; and a murderer was one who deliberately and intentionally took the life of a human being

without the authority of law. These definitions have never changed, and will serve to characterize the acts of John Brown which we give. He was a native of Connecticut, once a resident of New York, and in 1859 a citizen of Kansas, where he had been an abolition partisan leader, and where grave crimes were imputed to him. He resolved to exterminate slavery in the South, vainly expecting that the whole slave population would rise at his call, and accomplish his cherished objects. In 1858 he and his followers held a secret meeting in Canada, and formed a constitution, when he was appointed commander-in-chief, and Kagi secretary of war. Under this British-made constitution military commissions were issued by Brown. On the 16th of October, 1859, Brown, with twenty-two followers, seized the Government armory-buildings at Harper's Ferry, with twenty or thirty officers and workmen, together with some of the principal inhabitants of the village and neighborhood, all of whom they made prisoners. The next morning they killed a negro porter at the railroad for refusing to join them. Mr. Boerly, who attempted to defend himself against the assailants, was shot dead. Captain George Turner and Mr. Fontaine Beckham, the mayor, were also shot dead. Of a military company who came to protect the town, four were killed, and a fifth made prisoner. Brown and his men retired into the engine-house. When the railroad men attempted to take this building, seven of their number were wounded, and two of Brown's were killed. On the arrival of Colonel Robert E. Lee from Washington, with two pieces of artillery and one hundred marines, he demanded a surrender, which Brown refused, except upon condition of being allowed to cross the Potomac unpursued, to which Colonel Lee would not consent. In battering the door of the engine-house, one of Lee's men was killed. Brown fought to the last, and only yielded when badly wounded. Of the whole band of twenty-two men, ten whites and three negroes were killed, three whites and two negroes were taken prisoners, four escaped, but two were subsequently taken in Pennsylvania. Brown was indicted for treason and murder under the laws of Virginia, found guilty, and hanged on the 2d of December. His remaining companions, except Aaron L. Stevens, who

was handed over to the United States for trial, on charges of murder and treason, committed within their jurisdiction, were convicted and hung on the 16th of December.

Was Brown a martyr or a murderer? It is unquestionable that under Brown's direction five men were shot and killed. This was murder, unless the constitution and government formed in Canada were a protection, which no one, except perhaps a bewildered secessionist or abolitionist, will pretend. He clearly was not a martyr. He did not die because of his opinions, but was hanged for committing unquestioned murder. He designed to commit other murders, and was only restrained by enforcing a law, which is common to every State, as well as to England. He was not executed for his opinions, but for his acts, constituting murder in the first degree. It is painful to add, that the Republicans either secretly justified or openly sympathized with this murderer, who had no pretence of a justification under any government or law. When Mr. Mason moved for a committee of the Senate to investigate the matter, Mr. Trumbull, of Illinois, sought to defeat it. John P. Hale, a Senator from New Hampshire, treated the motion with levity and ridicule. On the day he was hung efforts were made in each House of the Legislature in Massachusetts to adjourn out of respect to the occasion, but did not prevail. In many places prayers were offered up and church-bells tolled. He was treated as a martyr, and placed in the same category with Paul and Silas. Churches were draped in mourning. Why all these proceedings in behalf of a convicted murderer? The answer must be, that the Republican party approved of his murders, because he belonged to their party and designed to promote their ends. They had undoubtedly furnished the means that defrayed the expenses, and enabled him to do what he did.

96.—AZARIAH C. FLAGG.

Since the loss of his sight, a few years since, the name of Mr. Flagg has been little before the public. But during his active life few in New York were more distinguished or respected. He was born November 28, 1790, at Orwell, Vermont. At the age

of eleven he was apprenticed to a printer in Burlington, in that State, where he learned that art. In 1811, at the age of twenty-one, he commenced printing the *Plattsburg Republican*, for the proprietors, and continued to do so until 1826, a period of fifteen years, at which time he was appointed Secretary of State by the New-York Legislature. During his connection with the *Plattsburg Republican* Mr. Flagg's was the principal pen employed upon it, which gave it a wide circulation as well as a controlling influence in that part of the State. His activity, energy, and usefulness as a volunteer at the time the British attempted to take Plattsburg, on the 11th of September, 1814, turned public attention to him, and made him popular with all parties. The knowledge and mind which he displayed in his paper induced the Democracy of Clinton County to elect him to the Assembly in the fall of 1822. He took his seat on the 1st of January, 1823, and was again reelected and took his seat in 1824. In that body he took a distinguished part in the attempted legislation in relation to changing the electoral law, in which he displayed great readiness in debate and tact in legislative proceedings. In the Assembly he was made a leader by his Democratic friends, whom they cheerfully followed. A bill changing the electoral law, taking the appointment from the Legislature, and conferring the election upon the people, had passed the House, but was lost in the Senate in consequence of that body not being able to agree upon the questions whether it should require a majority to elect, and whether the election should be by districts, or by general ticket. Being unable to agree upon these questions the Senate had postponed the subject indefinitely, and the Legislature adjourned. Governor Yates convened the Legislature by proclamation, and submitted the subject to them again. Mr. Flagg denied that any such emergency had occurred as authorized the call, and thereupon moved a concurrent resolution of adjournment, which passed both Houses. This called down upon him the wrath of the Clay and Adams men of the country. Abuse in every form was heaped upon him. But he was right, and Governor Yates was clearly wrong. The Legislature had acted upon the electoral law questions before they adjourned, and he had no right to con-

vene them to reconsider and act upon them again. The questions were not new, but old, and had been disposed of.

The talent exhibited by Mr. Flagg while in the Assembly, and his faithful adherence to Democratic principles induced the Democrats in the Legislature to elect him Secretary of State at the winter session of 1826. The duties of this office he performed to the entire satisfaction of those who conferred it, and without complaint from his political adversaries. He was reelected in 1829, without opposition, and again, in 1832. At this time, the Secretary of State was *ex-officio* Superintendent of Common Schools. His reports as Secretary of State, if collated, would make many volumes. Each required his personal attention. They were characterized by brevity and clearness, rendering them the more convenient and useful.

On the 11th of January, 1833, Silas Wright, who was then Comptroller, was elected United States Senator, and Mr. Flagg succeeded him as Comptroller. He was reelected February 1, 1836, and served until the 4th of February, 1839. On the 10th of that month he was commissioned postmaster at Albany, by Mr. Van Buren, which office he held until May 1, 1841, when he was removed under the Harrison administration, by Francis Granger, then Postmaster-General. After this removal he was connected with a paper published in Albany, called *The Rough-Hewer*. On the 7th of February, 1842, Mr. Flagg was again elected Comptroller, and reelected February, 1845. The number of reports made by Mr. Flagg, as Comptroller, amounts to many hundreds, and are of the highest value. The truths and principles then developed are applicable to the present day. It was he who first called the attention of the public to the State and municipal debts, contracted or authorized. This document produced very great effect upon the public mind. Neither his accuracy nor integrity was ever called in question. Whenever he wrote or acted, he followed the dictates of honest and just intentions.

The last official position held by Mr. Flagg was that of Comptroller of the city of New York, where he fully sustained his reputation for industry, fidelity, and unflinching firmness. Owing to impaired sight, he declined further official duties.

Mr. Flagg seemed to have an intuitive knowledge of financial matters. All classes placed implicit confidence in his ability and integrity, and, in the worst of times, relied upon him as a safe pilot. When it was necessary for the State to borrow money, and he made the call, giving assurances as to the result, he commanded the resources of the State, from the spinster loaning a hundred dollars, to the capitalist lending his half million. Neither his judgment nor promises ever failed. Although not a lawyer by profession, Governor Wright considered him the best constructionist of statutes he ever saw.

When Mr. Polk became President, he tendered to Governor Wright the place of Secretary of the Treasury, and requested, if he did not accept, that he should recommend a suitable man. The Governor declined, and unhesitatingly recommended Mr. Flagg. Why he was not appointed, is a matter outside of our present purposes. Suffice it to say, that it was not on the ground of doubtful fitness for the place, nor on account of any thing said or done by him. Mr. Polk made a mistake in not following Governor Wright's recommendation.

In person Mr. Flagg is short and erect, with high forehead and light eyes. His address is frank and cordial with friends, and courteous to adversaries. His memory is remarkably retentive, and his mind well stored with useful knowledge. Although without eyesight, he is well posted upon current topics and events, and is still confided in as a safe adviser. Although nearly forty years in public life, there has never been a whisper against his integrity or faithfulness. His political opinions seem a part of his life, and he cannot throw them aside and adopt others. No extent of interest could induce him to play the hypocrite, or profess what he did not believe. Some who started in public life with him, or joined him on the way, have changed with every popular breeze, and professed every variety of doctrine, while his course has been as true to his early professed faith as the needle to the pole, and he has ever practised what he professed. Such a man is an honor to any country.

97.—FRANKLIN PIERCE AND HIS ADMINISTRATION.

Franklin Pierce, the son of a revolutionary officer, and Governor of New Hampshire, was born at Hillsborough, New Hampshire, November 23, 1804. Receiving a liberal education, he studied law and commenced practice in 1827, and two years after was elected to the Legislature, where he served four years, and two of them as Speaker. He had many of the elements of popularity, which kept him in public life. At the close of his service in the Legislature, he was elected to Congress, where he served four years, and was then elected to the United States Senate. He served in that body until 1842, when he resigned and resumed the practice of his profession. When the Mexican War commenced, he volunteered as a private, but was soon commissioned as a colonel and then as a brigadier-general by President Polk, who, when signing the latter commission, said to the writer that he was destined to become President of the United States. Mr. Polk's prophecy became history. He fully met the expectation of his friends, and returned with increased reputation, receiving unbounded applause in his State. On returning home from the war, he resumed the practice of the law, with distinguished success. He was soon elected a member of the convention to revise the State constitution, and manfully exerted himself to rid that instrument of the provision excluding Catholics from office in the State.

At the Baltimore Democratic Convention in 1852 he was nominated, and in the fall elected President by a very large vote over General Scott, nominated by the Whigs. On the 4th of March, 1853, he entered upon the duties of President. A dispute with Mexico, concerning our boundary in the Mesilla Valley, resulted in the acquisition of what is now called Arizona. It was under Mr. Pierce's directions that Secretary Marcy wrote his celebrated Martin Koszta letter, which has justly become so famous in the annals of diplomacy.

In January, 1854, Mr. Douglas, Senator from Illinois, made a report to Congress, accompanied by a bill, to create a Territory now constituting the States of Kansas and Nebraska, leaving the Missouri Compromise to stand. Subsequently the bill was recom-

mitted and a new one reported, creating two new Territories and repealing the Compromise Act. This bill passed, and aggravated a controversy, begun long before, which precipitated secession and disunion. It brought the abolitionists and Whigs together, fighting side by side, upon exciting questions. Disunion really began in Kansas. The South claimed the right to remove there with slaves, and the united Whigs and abolitionists disputed that right. Societies with large capital, sometimes incorporated, were established, members of Congress participating, to control the politics of Kansas. Contributions were taken up and sermons preached for the same purpose. Even children were robbed of their pennies to aid the work of politicians. The Word of God and "Minnie and Sharpe's rifles" were mingled in the clergyman's study, if not in his pulpit. This war, for it was emphatically such, was not ended in Mr. Pierce's time, but was left as a fatal legacy for his successor, Mr. Buchanan. It was the cord which bound the Whigs and abolitionists together, proving in the end the instrument with which the Whigs were strangled and the abolitionists secured their power. Mr. Pierce was not responsible for this unfortunate Kansas legislation. He vetoed two bills, one relating to the repair of certain public works, and the other distributing ten millions of acres of public lands to the States for relief of indigent insane. In this he was clearly right, as neither was authorized by the Constitution. His veto of the increased appropriation for the Collins steamers met with the hearty acquiescence of the public. Millions have been squandered upon private steamship companies, without the Government receiving any adequate return. Such acts are unconstitutional. The British minister, Mr. Crampton, became a party to the illegal enlistments in this country for the Crimean War, and his recall was demanded by Mr. Pierce. This being refused, he dismissed both him and the British consuls at Cincinnati, Philadelphia, and New York. This decision and firmness was highly gratifying to the country. In August, 1856, Congress adjourned without making appropriations for the support of the army, in consequence of a limitation imposed in the army bill, in the House, forbidding its use in sustaining the territorial laws in Kansas. Mr. Pierce convened Congress by procla-

mation on the 21st of August, when the bill without the proviso was passed and approved. After retiring from public life, Mr. Pierce travelled extensively in Europe, returning in 1860, since which he has resided in his native State, appearing once or twice before the public in an address, declaring himself against secession and disunion, and urging the people to give the national administration a vigorous support in putting down the rebellion.

Mr. Pierce has a pleasing address and is a great favorite in society. Although at first not successful as a speaker, he afterward became one of our happiest orators, often presenting his thoughts in a style that would do credit to any age or nation. His remarks at the tomb of Mr. Webster are unexcelled in the English language. The untoward events during the last two years of his administration, for which he was not responsible, clouded his popularity, but did not destroy the confidence of his friends either in his ability or honesty. These events had their origin with others seeking political power, and over whom he could exercise no control. From the commencement of his political life down to the present time, he has been a Democrat of the strictest kind. Few men have ever adhered more closely to the Constitution, or struggled more manfully to sustain it. In matters of mere policy he might have yielded; but where the Constitution was concerned, he never submitted to compromise. It is to be regretted that there are not more who entertain his convictions on constitutional questions, and possess his firmness in dealing with them. The duration of our republic depends upon a rigid adherence to the Constitution, not only in letter, but in spirit.

98.—JAMES BUCHANAN.

Events of an anomalous character, over which he had no control, temporarily obscured the brilliancy of Mr. Buchanan's character. Like that of an eclipse of the sun, the obscurity will have but a brief duration. He was held accountable for acts he never performed, and challenged for those of others which he never prompted or approved. A division of his own party, for which he was not responsible, left him without the means of accomplishing good and staying evil, in conformity to the promptings of his

own judgment and his views of duty. It became fashionable to excuse everybody else, and heap all faults upon him. The public mind, not fed with truth or properly aided in its pursuit, at first halted, then doubted, and finally, knowing that there was wrong somewhere, charged him as responsible. But Truth has awakened from her slumbers, and History, brushing away the clouds and mists, is doing him justice. His own defence of his administration, not yet extensively read, is a triumphant vindication from all the charges made against him.

During his administration the allied Whigs and abolitionists were his enemies and accusers. Half of his own party withdrew from him their support, and neither contradicted nor refuted the known false accusations brought against him. His defence rested with that limited number who adhered to and confided in him. Under such circumstances it is not strange that he should be broadly misunderstood. Those who were actors against him will be slow in searching for truth and not prompt in yielding to it. But time corrects all damaging errors, and he will stand before his countrymen and in history as pure and unspotted as when the people made him their President, before any portion of the Democratic party found it agreeable or advantageous to join his political enemies in traducing him.

Mr. Buchanan was born April 23, 1791, in Franklin County, Pennsylvania, his father being Scotch-Irish, and his mother a daughter of Pennsylvania. He was well educated, studied law, and was admitted to practice in 1812. His industry, learning, and capacity, soon brought him an abundance of business. At the age of twenty-three he was elected to the State Legislature. When the British destroyed the capitol, in Washington, in 1814, he headed a list of volunteers, and, as a private, proceeded to Baltimore. The company were soon after discharged. In 1822 he entered Congress, and continued until 1831, when he declined a reelection. In 1832 he was sent by General Jackson minister to Russia, where he effected an important treaty. Mr. Buchanan at first declined this mission, but he was persuaded to take it, as he was the best man in the country to make the desired treaty. The fact that it has stood the test of more than a genera-

tion, and that it is without a single alteration, is but another example of General Jackson's sagacity in selecting men for important service. On his return in 1834 he was elected to the United States Senate to fill a vacancy, and in 1837 was reëlected, and again reëlected in 1843. On being appointed Secretary of State, in 1845, by Mr. Polk, he resigned his seat in the Senate. In 1853 he was appointed by Mr. Pierce minister to London, where he remained until 1856. He was regarded by some as the ablest representative of America ever sent to the court of St. James. On his return he was nominated for the presidency by the Democratic party, and elected in the fall of that year, was sworn into office on the 4th of March, 1857, and served the full term of four years.

His residence, since he commenced the study of the law, has been at the city of Lancaster, latterly at his place called Wheatland, a short distance out of the city, where he now resides, enjoying good health and the respect of all those who know him. In early life he was classed with the Federalists, but all sympathy with that party ended with their opposition to the War of 1812, and their effort to cause our country to be beaten in that conflict. The residue of his life has been devoted to the active support of the Democratic party, and the principles upon which it is founded.

At the called session of 1841 Mr. Buchanan greatly distinguished himself in the discussions on chartering a Bank of the United States. He probably never appeared to better advantage, although his management of the impeachment of Judge Peck, when he was in the House, won him much applause, and proved his high qualifications as a lawyer.

On a former occasion, the writer, in describing Mr. Buchanan, used this language: "He receives his company with a courtesy and simplicity that make every one feel at his ease, though he never appears undignified. His conversation has a peculiar charm, because he uses, as Mr. Calhoun did, common and plain language to communicate his thoughts. He never confounds you with language or words that you do not understand, nor does he attempt to dazzle by striking expressions, or applying pungent

epithets. His is the clear, explicit language of every-day life, and which is most befitting all stations. Every thing about him indicated that he loved order and quiet, and that the tendency of his mind was in favor of utility. . . . His tastes are of the most simple kind, and he lives, like his neighbors, without attempting foolish ostentation or wearisome display. His uniform frugality has crowned his latter years with a liberal competency, never contaminated by parsimony. He has always been liberal and charitable. Poverty and affliction never solicited of him in vain." These are some of the traits in his character that then arrested attention. Mr. Buchanan has the happy faculty of saying much in a few words. When he speaks or writes, he uses not one word more than is necessary, and we seldom find that a necessary one has been omitted. Everybody can perfectly understand him. His conversation is in striking contrast with that of many who cannot be understood except with dictionaries in hand. He is a fast friend to those who secure his confidence, and he seldom mistakes the characters or motives of men.

99.—MR. BUCHANAN'S ADMINISTRATION.

If he was not eminent as a political tactician, Mr. Buchanan was one of the ablest executive officers ever occupying the presidential chair, having clear and exact ideas of constitutional powers and duties, and the force and effect of statutes, and great learning in the law of nations. It was not in his nature to wish to escape the responsibilities of his position. His mind was naturally peaceful and not belligerent, though he was ever prepared to return blows when he received them. He inherited the Kansas difficulties which had sprung up and surrounded Mr. Pierce's Administration, and which entangled his own without any fault of his. He was our minister in London at their inception and early growth. Had he abandoned what he believed to be his duty, and played the adroit but unscrupulous politician, he could easily have avoided the difficulties of the situation, and remained unaffected by them. But, as they lay in the path of duty, he cheerfully encountered them. The difficulties were largely increased by Congress being divided into three parties, seeking different

ends, neither having a majority. On the 29th of January, 1861, all difficulties in relation to those matters terminated by Kansas being admitted as a State. But the bitter feelings engendered by them were neither ended nor much softened. Partisans in and out of Congress, who had never before acted together, and between whose principles there was little resemblance, gradually came together, and embarrassed, if they did not directly oppose, Mr. Buchanan's Administration. His most important recommendations, if not directly questioned, were utterly disregarded.

The Democratic National Convention, in the spring of 1860, was held at Charleston, South Carolina. The differences which had separated the Democrats in Congress, and embarrassed the Administration, were soon manifested in the convention, and, without making a nomination, it finally adjourned to Baltimore. When it again assembled, it split, and two nominations—Douglas and Breckenridge—were made. The difficulties, nominally, grew out of framing a platform, and mostly from past questions, but really from personal considerations, having their origin in conflicts arising in Kansas matters. The Democrats went into the contest with a divided front, and, although largely in the majority, were defeated. The Whigs and abolitionists, from the Northern States, calling themselves Republicans, met in convention at Chicago; nominated Abraham Lincoln, and placed him before the country upon issues which were clearly sectional, and hostile to the slaveholding States. That portion of the old Whig party which had not consented to be absorbed by the abolitionists, called a convention at Baltimore, which nominated John Bell, of Tennessee, for President, and Edward Everett for Vice-President, declaring they were supporters of the Constitution, and in favor of enforcing the laws. This ticket received the votes of those Whigs who revered the Constitution, and were unwilling to support the Republican or either of the Democratic tickets. Each of the four tickets received electoral votes—Bell and Everett, those of Virginia, Tennessee, and Kentucky; Douglas, those of Missouri and New Jersey; Breckenridge, those of the remaining slave States; and Lincoln the residue, who, of course, was elected. Such a result was not calculated to heal the difficulties

in which the country was involved ; and, when Congress met in December, it was found that they continued to exist, and were effective for evil. The election of a sectional candidate to the presidency, who had not even an electoral ticket in the field, in the fifteen slave States, and upon issues hostile to them, naturally aroused a deep feeling in those States, whose rights were thought to be in danger. Much had been said during the campaign, calculated to irritate and inflame the public mind, and give force and effect to discontent. Their rights, whatever they might be, were clearly as sacred as those of other States. But the mode of protection selected was a fatal, suicidal one, and destructive to their own, as well as to the interests of the nation. They should have fought the battle for their preservation, in instead of out of the Union, and then the Democracy would have sustained them as far as the Constitution authorized. But the fatal step of secession was resolved upon, to be followed by an appeal to the God of battles, whose decision, they ought to have known, would be against them. Here a new and great danger presented itself, and its manner of treatment by Mr. Buchanan has been grossly misrepresented and misunderstood, which created a false and unjust impression against him. It is the rising, and not the setting sun that is worshipped, and his was the setting. In Congress there were two sections who cherished no kind feelings toward him—one, embracing a portion of the Democratic party, who were willing to see him crucified ; and another which were ready for any measures which might result in the triumph of abolition. Neither took one step to prevent or repress secession, or to avoid the conflict of arms which naturally followed. Mr. Lincoln and his leading friends stood pledged to their followers to abolish slavery. This could not be done, in any possible way, under the Constitution, and this could not be amended without the consent of a large portion of the slave States. How, then, was it to be done ? The North could not declare war, to enforce abolition in the South. There was no possible way of keeping their promises, but to present such a state of things as to induce the South to become actors in secession, and then to be allowed, on Mr. Greeley's plan, to "go in peace," with slavery, or to

plunge the country into a war, and to secure the extinction of it, as one of the consequences of resorting to arms. Although Republicans did not agree in the mode of freeing the nation from the taint of slavery, they did agree in taking no steps to stifle secession. Both plans were based upon secession movements at the South, and one of them held out encouragement of a bloodless result. Although fearing fatal results, Mr. Buchanan's oft-repeated communications to Congress on the subject produced no action. As President, when Congress was in session, his power of action was limited, and Congress conferred no power—none authorizing action of any kind. The army, on a peace establishment, was almost nominal, and distributed at points of danger; and he had no power to solicit volunteers, or call out the militia. The laws did not provide for the existing state of things, and he could not change them; and Congress declined to act. The South was encouraged to enter upon her fatal movement by numerous Republican papers, and induced to believe that no efforts would be made to prevent their going in peace, as Chief-Justice Chase suggested, after he came into Lincoln's Cabinet. The responsibility of omitting all action to prevent or meet secession rested, not with Mr. Buchanan, but with Congress, which refused to do any thing. Mr. Buchanan's vindication proves this beyond doubt or question. A careful examination of the journals and debates of Congress, as well as the laws then passed, will incontestibly prove what we assert. No man can point to one law passed by Congress to prevent secession, or to avoid war. Those Republicans who did not go with Greeley and Chief-Justice Chase, in letting the South "go in peace," expected and wished for war, as a means of fulfilling their promises to the abolitionists. This view is supported by high authority. When, in 1866, Mr. Seward was charged with not being sufficiently radical, the *Albany Evening Journal*, in an article, probably written by him, proceeds to show that he had been a great Radical, and says:

"The Pittsburg Convention and the Philadelphia Convention, which gave shape and crystallization to the sentiment of the North, were both 'radical' bodies, in the sense in which we assume that term to be used by the *Times*. They proposed

fundamental changes in the policy of our Government. *To accomplish these they declared war upon slavery. Instead of 'conserving' that institution, they took measures which every political observer knew must, if successful, result in its ultimate extinction. With full understanding of the fact that their platform, 'free soil, free speech, free men,' was AN INVITATION TO SOUTHERN REVOLT, AND THAT THE ELECTION OF THEIR CANDIDATE WOULD PRECIPITATE A CRISIS, they went into the contest, which had become a necessity of national preservation and integrity. Beaten in the first national canvass, they continued the fight in Kansas and upon the floors of Congress, and, returning to the charge in 1860 with a 'rail-splitter' candidate for the presidency, won a signal triumph."*

The truth of this declaration by the *Evening Journal* has never been denied. It is unquestionably true, and proves two things—the real motives in running abolition and sectional candidates, and why the Republicans in Congress took no steps, under Mr. Buchanan's recommendations, in relation to secession, or made any movement of their own. War was desired by two classes: one who staked every thing on abolition, and the other wishing for rapid and easy means of making fortunes by furnishing supplies for the army and navy. Mr. Buchanan wished to avoid war, but they did not aid him in preventing it, because their hopes of final success in abolition depended upon the nation being plunged into one. Such preventive measures as he could take, were adopted by Mr. Buchanan, under the advice of General Scott, whose autobiography, in this respect, is singularly erroneous. He confided in the honesty of his Cabinet, but dismissed Floyd the moment he detected him in an untruth, without suspecting his loyalty to the Government; and the stories that he had improperly sent the Southern States national arms, were untrue. They had not their share under the law. Up to this period Floyd professed to be an uncompromising Unionist. Mr. Buchanan believed that the fires first kindled in South Carolina, and which were spreading to other States, would burn themselves out in a short time, if no fuel in the shape of blood should be supplied; but when that should be furnished, the flames would be unmanageable. After blood is shed, few men reason. Until Mr. Lincoln

was sworn into office the fires of secession were decreasing, and would have died out but for the attack upon Fort Sumter, which was made for the purpose of keeping the war-spirit alive in the South, and of arousing it at the North, both of which it accomplished. Mr. Buchanan did not desire war, but the South and Mr. Lincoln, or at least his controlling friends, did. His policy would have avoided it, while theirs would precipitate it. He said to the writer in substance: "When blood is drawn men cease to reason, and blows must follow, but delay cools the passion and usually ends in peace." His policy was not understood by the public. Had it been pursued the South could never have made common cause against the North, nor would general secessions or war have followed. It is convenient for those whose acts will not bear the test of strict scrutiny to attempt to turn attention from themselves by charges of wrong against others, and especially when so situated that their defence cannot reach the common ear. Mr. Buchanan's real record, in relation to secession and the war, challenges scrutiny, and when honestly and thoroughly made will prove him a wise and safe counsellor.

The charge often made, and as often denied, that he permitted Mr. Toucey, as Secretary of the Navy, so to dispose of our naval vessels as to enable the rebels to profit by it, has been disproved by the oath of Mr. Toucey before a Republican committee of the Senate, and the charge abandoned as a slander.

Massachusetts spoke the then common voice, on the 18th of January, 1861, when the Senate of that State passed a series of resolves by a unanimous vote, which were soon after concurred in by the House, of which the following is one :

Resolved, That the Legislature of Massachusetts, now, as always, convinced of the inestimable value of the Union, and the necessity of preserving its blessings to ourselves and our posterity, regard with unmingled satisfaction the determination evinced in the recent firm and patriotic special message of the President of the United States [Mr. Buchanan] to amply and ably discharge his constitutional duty of enforcing the laws and preserving the integrity of the Union, and we proffer to him, through the Governor of the Commonwealth, such aid in men and in money

as he may require to maintain the authority of the General Government.*

During Mr. Buchanan's administration, Colorado, Nevada, and Dakota, were organized as Territories. Other measures of an important character were adopted, but we have not space to enumerate them. It has been our purpose, as far as our space would permit, to do Mr. Buchanan justice. The general publications of the day have not done this, if it were even their intention to do so. His own political friends have not fully understood his acts or policy, and have too readily assented to the assumptions of his political enemies. In our judgment his name will occupy a high place in the history of our country.

100.—THE TYRANNY OF MAJORITIES IN CONGRESS.

The two Houses of Congress were established by the Constitution as deliberative bodies to discuss, deliberate, and determine questions involving the interests of the American people under that instrument. The right to assemble in public meetings, and to petition for the redress of grievances, was provided by an amendment of the Constitution, substantially agreed upon before this great charter was assented to. The freedom of speech and of the press, contained in it, had a like origin. The honor of the nation requires that every question involving the powers and duties of the Government and the rights of the people, should be open to free discussion in Congress, where they are acted upon. Every question has two sides, a strong and a weak one, which are only ascertained by free discussion and an honest and fair interchange of opinions, and the reasons upon which they are founded. It never entered the mind of the framers of the Constitution, that a bill could be presented to Congress and, without discussion, forced to a vote, without any consideration whatever. Such a course is in violation of the implied, if not express, privileges of legislative bodies, and of the rights of their constituents. We remember, when dis-

* This important fact we take from the volume of the Hon. George Lunt, entitled "The Origin of the Late War." We are largely indebted to this book for many important facts, and consider it one of the most reliable works on that subject, and hope it may find a place in every household.

discussion on a bill was refused, and the yeas and nays denied, which General Jackson vetoed, and, on reflection, not a member of either House then thought him wrong, and no attempt was made to pass the bill over his veto. This shows the importance of full discussion. The House of Representatives have now two rules which violate full and free discussion—the hour rule, confining members to one hour in their discussions upon a bill—sometimes to five minutes—and the previous question, which cuts off all debate—in other words, the congressional gag law. The one-hour rule often prevents a full presentation of the matters under consideration, and frequently cuts off those who are alone competent to discuss the questions involved. Of the many who talk, few really throw light upon the subject under discussion. The “previous question” prohibits all discussion, if sustained by a majority. By it, a deliberative body, created to discuss questions, becomes mute and cannot assign reasons for or against the bill. The country is left in ignorance of the reasons for the votes for and against the measure involved. The previous question means, “drop all questions, and go back to the one whether the bill shall pass or not.” Since the Republicans have had control in the House of Representatives, a large number of bills of the highest, and some of vital importance, have passed the House under the operation of the previous question, and sometimes without a word being spoken on either side. Compelling members to vote under such circumstances, is tyranny as to them, and worse than tyranny against the people who are expected to obey laws when they cannot learn why they were proposed or passed. This is in violation of the first principles of Democracy. It has never been a rule of the Senate, showing that it need not be of the House. This tyranny has so far extended itself, that the minority in the House of Representatives have felt bound to protest against it, when prevented from discussing the questions involved in the impeachment of President Johnson. Never since our Government was formed has the tyranny of majorities been exercised to the same extent as at present. Matters formerly considered undoubted rights, are now treated as favors, and generally refused. The privileges which the majority permit or refuse, are usually determined by the vote of

a secret caucus of members, in which Senators often exercise a controlling influence. The minority in the House are now more enslaved than Southern negroes ever were, whose mouths never felt the gag. There will never be real freedom and independence in this country until this tyranny—never attempted against us by the mother country—shall be effectually ended.

101.—ABRAHAM LINCOLN.

The true character of Mr. Lincoln will be written fifty or a hundred years hence. Fanatic impressions will give place to knowledge. Those who approve his principles and acts seek to make him a second Washington—greater than any President, except the Father of his country, and free from speck or blemish; while those who approve of neither will assign him a subordinate position, among the lowest occupied by any chosen President. A few unquestionable facts connected with him will be referred to, leaving impartial history to set all things right.

He was born in Kentucky, February 12, 1809. His education was limited. During the Black Hawk War, in 1832, he became captain of a volunteer company in Illinois, and served three months; then run for the State Legislature, and was beaten. He then opened a country store, but did not succeed well as a trader. He was appointed postmaster at New Salem, and began the study of the law, and was admitted to practice in 1836, and settled in Springfield in 1837. In 1834, '36, '38, and '40, he was elected to the State Legislature as a Whig. In 1846 he was elected to Congress, and served two years, and made three speeches. In the first, he attempted to show that our Government was wrong in claiming the Rio Grande as the western boundary of Texas, and that the ground on which General Taylor won his first two victories belonged to Mexico. In this speech, as between us and Mexico, he occupied grounds similar to those assumed by the Federalists as between us and Great Britain. The object of this speech was to disparage President Polk, and to convict our Government of being in the wrong and the aggressor against Mexico. His second was principally occupied in assailing a message of President Polk, giving the reasons why he had not signed the Harbor and

River Improvement Bill sent to him near the close of the previous session, and in trying to uphold the exploded internal improvement doctrine of Mr. Adams. His third speech, made after the nominations of Taylor and Cass for the presidency, was devoted to lauding the former and condemning the latter. In 1849 he sought to be made United States Senator, but was defeated by General Shields. In 1858 he sought the same office, but was defeated by Mr. Douglas. It was during this last canvass that Mr. Lincoln, in reply to questions put him, said, "I do not now, nor ever did, stand in favor of the unconditional repeal of the Fugitive-Slave Law. I do not now, nor ever did, stand pledged against the admission of any more slave States into the Union. I do not stand pledged against the admission of a new State into the Union with such a constitution as the people of that State may see fit to make. I do not stand to-day pledged to the abolition of slavery in the District of Columbia. I do not stand pledged to the prohibition of the slave-trade between the different States."

Among the resolutions adopted by the Chicago Convention, which nominated him for the presidency, is the following: "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."

The radical Republicans who profess to be carrying out the sentiments of Mr. Lincoln, and the principles upon which he was elected, will find it difficult to reconcile their action with these declarations which the public looked upon as forming a portion of the Republican creed.

Mr. Lincoln was elected President, and Hannibal Hamlin Vice-President in 1860, and re-elected with Andrew Johnson, Vice-President, in 1864, and was basely assassinated on the 14th of April, in a theatre in Washington, by J. Wilkes Booth.

Mr Lincoln was a tall, loosely-built man, with long features, dark hair, and brown eyes, not over-industrious, but fond of talk-

ing and telling stories to amuse others. - He was kind-hearted, and more popular with juries than judges, being more inclined to make pithy and attractive remarks than to study and discuss the profound logic of the law. His illustrations were mainly by telling striking anecdotes and stories he had heard, or conjured up for the occasion. He was neither polished in manners nor conversation. He pleased many from his quaintness and unpretending manner. In principle, he was thoroughly anti-Democratic, and believed in and practised upon the theory that the Government was a machine to be run for the advantage of the favored classes, as shown in his defence of internal improvements by the national Government, and advocacy of a tariff for protection, and his assenting to the crude abominations of the Internal Revenue Bill. But he was far more Democratic in some things than those now controlling the destinies of the nation in Congress, who have ignored much that he did and proposed, and are setting up their will to guide the destinies of the nation, instead of following and carrying out the commands of the Federal Constitution.

The administration of Mr. Lincoln was so crowded with events that we shall present them under different heads, instead of giving a long article upon the subject, and for portions of which he may possibly not be responsible, although at the head of the Government.

102.—MR. LINCOLN ON HIS WAY TO WASHINGTON.

On the 11th of February, 1861, Mr. Lincoln left Springfield for Washington, and on his way made several addresses to the people. At Cincinnati, referring to how the Kentuckians should be treated, he said: "We mean to treat you, as near as we possibly can, as Washington, Jefferson, and Madison treated you. We mean to leave you alone, and in no way interfere with your institutions; to abide by all and every compromise of the Constitution. . . . We mean to remember that you are as good as we—that there is no difference between us other than the difference of circumstances. We mean to recognize and bear in mind always that you have as good hearts in your bosoms, as other people, or as we claim to have, and to treat you accordingly."

At Columbus he said: "It is a consoling circumstance, that when we look out, there is nothing that really hurts anybody. We entertain different views upon political questions, but nobody is suffering any thing."

At Steubenville he said: "I believe the devotion to the Constitution is equally great on both sides of the river [Ohio]. It is only the different understanding of that instrument that causes difficulty. The dispute is, 'What are our rights?'"

At Pittsburg he said: "There is really no crisis, except an artificial one, such a one as may be gotten up at any time by turbulent men, aided by designing politicians." He spoke of a protective tariff, and that he was in favor of "adequate protection being extended to the coal and iron of Pennsylvania and the corn of Illinois."

At Cleveland he said: "I think there is no occasion for any excitement. The crisis, as it is called, is altogether an artificial crisis. . . . It has no foundation in fact. It was 'argued up,' as the saying is, and cannot be argued down. Let it alone, and it will go down itself."

These extracts show that at that time he thought there was no danger of a serious character, and that the only disturbing element was upon the proper construction of the Constitution, involving rights claimed under it. He thought, if let alone, the excitement which had been raised up by argument alone, would go down of itself. In theory he was right. In this respect, his fears were less than those of Mr. Buchanan. If the difficulties, as they then stood, had been let alone, and no fuel added to increase the flames, they would soon have died out. Standing, unaided and alone, South Carolina, which had passed a secession ordinance on the 20th of December, 1860, could have accomplished nothing, and must have abandoned her insane and childish attempt to sustain herself alone out of the Union. The world would have laughed at her as a disobedient, rebellious child, whose greatest punishment would be in letting her alone until reason and sound sense should compel her to cling to the old national family with more wisdom and in better temper, as anticipated by Mr. Buchanan. But other States, ere long, joined South Carolina, and eventually the

whole South went with her. They were encouraged to do this by neither division of the Democratic party. On the 12th of November, 1860, in an address to the Democrats, the writer, after denouncing secession and predicting the futility of its purposes and final defeat, said :

“We now see what divisions and false issues have done, and can do. Let us from this hour devote ourselves to organizing upon the great issue of equal rights of the States and of the people of each. Let us invoke our friends to abandon all collateral and immaterial issues, and concentrate on this great and controlling one. The majority of our countrymen are with us upon it, and will rally under our standard, and success is certain. The Federal and State Governments will pass from the hands of our enemies to ours, and we can redress all wrongs and restore peace and harmony to the Union and every part of it. The Democracy can do much in calling conventions and solemnly invoking the sense and justice of the people, and inducing organization and concerted action, and by making individual appeals to the friends of the Union. Our Democratic friends in the several States should obliterate divisions and join in the good work. Every Democrat has a duty resting upon him, and should perform it. He should appeal to the sense of justice of those who have erred, as brother does to brother. Success will follow such efforts. Let us begin the good work now, and persevere to the end. Let us now pledge ourselves to one another, and to the country, to be faithful and vigilant. Let us call upon high Heaven to witness our vow, that we devote ourselves to the good work; that we pledge ‘our lives, our fortunes, and our sacred honor’ to use every exertion possible to protect the equal and just rights of all parts of the Union—of every State and citizen—to protect the Constitution and Union by all rightful means while God shall let us live.”

The Democracy adopted and sustained these views. But the abolition Republicans of the North and secessionists of the South had their respective plans, all tending to the same point from different directions, so managed as to defeat the expectations of this appeal. Mr. Lincoln had told the people he would proclaim his views on the 4th of March. His inaugural address, after under-

going the manipulation of those who had proclaimed that slavery should be put down at every hazard, contained nothing to repress, but much to increase, the excitement at the South, and multiply our difficulties, as that document will show. Its avowals were calculated to band together the dissatisfied States that had taken steps to leave the Union, and form a new one, and secure among them concerted action. Mr. Lincoln had said that the excitement grew out of difference of opinion concerning the Constitution, and he soon showed a determination to fight down opinions opposed to his own.

103.—MR. LINCOLN'S INAUGURAL ADDRESS, AND ITS CONSEQUENCES.

Mr. Lincoln's inaugural contained the following, which, standing alone, would have been satisfactory to the South, if fairly carried out in practice :

“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 have no inclination to do so.’ Those who nominated and elected me did so with a full knowledge that I have made this, and many similar declarations, and have never recanted them. And more than this, they placed in the platform for my acceptance, and as law to themselves and 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 that 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."

He further stated :

"It follows from these views, that no State, upon its own mere motion, can lawfully get out of the Union ; and that acts of violence, within any State or States, against the authority of the United States, are insurrectionary, or revolutionary, according to circumstances.

"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 and overthrow it. I cannot be ignorant of the fact that many worthy and patriotic citizens are desirous of having the national Constitution amended.

"One section of our country believes slavery is *right* and ought to be extended, while the other believes it *wrong* and ought not to be extended. This is the only substantial dispute. The fugitive-slave clause of the Constitution, and the law for the suppression of the foreign slave-trade, are each as well enforced, perhaps, as any law can ever be in a community where the moral sense of the people imperfectly supports the law itself. The great body of the people abide by the dry legal obligation in both cases, and a few break over in each. This, I think, cannot be perfectly cured."

These extracts exhibit pledges made before election which are inconsistent with much said during the canvass, and which have been doubly violated by subsequent practice. The Republican party, and Mr. Lincoln himself, have acted the exact reverse of their professions. Why this reference to the *right* of revolution? Why tell the country that the annoyances suffered by the South concerning slavery cannot be cured? Why omit to point out necessary amendments to the Constitution to avoid the admitted evils? Why hold out no hope to the excited South except in *revolution*? Why, in organizing his administration, did he treat eleven Southern States as if they formed no portion of the Union? Why fill his Cabinet almost exclusively with open enemies of the

South, and why place at its head the destroyer of the old Whig party and the inventor and propagator of a law higher than the Constitution as a means of destroying the slave institutions of the South—the man who labored to precipitate a conflict between the North and South, as a means of abolition? There can be but one satisfactory answer, and that is, that he designed to inaugurate a civil war as the only possible means of abolishing slavery in the South. The *Albany Evening Journal* avowed that this was the object of his nomination and election, and we cannot doubt that it truly stated the intention of those controlling the Republican party.

104.—FIRING THE FIRST GUN.

The first gun was fired by order of Governor Pickens from a sand-hill battery in Charleston Harbor at the steamer *Star* of the West, sent, by advice of General Scott, to succor Major Anderson in Fort Sumter on the 9th of January, 1861, when that vessel, failing in its object, returned to New York. But these shots were comparatively harmless and did not fire up the masses North or South. Major Anderson did not return the fire, believing it to have been unauthorized. If the war-steamer *Brooklyn* had been sent, as Mr. Buchanan desired, and but for the advice of General Scott would have been sent, she would have entered the harbor, defended herself, and relieved Fort Sumter. The rickety side-wheel steamer *Star of the West* proved perfectly useless for the occasion. The first gun by the secession Confederacy was discharged upon Fort Sumter on the 12th of April, 1861, and the fight was continued thirty-three hours, when it was surrendered. This battle fired every heart in the nation North and South, arousing the secessionists in support of their new Confederacy, and all others against it, and in favor of defending the Constitution and the old flag. The whole North and West were aroused as one man, and all felt like hazarding every thing in defence of the Union. But different motives actuated partisans on both sides. Secession was flagging, and would have soon cooled and died off, but for invigorating excitement. It operated upon many of them like laughing-gas, and they leaped for joy. But there were those

among them who felt sad, and feared the final conclusion. At the North and West, where all seemed moving one way, two widely-differing motives existed at the bottom. The abolitionists, and those who espoused their cause as well as their party though claiming to be shocked and outraged at the folly and crime of the South, secretly rejoiced, as they saw that the conflict would make abolitionism a fixed fact, if not as to the whole Union, at least as far as it should be preserved. But the Democracy and the conservatives of the old Whig party felt and meant what they said, and were ready to peril lives and fortunes in the preservation of the Union which they loved and cherished. Thus all parties North and West agreed in action but not in motive, while at the South there was much halting, there being many real Union men there, and others doubting the policy of secession, and fearing the result. The true Union men seldom changed their real feelings, even when forced into the army by conscription or otherwise, though some, in consequence of our unnatural and unwise policy, and the unnecessary tyranny practised, were led to the belief that the war was prosecuted for other than the avowed object, and then ceased to aid the Union cause, though occasionally one turned against it. It is not our purpose to justify what occurred, but to show the fatal effect of bad management and how it destroyed Union feeling and spread secession sentiments. We give extracts from a letter written by one of Tennessee's purest and best and most widely-known men—Hon. Cave Johnson—under date of March 2, 1862, not as a justification of any acts or opinions, but to show the consequences that naturally flowed from misgovernment:

“In our elections, February 9, 1861, the majority against secession exceeded sixty-four thousand, and that after the election of Lincoln, with the declaration in his mouth, that the whole country must be free or slave territory. But after the proclamation making war upon the States, and his other acts disregarding the Constitution, and sustained with so much apparent unanimity in the North, at the elections in June, the majority against the Union was over fifty-nine thousand, and I believe if a new election could be held to-morrow, the majority against it would dou-

ble that number. So intense is the feeling against the North, and the prospect of independence so much diminished by their recent victories, that a reunion with England or France, as colonies, has become a frequent subject of conversation, and would secure the approbation of the Southern people so soon as the hope of success is lost. I cannot but think, when looking over the foreign papers, that England and France would rejoice to see each section exhausted in prosecuting the war, under the hope of the restoration of their colonies, or the certain diminution of the power of the United States, which they have dreaded ever since the days of General Jackson, or fearing the rivalship of the United States in the commerce and trade of the world. A restoration of the old Union, under any possible oppression, I believe to be impossible. . . . I have, as you know, always been a Union man, and violently opposed to secession, and was selected as the Union candidate in my old district, because of my long and determined hostility to nullification and secession, and received a unanimous vote in it. I would have spent my last dollar in its defence, or cheerfully yielded up my life for the preservation of the Union. But when I saw the President and Congress had set aside the Constitution, and under the tyrant's plea, necessity; that all security for property was gone—the *habeas corpus* suspended—citizens arrested and imprisoned without warrant, upon the suspicion of the Secretary, or other inferior officers—public trials refused—the civil authorities made subordinate to the military—martial law declared by their generals, under which I am now writing, and for which I would be sent to Fort Warren, if deemed of sufficient importance—I could not but believe that our people acted rightly in seeking protection elsewhere than in such a Union. What could I promise them under such men as Lincoln and Seward, backed by two or three hundred thousand troops and a subservient Congress? When Andy Johnson with fifty or a hundred thousand men is sent here for our Governor, and Fremont is sent to abolitionize Eastern Tennessee and Western Virginia, can there be a doubt that subjection and the abolishment of slavery are the main objects of the war? If it shall end in subjugation and emancipation, it will be succeeded

by horrors, such as the world never witnessed—more destructive to the black than the white race, exceeding in cruelty the bloody scenes in Paris in '89, and our great and glorious Union will share the fate of Rome; military chieftains, ambitious and unprincipled, will be found to play the part of Cæsar, Lepidus, and Anthony, partition our country into Northern and Southern, instead of Eastern and Western empires, and the South, the beautiful, sunny South, will be divided out to the Goths and Vandals, who conquer us, and the people be made slaves of petty tyrants, like the Italians for hundreds of years, and for what? Because we thought we could not live in peace with our brethren of the North! or because they would not, and enslave us that they might emancipate the blacks! or because they wished our beautiful country to reward their Germans for conquering us.

“I am now too old and infirm to engage in any business, and sit in my room, day after day, meditating on the misfortunes which have fallen on my country, until my heart sinks with its future prospects.”

This shows the operation of a good man's mind when reflecting upon passing events. Whether it took the correct view, is not the question; which is, did it, in fact, thus view things? This cannot be denied. The Union men South were led to take the views here presented—some of which seem prophetic—and many acted accordingly. It was the acts of Mr. Lincoln and a Republican Congress that changed the Southern Union sentiment to what this letter states. The acts that produced this change were nearly or quite all of them wholly unnecessary, and might have been avoided, and the Union sentiment in the slave States not only preserved, but strengthened and confirmed. But this the abolitionists and real secessionists did not desire. It would have defeated the real purposes of both. They wanted war and disunion, and what has since followed, though destructive to the interests of all sections of the country. Both of these parties were glad when the first gun was fired.

105.—THE SUSPENSION OF THE WRIT OF HABEAS CORPUS.

Every instance of the violation of the Constitution, or of rights of persons or property, was heralded at the South as evidence that remaining in or defending the old Union would subject everybody to the same or like wrongs. These violations of the Constitution, and not the right of secession, became the popular questions, and were, in the state of the public mind there, promptly decided against their authors, and the Government under which they acted. The authorized suspension of the great writ of freedom, by army officers—the *habeas corpus*, by Mr. Lincoln, not being permitted by the Constitution, saddened many a Northern heart, and gave a new impulse to secession. Mr. Lincoln, as President, had no authority to suspend this writ, and much less to confer that power upon others, as provided in his proclamation of May 10, 1861. Neither Mr. Lincoln nor his advisers, seem to have understood, or at least to have regarded the Constitution on this subject. That instrument forbids the suspension of this writ “unless when in cases of rebellion or invasion the public safety may require it.” The Constitution does not direct who shall determine the question of safety, or who shall make the suspension. It is certain that this power is not included in the enumeration of executive powers. We are necessarily thrown back upon the condition of things in England, at the time our Constitution was framed, to understand what those preparing it really contemplated. There is no difficulty in this. The writ of *habeas corpus* in England was designed to restrain and control the Executive power—to prevent it from shutting up men and refusing them the privileges of a trial, at the will of the executive power. This was a restraint upon the executive authority, which could only be removed by a law of Parliament, where the legislative and executive authority act together in making laws. Executive authority in England never suspended the privilege of the writ of *habeas corpus*, nor was it ever suspended except by law, or ever authorized to be suspended by any authority, except that of Parliament. It never occurred to the English people that it might be

conferred upon military men down to the lowest grade. But this was done here by executive authority.

The laws of Congress require the United States judges to issue this writ when applied for in cases where they have jurisdiction. Every State, it is probable, has laws to the same effect. Mr. Lincoln's administration avoided the submission of the question of his authority to suspend the judiciary, by permitting or directing those having prisoners in custody from making any return, or obeying the judicial authority requiring their production. The Chief Justice of the United States, in John Merryman's case, issued a writ of *habeas corpus*, which was not obeyed by General Cadwallader, and his communication to Mr. Lincoln on the subject was unheeded. Other cases of defying the right of the writ of *habeas corpus* occurred. The Constitution and laws in this respect were ignored by Mr. Lincoln, his Cabinet, and all others acting under his authority.

Congress, by its Act of March 3, 1863, in conferring the power upon the President of suspending the writ of *habeas corpus*, furnished conclusive evidence that it did not believe the President had a right to exercise that power. If they believed he could suspend the privilege, why pass an act authorizing it? The judges of the Circuit Court, for the District of Columbia, expressed the opinion that they had the right to issue the writ of *habeas corpus*, whereupon the law creating the court was repealed by Congress, and approved by Mr. Lincoln, and they were thus legislated out of office, and more subservient men, under a new law, put in their places.

This Act of March 3, 1863, required a list of "state or political prisoners," to be furnished to the judges of the United States courts, and authorized the discharge of those not indicted within a certain time. But this part of the Act was never, in fact and good faith, executed. It contained other provisions not authorized by the Constitution—that whatever should be done in the name of the President, whether right or wrong, legal or illegal, or constitutional or not, should be a defence against all suits and proceedings claiming otherwise. Although the Constitution authorizes nothing of the kind, it being in conflict and in deroga-

tion of that instrument, still, there was no means of resisting it. Laws tending to and in favor of liberty were not enforced during Mr. Lincoln's administration, by whatever name called, or however authorized. Military and executive tyranny had perfect sway, even beyond what he was permitted by his Cabinet to know—but if not, he was guilty with them, of impeachable offences. He acted without their knowledge, and they acted without his.

The great writ of civil liberty—the *habeas corpus*—was strangled by executive usurpation, in the land of liberty and law, and Congress confirmed it, and passed laws to protect all wrong-doers who acted under his authority. But Congress had no power to confer authority on him or any one else to suspend it. The suspension of this writ must be a legislative act. Congress is responsible to the people for the laws they make. A New York Legislature passed a bill concerning schools, which was to become a law, if a majority of voters should so determine at the election, which they did, but the courts held that the Legislature could not delegate any of their powers, but that they must take the responsibility of passing all laws. The suspension of the *habeas corpus* is not among the executive powers, nor does the Constitution authorize the delegation of legislative powers. Those framing that instrument, when seeking to restrain the suspension to two cases only, were not likely to provide that officers of the army, or any one else, should become judges, to determine whether the public safety required it. It was not intended to commit the question of individual liberty to the very persons designed to be restrained from suspending it, to protect their own wrongful acts in arresting and imprisoning a man. And yet thousands of military officers, probably, were authorized even to represent the Executive in this usurpation. In what age of the world before did usurpation of power delegate to others? Anciently men were thrust into dungeons, and detained there for years, with no means of redress. The executives then did precisely what was done in this country during the late civil war.

The fourth amendment of the Constitution is in these words :

“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 and things to be seized."

Notwithstanding this provision, arrests were made upon mere suspicion, without oath or affirmation, and without the person arrested being informed of the cause. Colonel Berrett, the mayor of Washington, was thus arbitrarily arrested, and imprisoned in a Northern fort, without any accusations being made known to him. He was finally released, upon condition that he resigned the mayorship. An immense number of men were thus unlawfully imprisoned in various parts of the country, without ever knowing for what. As the *habeas corpus* was suspended, they had no means of relief. These illegal arrests and imprisonments tended to embitter the public mind against the Administration, and contributed very strongly to prolong the war. The secession leaders at the South, in their appeals to the people for men and means, pointed to the unlawful suspension of the *habeas corpus*, and the illegal imprisonments by the Administration, to show that liberty was crippled among us; and that the only means of avoiding such misgovernment and tyranny was, to sustain the war on their side to the end. Good Union men at the South were led to believe that liberty was at an end among us, and for that reason ceased to espouse our cause.

106.—SPIES AND SECRET-SERVICE AGENTS.

Recently it has become common to cite "necessity" as authority for whatever is done, not authorized by the Constitution; and it is often quoted as justifying its direct infringement by legislation and executive acts not authorized by it. For seven years this country has been filled with spies and secret agents, authorized neither by the Constitution nor laws. The country has swarmed with them; and they have dogged the steps of private individuals and public officers, from the President down to mere clerks and tide-waiters. The State and War Departments have been the principal sources of these agencies. The departments have employed spies upon each other, upon the President

and Congress, and the latter upon all branches of the Government, as well as upon private individuals. Whatever may be said or done by any person, which can be tortured into any thing objectionable to the Republican standard of thought or action, is reported with amplifications, sufficient to authorize arrest, and perhaps imprisonment. These spies and agents are, confessedly, selected from the rogues and vicious classes of society, upon the principle of "setting a rogue to catch a rogue." Their fidelity depends upon the temptation offered to overcome it. They inform when most advantageous, and are silent when silence is most profitable. Being destitute of elevated character, they have nothing to lose, but every thing to gain, from turning their situation to account. As they promise much to secure employment, they must manifest zeal, and make a show of efficiency, it being immaterial with them whether their accusations are just or groundless. These spies and secret agents are unauthorized by law, and not required by honesty and sound policy. All men are authorized to talk and act when they violate no law; but these creatures are designed to prevent or punish it. They travel all over the country, at Government expense, and enter all circles open to them, to learn the thoughts and wishes of public men in regard to their relations in public and private life. No place is so sacred as to be beyond their impertinence, and no character too elevated to prevent them from attempting its destruction. The inquisitorial espionage in other countries is authorized by their laws, but here it is in violation of law, and the rights and privileges of the people. Mr. Seward says secret agents are necessary in the formation of treaties; but he has paid out thousands of public money under that pretence, where nothing was accomplished. It is a convenient way of cancelling the claims of partisans without opening his own pocket. These spies and secret agents—they are the same thing—are convenient when blackmail is to be levied, or adversaries are sought to be punished. They supply from their own mint all the coinage which truth does not furnish. No people can be truly free where this pernicious system has a foothold. Men must think and talk in conformity with some unknown standard, or be subject to the tyranny of some

unknown power, which makes unpublished rules, and convicts and executes under them in secret. If, when no public law is violated, it is criminal to talk, it must be equally so to think without conforming to the unknown standard. Unpublished laws cannot be enforced, and a legislative body which should seek to establish the contrary rule could never be reelected. Unknown and unpublished regulations of an executive department do not stand upon as reliable a ground, because no one is authorized to make them. No human logic can justify this spy-system, and no department will venture openly to ask for the means of perpetuating it. Such institutions are anti-Democratic, and are unknown, except under Republican rule. Instead of affording the people protection, they constitute a complete system of unmitigated tyranny. Tyrants alone appeal to necessity as a source of power, and to secrecy, to prevent the people from understanding its concealed workings.

Among these spies and secret agents, it is to be regretted that women have been employed, and many of them of the most abandoned character. Not unfrequently they have practically led men "into temptation" and caused the acts which were made the grounds of accusation. Some, whose characters were above suspicion, became active agents in drawing men on, if not to criminal acts, to indefensible conversation, which, being rendered in its worst sense, was seized upon to gratify feelings of hostility and revenge. Men of high and pure characters have been the subjects of female entanglements, with more or less success, according to the depth of the plot and the skill of the actors. When these false women once enter dominions where they do not belong, those rightfully there are never safe either from misrepresentation, persecution, or black-mail. No elevation or purity of character is any protection from such snares. Innocent acts are so arranged as to suggest criminality, and half-seen transactions are so contrived as to seem criminal. Even children, in their simple honesty, are made to see what, standing by itself, would be wrong, when, if they had been permitted to see the whole, would prove a meritorious matter. None but tyrants resort to such means of acquiring that information which their necessities require. These

things are not matters of police, because the institution and regulation of police are provided for by laws enacted by the representatives of the people. They are simply matters of unauthorized tyranny, which infringe upon the rights of the people and blacken the character of the Government. They were wholly unknown here until the Republicans came into power.

107.—THE TRIAL OF CIVILIANS BY MILITARY COMMISSIONS.

One of the charges against the King of Great Britain, contained in the Declaration of Independence was, that he had rendered the civil authorities subordinate to the military. Precisely the same thing was true in relation to Mr. Lincoln. The civil authorities were made by him entirely subordinate to the military. The law of the land was not the rule of action. It was found in the will of the military. Even the capital was subjected to a military governor, who made laws from day to day as he went along. Military tribunals were established in various places to try civilians not charged with offences against the military statutes. The Constitution confers authority upon Congress to provide for governing the Army. This extends only to those employed in the service, and to punishing spies who seek to destroy it. All others are protected by express provisions calculated to secure speedy and fair trials in the courts of law. It is expressly provided that "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury . . . nor be deprived of life, liberty, or property, without due process of law. . . . In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the State . . . and to be informed of the nature and cause of the accusation, and be confronted with the witnesses against him."

These provisions were continually violated throughout the war by arresting and trying persons, not in the military service, before military commissions instituted and organized under executive authority alone. The case of Colonel North, Cohn, and Jones, was one of this class. They were employed in the New York State Agency at Washington to aid and protect the interests of those in the Army from that State, including voting and return-

ing the soldiers' votes under a New York statute. They were Democrats. Jones had served as an officer in the Army until taken prisoner, when his health failed.

They were charged with forging and altering soldiers' votes, which was an offence under New York laws. They were arraigned before a military commission and put upon their trial; bail was refused. Their counsel raised the question of jurisdiction, cited the Constitution, and claimed that if an offence had been committed, it was one against New York laws, which Federal authority was incompetent to enforce. On the part of the Government it was contended that the offence was one that impaired the efficiency of the military service, because to cheat the soldier out of his vote by alteration or forgery would make him discontented and angry, and then he would not perform his duty faithfully when subject to such feelings. The commission held that they had jurisdiction and proceeded with the trial. It commenced just before the election in 1864, and continued into January, 1865, when, there being no evidence whatever to sustain the charges, they were acquitted. Colonel North was discharged on the 26th of January, and told to leave. Cohn and Jones were detained until the 8th of February, when they were ordered to leave the Old Capitol Prison. Prior to their leaving, Mr. Stanton, the Secretary of War, had repeatedly told members of Congress and others, that they were convicted and sentenced to State prison for life, while the record itself shows that all three were acquitted on the 4th of January, 1865. The proceedings were filed in the Judge-Advocate-General's office on the 24th of January, the day that Colonel North was discharged. There has never been any explanation in relation to keeping these men in prison so long after they were acquitted, or why Cohn and Jones were not set free when North was. But it is known that great efforts were made to induce Cohn's friends, who were rich, to pay large sums for his pardon and discharge, and one Republican did derive some advantage from them on one occasion. But better advice was followed afterward, and all offering services were bluffed off. The arrest of these three men was made to aid in Mr. Lincoln's reelection by creating the belief that the Democrats were engaged

in great frauds. The expectation was, that the trial could be had and the accused convicted before the election. It was claimed on the part of the Government that the trial could be finished in two days, and the application of their counsel, for subpoenas to bring witnesses from New York to prove their good character, was vehemently resisted, but when granted, so that the trial could not be completed until after the election, then the Judge Advocate ceased to press the trial and the case was postponed at his instance, several times, amounting, in all, to between thirty and forty days. He went to New York City, and had men brought there from various parts of the State, and some other places, who were secretly examined, to try and find out something to the disadvantage of the accused, but he failed. When Jones was first arrested, the Judge Advocate put on citizen's dress, took a stenographer with him, and called on him and pretended to believe Jones was innocent, and got him to talk over things which Jones had said were true, and he would swear to them. The Judge Advocate pretended to believe Jones had been badly treated, merely to draw him out. He and his stenographer departed. The latter drew out a statement, garbled and false, which the former published on the day the trial commenced as the sworn confession of Jones. It was so in form, although he had never seen, read, signed, or sworn to it. This false statement—for the stenographer was put under oath, produced his notes, and proved it to be so—went through the land as a startling confession of crime. This stenographer is said to be employed frequently in the State Department to take down conversations, and has figured as a witness on the President's impeachment, to prove what he said in public on certain occasions. This pretended confession was offered and received in evidence against all the accused, notwithstanding the proof by the party preparing it was clear and complete that it was in several respects untrue and deceptive. If a conviction had taken place before the election, there is good reason to believe that it was expected to lay the foundation for arresting Governor Seymour, who had appointed Colonel North as State Agent, and also sundry Democratic leaders, before the election, charging that they were implicated in the affair, and thereby produce a whirlwind of ex-

citement which could not be resisted. This would have rendered the election of the Republican tickets everywhere a matter of certainty. Bold and unyielding efforts of the counsel of the accused defeated these purposes.

Since this trial, a case came before the Supreme Court of the United States from Indiana—*Ex parte Milligan*, 4 *Wallace*, 2—involving the authority to establish these military tribunals for trying persons not in or connected with the military service. That court held that they were unauthorized by the Constitution, and had no jurisdiction whatever over such persons. This military tyranny tended to spur up the secessionists to fight on, and thus prolonged the war. They were told that if the Union was restored, they would be thus dealt with, regardless of the Constitution and laws, which was believed.

108.—THE EARLY AVOWED OBJECTS OF THE WAR.

When Sumter was taken, the whole North and West felt and promptly resented the blow. The South avowed their object to be, as it really was, to secure a separate and independent sovereignty, where her peculiar institutions should not be the subject of condemnation and continuous controversy. They mistakenly thought they could have a republic without perpetual political contests, and where rival interests would cease to produce vexatious conflicts. Even during the short life of their Confederacy, painful contests sprang into existence, and sometimes weakened its efficiency. At the North, there was a seeming common object and purpose in view, but which did not really exist. Mr. Lincoln sometimes acted with one branch of his party, and at others with the other branch, whose purposes were wholly distinct and conflicting. This acting first with one branch, and then conforming to the other, has occasioned so much question as to his truth and sincerity, that it has been damaging to his reputation, and justly so. For a long period after the commencement of the war, both he and Congress distinctly avowed that their sole object was to put down the rebellion, and restore peace and harmony to the Union. In his proclamation of April 15, 1861, Mr. Lincoln said:

“I appeal to all loyal citizens to favor, facilitate, and aid this effort to *maintain the honor, integrity, and the existence of our national Union*, and the perpetuity of popular government, and to redress wrongs long enough endured.”

In that of May 3, 1861, he said :

“Whereas existing exigencies demand immediate and adequate measures for the *protection of the national Constitution, and the preservation of the national Union*, by the suppression of the insurrectionary combinations now existing in several States for opposing the laws of the Union and obstructing the execution thereof, to which end a military force, in addition to that called forth by my proclamation of the 15th of April, in the present year, appears to be indispensably necessary.”

On the 9th of May, 1862, General Hunter issued a proclamation, in which he said : “Slavery and martial law in a free country are altogether incompatible; the persons in these three States, Georgia, Florida, and South Carolina, heretofore held as slaves, are therefore declared forever free.”

Mr. Lincoln, by his proclamation of May 19, 1862, thus annuls General Hunter’s proclamation :

“I, Abraham Lincoln, President of the United States, proclaim and declare, that the Government of the United States had no knowledge, information, or belief, of an intention on the part of General Hunter to issue such a proclamation, nor has it yet any authentic information that the document is genuine. And further, that neither General Hunter, nor any other commander or person, had been authorized by the United States to make proclamations declaring slaves in any State free; and the supposed proclamation, now in question, whether genuine or false, is altogether void so far as it respects such declaration.”

It will be remembered, when Fremont in Missouri granted freedom papers to slaves, Mr. Lincoln disavowed the act, and forbade its repetition. The retirement of Mr. Cameron from the War Department was understood to have been occasioned by his making very strong recommendations in favor of compulsory abolition in one of his reports. He went beyond what Mr. Lincoln thought right and politic, and in conflict with his own oft-expressed views.

Mr. Stanton was appointed on the ground that his views more nearly conformed to those of Mr. Lincoln and the resolution of Congress.

In his proclamation declaring General Hunter's to be void, Mr. Lincoln quotes the following resolution, which he had previously recommended Congress to pass :

Resolved, That the United States ought to coöperate with any State which may adopt a gradual abolition 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."

He said, "The change it contemplates would come gently, as the dews of heaven, not rending or wrecking any thing."

In his proclamation of the 22d of September, 1862, he says, "I 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 be disturbed."

Congress, in July, 1861, passed the following resolution, with two dissenting votes in the House, and five in the Senate :

Resolved, That the present deplorable civil war has been forced upon the country by the disunionists of the Southern States, now in arms against the constitutional Government, and in arms around the capitol; that in this national emergency, Congress, banishing all feelings of mere passion or resentment, will recollect only its duty to the whole country; that this war is not waged on their part in any spirit of oppression, or for any purpose of conquest or subjugation, or purpose of overthrowing, or interfering with the rights or established institutions of those States, but to defend and maintain the *supremacy* of the Constitution, and to preserve the Union with all the dignity, equality, and rights of the several States unimpaired; and that, as soon as these objects are accomplished, the war ought to cease."

Here we have the legislative and executive branches pledging themselves and the country, that the object of the war was to restore the Union, and not conquest or interference with the in-

stitutions of the States. The secessionists had declared that the object on our part was to abolish slavery and subjugate the States, and these various declarations were made to refute such statements, and to support and encourage the Southern Union men, and, as far as possible, weaken the rebellion. The country and the world confided in these declarations of the President and Congress. But, whether sincere or not, both the President and Congress soon acted inconsistently with these avowals. Other and different purposes soon manifested themselves, demonstrating either a change of purpose, or that their earlier avowals were insincere when made.

109.—LATER AVOWED OBJECTS OF THE WAR.

From the beginning, the abolition branch of the Republican party wished so to conduct the war as to secure the abolition of slavery. They expected and claimed the aid of Mr. Lincoln for that purpose. This branch was both numerous and active, and no one could be elected President whom they did not support. They demanded a proclamation abolishing slavery, and Mr. Lincoln, without professing to have changed his mind as to the object of the war, issued one, and pledged the Government to protect the slaves in their freedom. It purports to have been issued under his power as Commander-in-Chief of the Army and Navy, as a means of putting down the rebellion, while its natural consequences were to unite the South in defence of their property, and to continue the war as long as possible. Southern Union men had no longer any ground to stand upon. They could not longer deny the charge that the object of the war was to interfere with their local affairs and abolish slavery. Mr. Lincoln knew that the measure could have no legal effect within the lines of the enemy. As far as our arms went, slaves could be released and turned free, and all property be taken that we needed. Beyond that, he truly said it would be an idle matter, having no more effect than a bull by the Pope against a comet. When the war ended, the proclamation would be without effect beyond where the army had actually freed the slaves. And so all parties understood it, when Congress submitted to the several States the thirteenth amend-

ment to the Constitution, prohibiting slavery throughout the United States. This was assented to by the Legislatures of thirty-one States, and has become a part of the Constitution. This was to make valid what was ineffectual under Mr. Lincoln's proclamation. But this change of object produced two consequences—one to unite the South and prolong the war, and the other to pacify the abolition branch of the Republican party, and unite the whole in favor of Mr. Lincoln's renomination for the presidency, upon a platform in which the abolition of slavery was a leading plank. The nominating convention did not assume that the proclamation had extinguished slavery, but it proposed to accomplish that object by an amendment of the Constitution. It will be difficult to avoid the conclusion that the object of this change, in the avowed objects of the war, was made for the purpose of securing unanimity in the Republican party and the renomination of Mr. Lincoln. It is now a matter of history that he was often made to yield by one branch or the other of his party, by its assuming an attitude of fight if he did not comply. In other words, he yielded to save himself among his political friends. The Republican party claimed to be the Government, and then appealed to the people to save their party as the nation. In other words, disunionists appealed to the people to save the Union.

110.—MR. CHASE'S FINANCIAL PLANS AND THEIR CONSEQUENCES.

Congress did little more than register the financial plans of Mr. Chase. He was without any clear and settled system of finance. His plans partook of the character of temporary expedients for relief. Neither the character of his mind, nor his previous training, specially qualified him for the Treasury Department. His advisers were not competent for their positions. His first law, imposing a certain amount of direct taxes upon the real estate of all the States and Territories, indicated the intention of paying as we went along, and had the merit of good sense and of boldness. This act was never executed, but was postponed from time to time, and is now dead, without legislation giving it new life. Had it been executed, and money drawn from the pockets of the

farmers throughout the Union, it would have awakened their vigilance and overthrown the Republican party, a thing which he wished to avoid, if possible. He had not the boldness to ask for large loans payable in specie, but resorted to Treasury notes of numerous kinds, having different times of maturing and different rates of interest, some bearing compound interest, and others none at all—some receivable for all dues to the Government, and others not—thus producing unlimited confusion, and these various kinds of paper bearing in market different values. To augment the confusion, the poorer sort of all this vast mass of paper promises was made a legal tender to everybody except the Government at the custom-houses, where gold was demanded for all duties upon foreign imports. The greenback currency bore upon it the pledge of the Government to fund it in a six per cent. stock, payable in not less than five nor more than twenty years. After the country became flooded with this kind of paper, on his recommendation, Congress repealed the law creating this pledge, and the later issues are without it. A five per cent. loan, having forty years to run, proved a failure, as people could do better with their money than to lend for that rate of interest. This greenback currency has varied in value from thirty to seventy per cent. below par. On the 13th of June, while he was yet Secretary of the Treasury, Congress passed a law declaring it unlawful to make contracts on time for buying and selling gold, or for making them at any place except at the contractor's ordinary place of business, and forbidding the sale of gold, not at the time in the actual possession of the party selling. This act sent gold up some three hundred per cent. above greenbacks. The object was to prevent the buying and selling gold at the brokers' boards, and to compel people to use and quote greenbacks at par. But it had exactly the contrary effect. This unconstitutional and tyrannical act disgraced the statute-book just sixteen days, when, by common consent, it was repealed two days after Mr. Chase went out of office. The Republicans seemed to suppose that gold could be put down, and greenbacks forced up, by legislation. Under what clause of the Constitution they supposed they derived power to prohibit people from buying and selling and loaning

and using, or making bargains concerning gold as they chose, they have not informed us. They doubtless wished to protect their sinking currency. But it sunk lower under their protection.

The effect of throwing upon the public hundreds of millions of this depreciated currency has been fatal to the Treasury as well as oppressive upon the people. The creditor interest of the country suffered to the extent that it was below par, being forced to take it where gold was due, and where they had parted with property at gold prices, or perhaps gold itself. The effect upon the Treasury was to nearly double the demands upon it, as every thing bought for the war commanded nearly double price. Congress has shown its appreciation of this fact by raising its own salaries from three to five thousand dollars per annum, and largely adding to the salaries of various employés of the Government. Of the nearly three thousand millions of acknowledged public debt, about one-half of it is the fruit of Mr. Chase's financial measures in filling the country with depreciated paper. The soldier, when paid in gold, could buy two barrels of flour with a month's pay, but, under this mischievous system, it would seldom buy more than one. The effect was the same upon all purchases made by the Government. Loans payable in gold could have been taken throughout the war at par. But if not, it would have been far better to negotiate them at a discount than to resort to depreciated paper, and pay double prices for every thing, and thus double our public debt. This policy has given us a currency that cannot be used by our navy on any foreign station, or by our foreign ministers, or consuls, or for making purchases abroad, or paying the expenses of foreign travel, and is one which the Government will not take for almost a half of our revenue. Our ministers abroad, receiving the same salaries as other officers at home, in effect receive from thirty to fifty per cent. more. It will buy that much more anywhere. The eighteen thousand paid to our minister at London will procure more of the comforts of life than the President's twenty-five thousand paid here in greenbacks. The expenses of all branches of the national Government since the war have been largely increased by the use of this depreciated paper. To the extent of this depreciation, the country is taxed

by means of this currency. The legal-tender part of Mr. Chase's plans has not a shadow of authority in the Constitution, so far as it requires individuals to take it. It deprives the people of their legal rights under contracts, whether entered into before or after the law was passed. Mr. Chase's financial plans have been the means of not only needlessly increasing our public debt, but also of unnecessarily doubling our taxes. If a man dies, his children cannot inherit and possess his property without paying a heavy tax. The country will not outgrow Mr. Chase's financial bungling in a hundred years. His national bank schemes, the second chapter of blunders, we shall notice elsewhere.

Another consequence of an alarming kind, flowing from this depreciated currency, is manifesting itself, creating distrust and largely disturbing the public mind. The Legal Tender Act of February 25, 1862, provided that greenbacks "shall be received the same as coin, at their par value, in payment for any loans that may be hereafter sold or negotiated," and that they should be convertible into a six per cent. stock at the option of the holder, which has been done to an immense amount. These stocks are held in various European countries and through all parts of the United States. There has been unnecessarily precipitated upon the country the question whether the Government shall pay the principal of these stocks in gold or greenbacks, the bonds generally not stating how they should be paid. The agitators say that the Government only received greenbacks, and it is inequitable for the holders to ask for repayment in a better currency than they paid.

To this it is answered :

1. That the bonds issued are in the same form, so far as principal is concerned, as in all past loans which have been paid principal and interest in coin.

2. The currency of the world is gold and silver coin, and, up to the time of the Legal Tender Act of 1862, such coin was demandable in this and all civilized countries, although nothing was said about payment being in coin.

3. That the Government, under the Legal Tender Act, expressly declared that the greenbacks should be received the

same as coin, and were, of course, considered as good when received.

4. That the Secretary of the Treasury, who represented the Government in construing these loan laws, informed the public that the Government was bound to pay the principal of these loans in coin.

5. That the public, in loaning, acted under this construction as they had a right to do.

6. In construing these loan obligations, all the surrounding circumstances are to be considered—such as the past acts and practices of the Government in paying off bonds, the forms and terms used in the transaction, the construction by the Government at the time, and the conclusions that the lender would naturally draw from what passed, and the subsequent acts of the Government—to show its understanding of the contract.

7. The act making greenbacks a legal tender contained a provision under which the holder had a legal right to fund them in a six per cent. stock, having not less than five nor more than twenty years to run, with interest semi-annually in gold. If greenbacks were a legal tender for the principal of these bonds, they must be of this exact kind. But the Government has repealed this right of funding, and thereby very essentially diminished the value of the greenbacks issued since the repeal. There is now no compulsory way of obtaining pay, or any thing for greenbacks, the act of March 3, 1865, leaving every thing at the discretion of the Secretary of the Treasury.

8. Congress, in issuing legal-tender greenbacks sufficient to pay off the bonds not expressly required by statute to be paid in coin, would further depreciate them, and would, therefore, by its own act, diminish the value of what it paid, which would be highly unjust. The extent of the injury would depend upon the extent of the issue and depreciation.

9. It is untrue that all the stocks issued were paid for in greenbacks. Some were paid for in certificates of indebtedness, and others in other obligations of the Government, and there are no means now of distinguishing them from those paid for in greenbacks. If it were legal and just to pay greenbacks where

they were received, it would be the height of injustice to extend it to these other cases.

10. If equity requires those who paid in greenbacks to receive their pay in the same currency, it would apply only to the original party, and, like similar defences to promissory notes and bills of exchange, cannot be applied to a subsequent innocent holder, taking in good faith. The greater portion of all these bonds have passed into second, third, and subsequent hands, and, since the repeal of the law conferring the right to fund greenbacks, at prices sometimes as high as fourteen per cent. premium. These prices are a fair index of the depreciation of greenbacks, by taking away the right to fund them. Nothing could be more unjust than to compel those who bought these bonds in good faith at a premium to receive paper depreciated as much as these greenbacks are and will be.

11. This attempt to avoid the effect of an obligation upon a mere quibble is unworthy of our Government, and is a cowardly mode of repudiation to the extent of the depreciation of greenbacks.

111.—MR. CHASE'S BANKING SYSTEM.

For more than seventy years the States had conferred charters upon companies to engage in the business of banking, permitting them to issue their notes to a certain extent, but requiring them to redeem them in coin. Each State had made such provisions to secure prompt redemption as it deemed necessary for the security of the bill-holders. These laws were satisfactory to the people of the different States, and secured them a sound convertible currency, deemed as good as gold itself, because at the will of the holder he could convert it into gold. These banks were located wherever business seemed to require them, and were amenable to the laws of the States where situated, and could be brought before their courts when necessary, with the same facility as an individual. Few of these banks had a political character, or meddled in party politics. The people of the States were satisfied with them. In 1863 Mr. Chase gave them a blow, which was followed up in 1864, which knocked nearly every one of them

out of existence, substituting in their place a cumbrous and unconstitutional system of irresponsible national banks, calculated to work in concert in the political field. This act is a direct assault upon the dignity and rights of the States, and an attempt to cripple and humble them as members of the Union. The time was when New York and her people determined when and where banks should be located, and how conducted, but now a subordinate in the Treasury Department at Washington decides these and many other things. Formerly, if a bank refused to perform its duty, the courts of the State could compel obedience. Now the principal remedies can only be applied for at Washington, at a great loss of time, and at a heavy expense, with great uncertainty as to the result. The people of the great State of New York must now seek justice in a corner of the Treasury, instead of demanding it as a right in her courts at home. The act authorizes the appointment of a Comptroller of the Currency, who determines upon applications for the formation of banking associations. It is expected he will be able to supervise and keep in order nearly two thousand banks scattered from Maine to Oregon, which no one man, or one hundred can do, and consequently we see them smash up without his being able to control or prevent it.

The capital of these banks is nothing but debt, the bonds of the Government, which vary in value in market with the political breezes which selfish men put in motion. These bonds, deposited with the Comptroller of the Currency, or Treasurer, bring them six per cent. interest in gold, which is a good return for the capital invested. In addition, they receive from the Government nearly the amount of their capital in national currency bills, which they loan at interest, thus making great profits upon their capital, because invested in Government bonds, and favored by the action of the Comptroller of the Currency. Bonds of the States, although as good or better, are not to be received. These are unequal privileges, which none but the favored few can enjoy. The Government makes these bills a legal tender to itself, and among the banks themselves, the same as greenbacks. But there is no way to compel these banks to pay a dollar in coin, the green-

backs being made for them a legal tender, while their capital is exempted from State taxation. At the discretion of the Secretary of the Treasury, these banks are made depositories of public money, which has led to their having sometimes millions on deposit, without interest, while the Government pays them interest on their capital, and on such interest-bearing national securities as they choose to hold. These deposits are usually invested by the banks in national bonds, so that the Government, in legal effect, pays interest on its own deposits in these banks. This right to use these banks as depositories for public money is the only pretence of constitutional ground to stand upon, the Supreme Court having held that Congress had a right to create a corporation to aid in the fiscal operations of the Government. That ruling was long since exploded, as the Constitution does not authorize Congress to create an artificial being in order to have a person to hold office. The national Constitution never contemplated or authorized any such thing. It expects citizens, who can take an oath of office, who have consciences, and can be indicted or impeached, should hold all the offices created under it. Citizens feel responsibilities, but soulless corporations do not. But, if one artificial being can be needed as a fiscal agent, is it possible that nearly two thousand can be? No fair mind can pretend it. These banks were contrived for a purpose—to secure political ascendancy through active agents managing them—to aid the Republican party by moving in phalax—in concert, when required to do so, with the Comptroller of the Currency for captain. It was for this purpose that the State banks were taxed out of existence under the Internal Revenue Law, by a ten per cent. tax upon their circulation, when none was imposed upon that of the national banks. Nothing could be more clearly unconstitutional, or unjust. Institutions closely interwoven with the business and interests of the country, with a capital amounting to hundreds of millions of dollars, were all crushed by one blow, to appease the rapacity of partisans, with no escape except by conforming to the requirements of an unconstitutional law, and becoming national banks. It is fortunate for the country that some of these decline assessments, or political action, according to the

wish of their creators. If the capital of these banks shall be at once paid, as some propose, in unproductive and non-payable greenbacks, most of them must stop, because their capital will cease to be productive, and their profits must be derived wholly from circulation, which cannot be kept up, when the security upon which it rests is withdrawn from the Government. When these national bonds are all discharged, however paid, upon what is this system of banking to rest? They are limited to twenty years; what are we then to have in their place? If all national bonds are paid off in greenbacks, when are they to be paid, and when are we to have a gold currency, or a paper one convertible on the spot into gold? These are questions not to be solved by the provisions of Mr. Chase's law, which seems destined to form capital for future politicians in their struggles for power. But if Justice is not perverse as well as blind, long ere that the judiciary will condemn the whole scheme as unconstitutional, null and void, and its authors and their party will sink to rise no more. We speak of Mr. Chase as a politician. As a citizen he receives our sincere respect, and as Chief Justice we preferred him over all aspirants, in his party, for that office. He does not disappoint us.

112.—WHY THE WAR LASTED SO LONG.

The war began in April, 1861, and continued until the same month in 1865, a period of four years, with twenty-three States, including the five largest, against eleven, three of them being small. There was no lack of men or means, both being abundant, nor a deficiency of officers of talent and experience, nor want of courage, fidelity, and perseverance, among the Northern soldiers. Our large armies were, in all respects, the equals of the smaller one of the secessionists. We had a large navy and they had none. Our mail facilities continued as ample as they had been, while the Confederates were nearly without them. We had ample facilities for manufacturing arms, and all munitions of war, as well as clothing, but theirs were limited. We had the advantage of being an old constitutional Government, fully organized, having representatives abroad, and receiving others from thence,

and ample credit, at home and abroad, while their government was new and without these advantages. We numbered more than two to their one, and our confidence in the goodness of our cause and in a final triumph never wavered. Foreign nations as well as our own people have expressed astonishment at the long continuance of the war. The answer is easy, and will be fully confirmed by history. *The Republican party so managed as to invite the war, and caused it to be conducted and continued for political effect, and especially to reëlect a Republican Administration. It might have been successfully closed in half the time consumed, and with less than half the loss of men, and with less than half the expense, but for the management to retain political power in the hands of the Republican party. Mr. Lincoln and the Republican party are responsible for this unnecessary prolongation of the war. They knew it and understood it.* We understand perfectly well the force and effect of what we charge. But for the course pursued by the Republicans and Mr. Lincoln, there would have been no war. Had it ended in 1862 or 1863, Mr. Lincoln could not have been reelected. The cry was, "Let him finish what he has begun. 'Don't swap horses while crossing a stream.'"

The country was full of men wishing to be generals with important commands, though few were qualified for them. Most of those commissioned were Republican partisans, or soon became so, like Butler and others, to secure coveted positions. But neither Republican nor Democrat was allowed to accomplish so much as to make him a prominent competitor with Mr. Lincoln for the presidency. Fremont entered upon command in Missouri with high hopes, but was soon withdrawn from it, and sent into obscure employment, as he deserved to be. Neither McDowell, Pope, Burnside, nor Hooker, was feared as a rival. Dix was not permitted to add military fame to his civil honors. McClellan's star was too brilliant and rose too fast. He arranged a sure plan for taking Richmond, and ending the war. Instead of sending McDowell, with his large force, to unite and act with McClellan, north of the Chickahominy, which would have insured success, he was sent nearer Washington, leaving the latter in a tight place, who had to fight his way across that stream, which he did with

brilliant success, to save his army. He solicited an addition to his force, equal to McDowell's command, that he might make sure of Richmond, which would have ended the Confederacy. This was refused. If he had actually taken that city, and ended the war, his chances would have been fair for the presidency. His command was recalled from the Peninsula, placed under the brag-gart Pope, to add to the misfortune of his defeat at the second battle of Bull Run. When the Confederates made for Maryland, and Mr. Lincoln, his Cabinet, Congress, and others, were in a fright, necessity forced the recall of McClellan. He organized the demoralized army, fought and won the battle at Antietam, moved into Virginia to cut off the retreat of the rebel army, with fair prospect of success. But his star was rising too fast, and, without any decent pretence, his command was taken from him, and he sent to wither in New Jersey, and not permitted again to serve. He must not end the war, for fear he would be made President, to which all Lincoln officeholders and Congress said, amen! The years 1862 and 1863 had been worse than wasted, for we had lost many men and much money, and gained nothing. In March, 1864, Grant took command of the Army of the Potomac, but, as if it was intended to keep him from the achievement of closing the war, he was sent by land to fight from Washington to Richmond, where he lost nearly a hundred thousand men, and much credit, by not taking proper care of his wounded on the way. Grant, in June, stepped upon McClellan's old ground, but against the wishes of the Administration. If Richmond had fallen before the elections in 1864, the Administration would have fallen, and therefore it was not allowed to be taken. Sherman's master-movement of the war was too late to create apprehension. When Mr. Lincoln was re-elected, and the public offices all secured to the Republican party, the steps necessary to terminate the war were permitted, and proved successful. With suitable men in the War Department, and at the head of the army, the war might quite as easily have ended in 1862. Every thing, from the recall of McClellan in August, 1862, from near Richmond, to Grant's arrival there in June, 1864, might have been avoided, and was a useless waste of time, men, and means. Notwithstanding Mr. Lincoln's

occasional expression, of allowing McClellan to have his own way, instead of permitting it, as he might, he went with the politicians in the work of sacrificing him to prevent his ending the war, and being made President. Lincoln knew his great ability, for he declared to a visitor, that if any six generals of the army could be put into one man, he would not be equal to McClellan. But for the war, and the means it controlled, Mr. Lincoln never could have been reëlected. All knew it.

There was another class of men, claiming to be Republicans, who cared less for the success of their party than for the profits of contracts for supplying the army and navy with things necessary for the prosecution of the war. These were numerous and active, and left no means untried to prevent peace. Many of them rolled up enormous fortunes, and were important and useful men in defraying the expenses of the Republican party at the elections. Their advice and exertions were always in favor of whatever would postpone peace, and continue their profits. Between them all, the war was prolonged for years after it ought and might have been closed, and history will establish the truth of the reasons which we can only suggest, that the necessities of the Republican party more than doubled the duration and expenses of the war.

113.—CONGRESSIONAL FISHING-COMMITTEES.

Committees in search of the faults of others were uncommon in the better days of the Republic. Since the Republicans have had control at the capital, it has become a very important branch of business. If a riot occurs in New Orleans or Memphis, if generals are supposed to have erred or blundered, a collector at New York cheated or been cheated, an old State suspected—Maryland, for example—of adopting an anti-republican constitution before the Federal Constitution was adopted, or in Washington or Jefferson's time or since, or a murder has been committed and accomplices are unknown, or a printer gets too good a contract or none at all, or it is hoped that the Executive has done or said something wrong, a committee is at once appointed, clerks and stenographers employed, and they all proceed to the place of the suspected wrong, subpoenas are issued and witnesses compelled to

attend, a ream or two of paper is used, the whole matter printed, and, if possible, something against a political adversary extracted or at least made to look suspicious—and for what? For no law-fu', constitutional, or useful purpose. The committees have had a pleasant trip to a new place, seen a great many people, have been kindly treated, and talked politics—and the Government has to pay a bill of several thousand dollars. No legislation, but much electioneering, grows out of these expeditions. Sometimes they sit in Washington, and at others go to the Rocky Mountains, and at others look about the country generally. These things are not within the powers or duties of Congress, and, although it will not be denied that very ignorant men get into Congress and need posting up and instruction, they are never made wiser by the doings of these committees. A bad feature in their labors is, that they proceed *ex parte*, and assail, and sometimes injure, men by the falsehoods they gather and publish. They seem to usurp the functions of magistrates, grand-juries, and courts, without observing the rules of law and regulations applicable to them. These fishing-trips seem to serve the purposes of congressional holidays, the Government paying the expenses of the frolic. Their cost is the least of their evils. All such performances are anti-democratic in principle and in practice, and the people should demand their discontinuance, or the country will never get out of debt. They form a part of an espionage system which a free people should never tolerate. Neither the executive nor judicial branch of the Government dare venture upon any policy of the kind, and still each has as much power under the Constitution to apply it to Congress as Congress has to apply it to either or to anybody else. If subjected to such scrutiny, the acts of members of Congress would prove as objectionable as those they charge upon the President or others. If all the caucus-room talking and acting, the private consultation in the rooms of members and in other places, could be brought out and published, the record would show things as monstrous as any imputed to the worst of men. Why have not the Executive, the judiciary, and the people the same right to invade the privacy of members of Congress as they have to intrude upon either? True, all such things are forbidden

by the amendments of the Constitution, and were not authorized before they were made, but there is no reason why Congress should be exempt from the rules it applies to others. The courts, at least, have grand-juries constituted under the Constitution and laws to inquire into all offences committed in their counties, but Congress has no such agency, and therefore is not as well adapted as the judiciary to ferret out the crimes that have been committed. The Executive has as much legal right to send officials acting under him to scrutinize and inquire into the acts and motives, and the causes of votes by members of Congress, as they have into his. When Congress says, its object is to learn whether the Executive has committed an impeachable offence, it misrepresents its motive. Until complaint is made, and a known crime committed and imputed to him, and Congress called upon to cause him to be impeached, that body has no right to search for crime. It will be early enough to examine into the matter when a definite charge is made by responsible parties and the proof indicated, as has been the case in every impeachment proceeding since the Government was formed. It is undeniably true that more crimes have been committed by and before these fishing-committees than they have ever brought home to others, and their motives are as objectionable as those they impute to others. They are got up, intended, and worked as political inquisitions, little better than the rack, tortures of religionists in days gone by, and more unauthorized. What right has the legislative branch to engage in business outside of law-making? It cannot control the world, nor, as the evidence shows, perform that duty for itself. Crimes against the national laws it should leave to the Federal judiciary, and those against State enactments to the judiciary of the States, and leave the business of President-making and the general management of political affairs to the people at home, acting in their capacity of voting sovereigns.

These fishing-committees are not only unauthorized by the Constitution, but they are not sanctioned by any law of Congress. If the Constitution had clothed them with power in general terms to make such investigations, it would require legislation to regu-

late the time and manner of action, unless the authority had been directly devolved upon one House alone, as in cases of impeachment when properly presented. But there is not now even the form of a legislative act conferring authority upon one House to make these investigations. In the absence of any such law, from what source does one House derive its power to traverse the country and compel the attendance of witnesses at the expense of the Government? None such has been pointed out. It is simply the will of one House that directs the action taken. Will, not based upon law, is tyranny. If these fishing-committees must exist, let the law-making branch of the Government provide by law for their appointment and define their powers and duties, and bear the responsibility of making such a law.

Let provision be made defining the consequences of disobeying the law, so that the people can understand their rights, and govern themselves accordingly. Now the punishment for disobedience is provided after the offence is committed, contrary to the spirit of the Constitution, prohibiting the passage of *ex post facto* laws. But the act of one House imposing punishment, where there was no previous statute defining the offence, has not even the merit of an *ex post facto* law, because that takes the vote of both Houses and the approval of the President. In cases of disorderly conduct and disturbing the proceedings of one House of Congress, the offenders ought to be punished. But when and how the party is to be tried, and what punishment is to be imposed, should be provided for by law; and if this is not done, the proceedings are unauthorized and stand upon the same ground as the doings of these roaming committees. We are for a government of laws, and not of the will of any one man or body of men. This is part of the creed of the Democracy.

114.—MR. LINCOLN'S PLAN OF RECONSTRUCTION.

The evidence is abundant that Mr. Lincoln was in favor of an early and simple mode of the reconstruction of the secession States, but not of restoration. The radical portion of the Republican party were deady opposed to such liberal views. On the 8th of December, 1863, he presented, in a proclamation, "the best the

Executive can suggest," a plan of reconstruction, providing pardon provisions, and permitting loyal men, not less than one-tenth of those who were voters at the beginning of the war, to form new State governments, offering each protection against invasion and domestic violence. A portion of the Republicans threatened to defeat his renomination, because of the liberal provisions in this proclamation, and thereupon passed a bill near the close of their session, in June, 1864, providing more stringent and difficult provisions, calculated to clothe the Republicans in such States with full power and control therein. Receiving this within ten days of the adjournment, Mr. Lincoln, instead of approving, appended it to a proclamation dated the 8th of July, 1864, in which he said: "I am (as I was in December last, when, by my proclamation, I propounded a plan of 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 naught, thereby repelling and discouraging the loyal citizens who have set up the same, as to further effort, or to declare the constitutional competency in Congress to abolish slavery in States," he adds, that he is satisfied with the plan contained in the bill, as one very proper plan, and when the condition of things in the States should be satisfactory, he would appoint military Governors, as proposed in the bill. Afterward, he prepared a more perfect plan, which, after his death, was adopted by Mr. Johnson, for North Carolina, and published in his proclamation, dated May 29, 1865. Arkansas and Louisiana organized State governments, under Mr. Lincoln's proclamation of December 8, 1863, and elected and sent members to Congress from them, who were not finally received as such. Here Mr. Lincoln and the Republicans commenced diverging. His friends said Mr. Lincoln wished to be President of the whole Union—he had been only of a part—and to close his political life in peace, surrounded by a united and happy people. The leading spirits among his friends, and who still control in Congress, desired so to shape things at the South that a minority of Republicans could control those States, and thus, for

years, perpetuate political power in the hands of the Republicans. Mr. Lincoln had less anxiety on that point than in the restoration of the Union to as happy a condition as it was in before his election. In this he and the leaders of his party disagreed, though generally he was compelled to yield.

The Democrats were not for reconstruction, but restoration, requiring the States to recall and reverse all their illegal acts growing out of secession, and, on taking the proper oaths, return to their constitutional duties in the Union. Under this plan of restoration, which is what the Constitution and common-sense demanded, six months would have restored peace, harmony, and prosperity. Our Christian duty required us to forgive the erring and wicked. These were to be found both at the North and at the South. Refusing to do so will make them no better, nor, if we are Christians, would it make us happier. We do not envy the man whose instincts lead him to become an agent or co-laborer of the keeper of the bottomless pit, in his abhorred labors of punishing those he may adjudge to be wicked. The Democratic plan of restoration was consistent with the Constitution, and the best, Mr. Lincoln's the next best, and that of the Republicans the worst, as bad as it can be made, and calculated to prevent the restoration of peace, harmony, and prosperity.

115.—THE INJURY INFLICTED UPON THE NEGROES BY THE REPUBLICAN MODE OF MANUMISSION.

Without considering the effect upon the business and prosperity of the South, by the overthrow of her system of labor, the instant manumission of the Southern negroes, without any preparation whatever, has been destructive to them and their interests. In New York, legislation began on the subject in 1799, and was finished in 1817, and emancipation completed under it in 1827, by which time both whites and blacks were prepared for it. Had it been thus progressive at the South, both would have been affected less injuriously. As it was forced upon the country, neither side was prepared, the negroes less than the whites. They had little or no education, no experience in providing for themselves, and no means to commence with. Even educated

white men, in full health, thrown upon the world, with large families, and without means, find it difficult to provide against want, even in prosperous communities. At the time of manumission, the South was not only destitute of the means of living, but property there had been destroyed during the war, and those formerly rich could hardly avoid actual starvation. It is but little better yet, the policy of Congress repressing all enterprise and investments by those who could control means if the country were in a settled state. We give some account of the real condition of the negroes from an eye-witness. Hon. Cave Johnson wrote, July 30, 1865 :

“Seven of my negro men, and nine women and children, were seduced or forced into the Federal camp, leaving over sixty still on my farm, mostly old men, women, and children, that can scarcely support themselves on a good farm. They have become so demoralized as to be useless to the owners, and the only question now is, how to get clear of them? If turned loose, without some provision for their support, many of them must starve. There must be from fifty to a hundred thousand old men, women, and children in this State, and more than a million in the United States, incapable of supporting themselves by their labor, and, if turned loose, must become the tenants of poor-houses or jails. The owners will find much difficulty in supporting their own families, without having them thrown upon their hands. . . . Four millions of paupers thrown upon the country must produce an amount of suffering appalling to every human heart, and but seldom, if ever, witnessed in any age or country. I should have sent mine off long ago, but have not been able to buy places for them, where they might have a chance for support, and to send them off without some such provision was an act of such cruelty that I could not think of it. The abolitionists give no aid. But this is not all. They cannot live in any comfort in the same section with their former owners, who will treat them as inferiors, and never submit to any thing like equality in legal rights and social claims.”

Subsequent events have shown this picture underdrawn. It is now conceded by all who understand the matter that more

than one-quarter, and probably one-third, of all the negroes manumitted have since perished by starvation, or disease resulting from it, or from want of restraint. The old and young perish from want, and the middle-aged from vice. The real interests of the negro have been wholly uncared for by the Republican party in their struggle to use them in the South to continue their party in power. The Southern whites are so impoverished that they cannot provide for the negroes, and the latter are too ignorant, lazy, and vicious to do so for themselves. All this grows out of the manner of conferring freedom upon that race. Had that been properly managed, there would have been but little suffering among them, and both races would have been far better off, although the Republican ascendancy might have sooner ended. It is not the happiness of mankind that this party seeks, but the control of the Government and the privilege of exercising power over them. Every interest and all means must yield to this, whatever the result may be as to every thing else. Such is the practical result, whatever the professions may be.

116.—REPUBLICAN STRUGGLE FOR POWER AND THE SPOILS.

No Administration has equalled that of Mr. Lincoln in the number of its removals from office. Nor has any one come near it in the number of new offices created, some of which are worse than useless, and scarcely one necessary. In this we do not refer to the internal revenue officers, and the rogues set to watch them. A large number of the military appointments and military agencies were useless to everybody except those holding them. This was true of the spies employed during the war and since. Not content with the offices and employments conferred by and under Mr. Lincoln, the Republicans have extorted from Mr. Johnson nearly every office within his nomination. Between coaxing and threatening, and the Senate's refusal to concur in his nominations, scarcely an appointment has been made by Mr. Johnson, except of his bitter enemies and public revilers.

The Constitution provides that the President may appoint, with the consent of the Senate, at any time, and, when not in session, the term is limited to the end of the next session of the Sen-

ate. No provision is made, in terms, concerning who shall make removals. But the Government would soon be off the track if removals could not be made. Bad men would plunder it without restraint, or fear of removal, or punishment. The First Congress under the Constitution, when establishing the Departments of State, Treasury, and War, had the question of removal under consideration. Mr. Madison, called the Father of the Constitution, took the lead in the debate, declaring that the power of removal was vested in the President, as a prerequisite to the exercise of the express power to appoint, and as a necessary means of executing the conceded power to "take care that the laws be faithfully executed." In each of these acts provision is made for the performance of the duties of the office, in case of removal of the head of the department by the President, thus expressly recognizing the President's authority to remove. If this power did not rest with the President, all officers appointed by him, except those limited to four years by the act of 1820, could hold for life, including members of the cabinet. The Constitution thus construed in 1789, with the exception of Mr. Calhoun's attempt, in 1834, to tie up the hands of General Jackson, has been recognized by all parties as authoritative, and been acted upon by every President, and by none to a greater extent than Mr. Lincoln. The last Congress, not content with the spoils they had obtained and could secure under the Constitution, as construed for nearly eighty years by every Congress and Administration, and as acted upon by the Senators during Mr. Lincoln's term of office, passed an act to enable the Senate to restrain the powers of the President, by enlarging and conferring upon that body new ones unknown to the Constitution. They forbid the President to make removals without the consent of the Senate, and limit his power to suspending, in vacation, until the Senate shall act, and if they do not concur, the removed officer is restored to office. Under this law, passed over the President's veto, the Senate not only can, but does, keep all Republicans in their offices, notwithstanding they violate their duties, plunder the Government, and personally insult and refuse to obey the lawful authority of the President. Men have been thus restored who were known to have

robbed the Government while in office. Mr. Stanton, the most thoroughly unpopular and disliked man ever in a department, whose administration of the War Department was characterized by more extravagances, and illegal acts, and grosser neglects of duties, and who was guilty of greater contempt and disrespect for his superior, the President, than any of his predecessors or heads of departments, was thus sent back to the War Department, after his suspension, and by the votes of Senators who declared, on the passage of this law, that no man could so far disgrace himself as to cling to a cabinet office against the wishes of the President. This was done after it was known that Mr. Stanton had declared the Tenure-of-Office Bill unconstitutional, and had advised the veto, and promised to help prepare it. America has never been so disgraced by such an example on her records, and by such a death-like struggle to retain office. Congress changed their day of meeting, in 1867, from the first Monday in December to the 4th of March, so that the Senate should be constantly in session to prevent the President from making removals in vacation, granting commissions which would ordinarily run to midsummer, 1868, and took recesses, and adjourned from time to time, doing little business until the winter session of 1867-'68. The avowed and known object of all this legislative manœuvring was to prevent Mr. Johnson from removing and making appointments. Among the consequences we find that the President is surrounded by officers endeavoring to thwart him in the performance of his duties, and suffering their subordinates to plunder the public revenue before it reaches the Treasury, and others to clutch it after it has reached there. Nearly every civil office throughout the Union, and a large portion of those in the Army, and a majority in the Navy, are filled with men who are struggling in aid of Congress to keep the Southern States out of the Union until they can be brought in through negro votes, to aid in continuing the Republican party in power. The good of the service is entirely ignored. Congress is now even proposing to constitute the Internal Revenue Bureau a separate department, making the present chief of it the head of the department, giving him all the appointments, so as to prevent the Secretary of the Treasury or the President

exercising any control over it. Such legislation would disgrace any government, even if the man proposed to be legislated to the head of the department was competent to perform his duties well. But this struggle for office must, ere long, end in disappointment. The people will place the Government in honest and competent hands, who will restore it to its former high character.

117.—THE REORGANIZATION OF LOUISIANA AND ARKANSAS, AND WHAT CAME OF IT.

Mr. Lincoln's plan of restoration, contained in his proclamation of December 8, 1863, was to allow one-tenth of the former number of voters, if loyal, to form new State governments, to be admitted in place of the former ones. The election of delegates to a convention, their proceedings, and the adoption of the new constitution, were to be under the direction of a Governor appointed by him. Under this proclamation and that of General Banks, Louisiana elected delegates, who met in convention, framed a new constitution prohibiting slavery, and submitted it to the people, who approved of it. Under this constitution a new government was organized and put in operation. Under General Banks's proclamation, Michael Hahn had been elected Governor. At the election of delegates to frame a new constitution five members of Congress were elected, and members to form a Legislature, who chose seven electors of President and Vice-President. The government thus authorized was in operation on the 1st of January, 1865. Two of the members elected to Congress were admitted and voted for Speaker. When the Committee on Elections acted upon their right to seats, it reported in their favor, but the report was not acted upon. Hahn was elected by the Legislature to the Senate of the United States, but was not admitted to a seat. A controversy sprang up concerning the fairness of the proceedings to organize the new government, the radical Republicans charging fraud. But the real cause of discontent was the omission in the constitution of a provision placing negroes on an equal footing with the whites, and allowing them to vote. A movement to reconvene the convention with the view of inserting this provision, a year or more after its work had been submitted to and approved by the

people, led to the New-Orléans riots. Mr. Johnson had approved of and recognized this reorganization in Louisiana.

At the beginning of the year 1864, Arkansas framed and organized a new government under Mr. Lincoln's proclamation of December 8, 1863. The constitution prohibited slavery. All the votes cast were for the constitution, except 226. There were chosen at this election, in addition to their usual State officials, a Legislature and three members of Congress. When the Legislature convened they elected Senators, whose right to seats was discussed in, but which never decided by the Senate. Nor were the members elected, admitted to seats in the House. The Legislature, by a law, disfranchised a large portion of those who claimed to be voters under the constitution. Mr. Johnson, in a letter to Governor Murphy, October 30, 1865, said :

“There will be no interference with your present organization of State government. I have learned from E. W. Gantt, Esq., and other sources, that all is working well, and you will proceed and resume the former relations with the Federal Government, and all the aid in the power of the Government will be given in restoring the State to its former relations.”

Here was a State government in full operation under Mr. Lincoln's plan, under which the State was resuming its business and prosperity. Arkansas and Louisiana confided in Mr. Lincoln, and acted accordingly. He had not only proclaimed his plan of reorganization in December, 1863, but had, on the 8th of July, 1864, reaffirmed it by his proclamation, in which he said, “I am also unprepared to declare that the free State constitutions and governments already adopted and installed in Arkansas and Louisiana shall be set side and held for naught, thereby repelling and discouraging the loyal citizens, who have set up the same, as to further effort.”

In both these States slavery had been abolished, which was all that had been previously claimed. The act which had been passed, but not approved by Mr. Lincoln, required no more. Negro suffrage had not been provided in any act of Congress, or in the national platform. Up to that time Mr. Lincoln's word had not only been the law, but often far above the law, and sus-

tained by Congress and the whole Republican party. These two State organizations had been under the direction of his friends, and through agents selected by him. Notwithstanding all these considerations, these reorganized State governments have been crowded out and supplanted by military tyrannies instituted under the reconstruction acts passed by Congress over the President's veto. And why? The reason is obvious. These State governments were not so organized as to insure the perpetuation of power in the hands of the Republicans. It was feared that a majority of the white people, who knew they had designedly precipitated the war, would not vote to continue them in office. It was expected that, by the aid of the Freedmen's Bureau, and the use of the military power, the negroes could be controlled, and made to sustain them by their votes, which would render their success certain. For these reasons, two unobjectionable State governments, organized under Mr. Lincoln's own authority, and satisfactory to all but radical politicians fearing defeat, and under which the people were contented and becoming prosperous, were crushed out, and all power placed in the hands of those who rule by the sword and bayonet. The wishes of the governed and the pledges of the past were ignored without hesitation in the effort by the Republicans to perpetuate their power. For this purpose they are ready to make deserts and waste places of ten beautiful and lovely States.

Whether this shall be permitted is one of the questions for the consideration of the public. Tennessee, though treated by Congress as reconstructed, is probably in a worse condition than any other State. Her old constitution was amended, and the amendments were so submitted as to prevent two-thirds of the people from voting on the question of its ratification. It is now an instrument of disabilities, instead of one authorizing self-government by the people. Hon. Cave Johnson, in a letter before referred to, after enumerating the various public employments he had held, and stating that he had taken no part in the rebellion, and had taken the oath of allegiance, says: "I thought I might be entitled to vote, and applied yesterday to be registered, as required by the late acts, and was refused, because I had, in the

spring, refused to vote for Brownlow & Co. We suppose, under the law, when properly construed, not fifty voters could be found in this county out of 2,600 voters. Some 300 or 400 have been registered for the election next Thursday—mostly those who felt bound to take any oaths required to enable them to do business for the support of their families.” This is the condition of things in Tennessee, where the Constitution and laws were once respected and obeyed. It shows that, where Congress and the Republican party rule, whether reconstructed or not, there is no respect for the laws or security for persons. If every State South were to become reconstructed under existing laws, as construed by Congress and nearly all the military authorities, things would not be essentially improved, and many would be made far worse. Degradation and misery would be the rule, and peace and happiness the exception.

118.—CONGRESSIONAL CAUCUSES.

From the times when the calkers, as they called themselves, met privately near the Boston ship-yard, in Revolutionary times, caucuses under some name have been held to select candidates and concert plans to aid in their election, and without objection. But public meetings are more dignified, and command greater respect. A free and independent citizen has a right to resort to either mode or both. He represents only himself, and binds nobody. In the old congressional caucuses to nominate candidates for the presidency, those attending did so in their individual and not in a representative capacity, and their acts bound no one, nor did they have relation to making laws. Meetings to select candidates to be supported for officers of a legislative body are unobjectionable; but, when a member acts in his representative capacity, and in relation to making laws, the case is wholly different. His constituents elected him to represent them, and upon the strength of his own judgment, and not as an instrument in the hands of others, to carry out theirs. They expect him, if in darkness concerning the requirements of the Constitution and the principles of right, to seek light to aid him in forming conclusions, but not to accept the will of others as the rule of his ac-

tion, binding himself to follow it. No one votes for a representative in either House of Congress whom he supposes has not the capacity to form an opinion of his own upon all legislative subjects, and will and firmness enough to act in conformity with it. No one canvassing for either office ever gave out that he would follow a leader, or be bound by proceedings of a secret caucus. Should one do so, his hopes would perish beneath a weight of contempt and ridicule. A representative has no right, under his oath of office, to bind himself to obey the will of others, right or wrong. His duty is to represent his constituents, and not other members, who do not represent either themselves or their constituents.

For some years past these principles have been violated by the Republican members of both Houses of Congress. There have been members of that party who have failed to act out their own convictions of right, and have yielded their matured opinions, and conformed their action, to the dictation of caucuses held in secret. Ever since the Republicans have been in the majority in Congress the leading measures adopted by that body have either originated in, or been considered and adopted by, a secret caucus of Republican members, where the rule that the majority shall govern and the minority shall obey has existed, and been rigidly enforced. Men, whose judgments did not consent, have yielded obedience to the majority, for fear of losing caste in their own party, and being left out at the elections. The various Reconstruction Bills, the Freedman's Bureau Bill, the Tenure-of-Office Bill, the pending amendments to the Constitution, the resolution to distribute national arms to certain States, the propositions for impeachment, were all first agreed upon in secret caucus, where the duties were assigned to those who were to be the leading actors. Those most swayed by passion and who are most reckless, not only threaten, but apply the lash to carry their points. There is a large number in the Senate, and some in the House, who inwardly condemn the course pursued, but dare not violate the edicts of King Caucus. Speeches have sometimes been made against bad measures, and those making them forced by caucus to vote against their own speeches. An instance of this

occurred when a late Senator from Vermont made and published an unanswerable speech against confiscation, and then voted for it. Several instances are known when the talk was one way, and the vote the other, in accordance with caucus dictation. Under this system, now enforced, members cease to be free and independent, and become the slaves of party leaders, who require obedience. Probably not one of the bills which Mr. Johnson vetoed would have finally passed but for this secret congressional caucus system. Had it not existed, the Union would have been restored without the needless, unequal, and oppressive forms of reconstruction projects introduced through the malign influences of the military and Freedmen's Bureau, which have been wielded for political effect, in aid of Republican ascendancy. Ten States, which stand admitted by the laws of Congress, are denied their constitutional rights through the agency of Republican congressional caucuses managed by political wire-pullers and their allies.

119.—THE FREEDMEN'S BUREAU.

From the manner of conferring freedom upon the Southern negroes, men who understood their condition, qualifications, and characters, predicted they would not be able to take care of and provide for themselves, but that very many would perish from want. The voice of reason and wisdom was unheeded, and the negroes were thrown upon the world, to manage for themselves, on the 1st of January, 1863, as far as Mr. Lincoln's proclamation of freedom could do it. On the 3d of March, 1865, Congress, admitting that the prediction had proved true, passed an act, establishing a Bureau of Refugees, Freedmen, and Abandoned Lands, providing a commissioner and assistants, placing the whole under the control of the War Department. It authorized the issuing of food, clothing, and fuel to refugees and freedmen, and the division among them of all abandoned lands; and the act was to continue until the end of the war, and one year thereafter. Where Congress found authority to feed, clothe, and warm the refugees—who were they?—and four millions of negroes, is not stated. Nor does it appear whence they acquired the right to take possession of and dispose of lands which the owners did not choose

to occupy. If the latter chose to abandon, it did not deprive them of the right to resume, nor confer upon Congress the authority to exercise jurisdiction over them. Although the States, by virtue of their powers of eminent domain, may become heir to all unclaimed lands, within their limits, the national Government possesses no such power. Even States cannot enforce their claim until officially found—judicially found by a jury—to belong to the State government. The right of eminent domain cannot possibly exist in favor of both the national and State Governments at the same time. It existed in the latter before the former was created, and was not surrendered by the Constitution. There is not even the show of a law to confer it. It would be void if there were. Then, Congress had no power to authorize this Bureau to seize abandoned lands.

The Constitution nowhere authorizes the raising of revenue for the purpose of feeding, clothing, and warming persons not employed in the service of the Government. It might be humane to dispense charity, but that instrument has not authorized the Government under it to do so; and “necessity” could not confer or enlarge the power. This law filled the South with political paupers, to dispense charity to others made so by the want of proper attention of the actors. These dispensers of Government charities were found willing political instruments of those in power, and urgently sought the continuation of their employments. Congress, intent upon keeping up excitement, and securing, by reconstruction, Republican States with their votes, was willing to sacrifice any amount of public money to accomplish the object. The agents and subordinates of the Bureau could be rendered exceedingly useful in managing public meetings, and in performing local political exploits, and especially in filling the North with frightful sensation stories, easily coined, and cheerfully circulated through the Republican press and the head of the Bureau.

The war really ended in the spring of 1865, but proclamation of the fact was not made until afterward, and the act was about to expire by its own limitation, when a new act, passed over the President’s veto, July 16, 1866, extended it for two years, with

enlarged provisions, and an additional number of officials. This act essentially increased the powers of the Secretary of War on this subject, and designedly placed the Bureau mainly beyond the control of the President. Besides the expense occasioned by its calls upon, and use of the army and its machinery, this Bureau costs the Government, directly in money, from twelve to fifteen millions a year, much of which is squandered and wasted without any benefit to the negroes or the United States. From the highest to the lowest positions, it is mainly in unsuitable hands as (reliable reports and the facts show), most of whom have little chance of thrift, except in cheating, whether the loss falls upon the Government or the negroes. The energies of a large portion of these agents are directed to two points—obtaining money for themselves, and making political capital for the Republican party. This last act, by its own limitation, expires on the 16th of July, 1868. But, as a political engine, it has been found so useful to the Republican party, and, as a means of money-getting, so successful in the hands of those selected to execute it, that it is almost certain to be extended.

In this Bureau, now almost exclusively a political machine, we see absorbed as much money, annually, as the whole Government cost but a few years since, exclusive of the public debt, and not one dollar of it authorized by the Constitution. It is claimed that the support of the negroes became a "necessity" after they were emancipated. This assumed necessity cannot confer constitutional power, but it proves that the emancipation was not made in a suitable and proper manner. If it had been wisely accomplished, as in New York, it would not have produced any such case of necessity. Congress could properly propose amendments to the Constitution prohibiting slavery, but neither they nor the Executive, nor both, could constitutionally do any act that could create any such necessity. If any thing done by the Government, in fact, produced such necessity, that fact proves the wrongfulness of what it did. The fault is with those who produced and continued a state of things occasioning such consequences. The responsibility rests with them, and cannot be lawfully thrown upon the Treasury. The negroes did not bring their sufferings upon themselves. But some-

body did it. It was not their former owners, for they were opposed to their emancipation. It was not the Democrats, whose plan was gradual emancipation, as fast as the negroes acquired knowledge, experience, and education, qualifying them for the change and its consequences. Such an amendment of the Constitution would have been quite as readily adopted by the slave States as the one which they were required to approve, as a condition of restoration. It follows that the responsibility of producing this case of necessity—this real wrong to the negroes, rests exclusively with the Republican party, who in fact occasioned it. It may be asked, "Would you let the negroes perish for want of food, clothing, etc., even if the fault of their condition rested with the Republicans?" Certainly not. When this Freedmen's Bureau Law was passed, there were valid laws in existence in every State, made by the people of the States, fully sufficient for all needful purposes. The States were not only willing to take care of the negroes within them, but among those where attachments had existed, as was very often the case, they could have found remunerative employment. If the States had been compelled to support them without their working, they could have done so for little more than what the officials of the Bureau now cost the Federal Government. The only legal emancipation was by the acts of these States, and if the consequences even bore heavily upon them, they could not complain, and would not have done so. But when among their old friends, who treated them far better than these Bureau officials do, the negroes would have worked contentedly and lived in comparative happiness, without being any considerable burden upon anybody. But Congress had its own policy, which involved the ignoring of the States and keeping them out of the Union until they could be brought in as conquered provinces and Republican States, and this involved the withdrawal of the negroes from the influence of their former owners, creating a feeling of enmity and hatred between the white and the black race, giving the right of suffrage to the latter, and establishing agencies among them that would secure their confidence and induce them to vote only for Republicans. To secure these objects, Congress was willing to compel the white people of all the States to pay whatever

it might cost. There was never any necessity for this Bureau, except that created by the Republican party, which was entirely political. The negroes, if let alone by these politicians, would have stayed where they had lived, been treated kindly, worked willingly, and have done much toward supporting themselves, leaving the local authorities, as in other States, to provide for those who could not take care of themselves, and who had no relatives able to aid them. This course would have rendered the change in the labor system at the South less injurious to the people, and would have increased and cheapened Southern products in Northern markets. Both races, and everybody except Republican politicians, would have been happier, and all the disastrous effects of the war would have soon disappeared. But the political necessities of the Republican party have caused things to assume the worst possible attitude at the South, with no possible benefit to any human being, either North or South, except Republican politicians.

Since the above was written, a bill has been reported, and will doubtless pass Congress, continuing this Bureau for one year from the 16th of July next. This will give the Republican party an opportunity to employ it in aid of the next election. It will dispense much money, but far more politics. Ten or fifteen millions of dollars skilfully applied will contribute much to influence the result. By the bill extending the life of this Bureau, the whole power over it seems to be taken from the President and placed in the hands of the Secretary of War, whose willingness and capacity to pervert the powers and duties of that office to political purposes cannot be questioned by those knowing how they were prostituted in 1864 for the reelection of Mr. Lincoln and a Republican Congress.

120.—MISTAKES OF THE AMERICAN CLERGY.

Clergymen, devoted to the worship of the living God, and to the instruction of the Christian religion, are beloved and cherished by the good, and command the respect of all. It is when they step aside from their duties, and in the name, or under the pretence of both, and engage in other matters and teach other

subjects, that criticism commences. In many countries the church establishment forms a part of the government machine, and very naturally sings its praises, without much regard to the character and object of those engaged in its management. Where religion is supported at the expense of the Government, it naturally partakes of its character and its defects, as far as they exist. That religion is most pure and beneficial which relies upon its own worth, and the charm of its every-day life for its support, and influence, unaided by collateral, selfish, or worldly considerations.

Those clergymen who worship and adore God in words of truth and sincerity, springing spontaneously from the heart, and not from the motives of worldly interest, who truly humble, and do not slander themselves in words which they would resent if spoken by another; who really present the Christian religion in a language and in a manner calculated to charm from its pure loveliness, and paint vice in its true colors, so that men instinctively embrace the one and detest the other; who show how virtue and true religion exalt man, and vice sinks and degrades him, so that, when the services are closed, we resolve to cling to the good and avoid the bad—will never be without hearers or support, or fail to command universal respect and esteem for the real good they do mankind. A clergyman should so paint goodness as to charm all who see the picture, and make them resolve to become really good. Vice should be so exhibited as to provoke disgust and abhorrence, and induce mankind to avoid it. Subjects of illustration are daily found in the streets. Sermons that do not so present virtue that we naturally love it, and vice so that we instinctively detest it, always fail in producing any useful effect. It is implanted in the heart of man to admire what is pure and lovely, and to loath and detest what is the reverse; and with this thought in mind, the clergy should present the Christian religion, leaving out all those imaginary matters often heard, which prove a destructive alloy to pure religion. Mankind do not divide on what we have said; but, upon political and all outside questions, they ever have and ever will; and, upon all such as men differ, a wise teacher of the Christian religion will take sides with neither. If his commission is from God, he will find no authority in it for his

doing so. He is employed to teach religion, and not politics or other irrelevant matters. His whole congregation will agree upon the truth and importance of vital religion, while they disagree about every thing else.

Have the clergy confined themselves to their duties as above indicated? The answer must be no, as to most of them. The Republicans in Congress have called upon them to become political partisans, and they promptly respond to the call, and are responsible for many of the grievous afflictions that weigh down our country. They are now following in the footsteps of those who contributed to arouse the spirit of secession and disunion during Mr. Jefferson's time and the War of 1812. They are obedient to the call of the politicians, as the following will show:

In 1854, when Mr. Douglas reported his Kansas-and-Nebraska Bill, Senators Chase of Ohio, Sumner of Massachusetts, and Messrs. Wade and Giddings of Ohio, Smith of New York, and De Witt of Massachusetts, issued an appeal, in which they said: "We implore Christians and Christian ministers to interpose. Their divine religion requires them to behold in every man a brother, and to labor for the advancement and regeneration of the human race. Let all protest, earnestly and emphatically, by correspondence and through the press, by memorials and resolutions of public meetings and legislative bodies, and in whatever mode may seem expedient, against this enormous crime."

This appeal was sent to the clergymen of New England and elsewhere, with a circular, which was signed by Charles Lowell, Lyman Beecher, Baron Stowe, and Sebastian Streeter, a committee of clergymen in Boston, dated February 22, 1854, in which it was stated: "It is hoped that every one of you will append your names to it [a protest], and thus furnish to the nation and the age the sublime and influential spectacle of the *great Christian body of the North* united as one man in favor of freedom and of solemn plighted faith. . . .

"If you have already, either as a private Christian, or as a clergyman, signed any similar document, please to sign this also, as it is earnestly desired to embrace in this movement the clerical voice of New England. . . .

“It is respectfully submitted, whether the present is not a crisis of sufficient magnitude and imminence of danger to the liberties and integrity of our nation to warrant, and even to demand, the services of *the clergy of all denominations* in arousing the masses of the people to its comprehension, through the press, and *even the pulpit.*”

These calls produced the desired effect among the Northern clergy, who then sent in their protests, in which they say, “The undersigned, clergymen of different denominations in New England, hereby, *in the name of Almighty God, and in His presence*, do solemnly *protest* against what is known as the Nebraska Bill.” By what authority did they speak in the name of the Supreme Being? But they made their pulpits ring with their political effusions in His name. What was the consequence? It cannot be disguised that our country is worse demoralized than at any former period in its history. Murder, infanticide, arson, robbery, bigamy, adultery, larceny, and every other crime punishable under the laws, are infinitely more common than at any former time. Frauds have multiplied, and intemperance increased. Churches have become divided, many are without sufficient support, and some are unoccupied, while vast numbers of people decline to attend churches as they were formerly accustomed, and wish still to do, because disgusted with clergymen who mix politics and religion. Men going to and returning from church, instead of discussing religious subjects, talk over political matters and concert plans for the campaign. Why are these things so? Although the pupils may be far from good, we cannot doubt that the fault is more with the teacher than the pupil, because with him it is apparent that politics has more charms for him than the Christian religion. The pupil has seen the professedly religious papers take sides on political questions, he has heard his religious teacher advert to them in his prayers and sermons, at his home, on the wayside, often at public meetings, and at the polls of election. Can the pupil doubt that his religious teacher considers politics either as worship, or a part of the Christian religion? Even children draw these conclusions, and act accordingly. The female sex, confiding by nature, and never doubting the fidelity or capacity of their

religious guide, are ready converts to whatever he may hold forth as a matter of religious duty. Add to these that class of men who espouse questions from conviction of right, and another actuated by interest, and we have the elements for forming a strong political party, and the means of pushing party questions to their ultimate results. It cannot now be denied that a large portion of the New-England clergy opposed the acquisition of Louisiana, and its admission as a State—the admission of Missouri, because her constitution recognized slavery; that they entered heartily into the Kansas controversy, and into the abolition tactics that really caused the war, and are now actively sustaining Congress in elevating the negro and degrading the white men of the South. Their active devotion on these subjects produced efforts elsewhere. Ignorant men made up in activity and zeal what they lacked in knowledge and capacity. It is undeniably true, had this class of clergymen devoted themselves to the worship of God and teaching the Christian religion, and left the politicians to struggle alone, we should have had no war—the million of lives, and the thousands of millions of expenses would have been saved—our character as a nation escaped all tarnish, and the people would be prosperous and happy. It is not assumed that political clergymen designed to produce the fatal consequences that followed their adventures in the field of politics, or that they intended mischief; but that these consequences necessarily flowed from their acts. What portion intentionally sought the wrong, and what blundered into it, no one can tell. But the wrong and the results are before us, and have become matters of history. Evil results will ever follow political preaching—teaching party politics instead of the true and vital principles of the Christian religion. Instead of love and charity, hatred and a thirst for vengeance, have been the fruits of their teachings. We say these things not in anger, or to injure the clergy, but to show them how their acts are viewed, and to persuade them to a more Christian course, as they do their hearers. We have the same right to talk to them—to tell them what we believe to be true—to reprove, to admonish, censure, and advise them, that they have to do the same to others. They have preceded us in vouching for

their imperfections, as they do in their prayers and conversation, and go far beyond us. They are, therefore, not in a situation to be offended with us for calling their attention to their own errors, suggesting their consequences and soliciting from them a change to wiser and more appropriate conduct, to secure the results which all good men wish to attain. We desire to see the American clergy occupy the highest and best ground which can be attained by good intentions and most persevering labor, in the pursuit of Christian truth. We wish them to become what their religious professions indicate that they ought to be. They will then be vastly more useful and happy themselves, and prove a blessing to those they attempt to teach.

121.—THE PROPOSED FOURTEENTH AMENDMENT TO THE CONSTITUTION.

The thirteenth amendment of the Constitution had been ratified in 1865, receiving the votes of Florida, South Carolina, Alabama, Virginia, Louisiana, Tennessee, Arkansas, North Carolina, and Georgia, being all the secession States, except Mississippi and Texas. But if these nine States were not restored, or reorganized so as to act and bind their people, this amendment did not receive the votes of three-fourths of all the States and cannot be valid, and slavery is not forbidden by the Federal Constitution. But we claim they were constitutionally States, and the amendment is valid.

On the 13th of June, 1866, Congress proposed another, called the fourteenth amendment, which was sent to the several States for their action. It is as follows :

ARTICLE XIV.

Section 1.—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 2.—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 3.—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 giving aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability.

Section 4.—The validity of the public debt of the United States authorized by law, including debts incurred for the 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 to 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 5.—Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

This amendment was designed, not only to prescribe rules for the secession States, but to control all others, and establish negro citizenship, and confer upon them the right of suffrage, notwithstanding such State constitutions may not permit it. The object was to strip the States of many of their essential and constitutional rights. The provision authorizing Congress to remove disabilities, was designed to induce rebels to turn Republicans, to secure the benefit of it.

On the 16th of June, 1866, this amendment was transmitted to the several States by the Secretary of State. Tennessee, it is claimed, adopted it on the 12th of July, 1866, and thereupon Congress passed a joint resolution, approved by the President, admitting her into the Union, and her Senators and members to seats.

Prior to March, 1867, Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, Texas, and Virginia, ten in all, rejected it. Iowa, California, and Nebraska have not acted upon it. Twenty States have ratified it. This proposed amendment has not been sufficiently ratified to become a part of the Constitution, nor is it expected it ever will. But Congress may, by declaring ten States out of the Union, in order to carry their points, insist that it has been adopted. Failing in this, Congress seeks to accomplish substantially the same thing, in the ten secession States, under their reconstruction acts, by forcing most of the provisions of the amendment into their proposed State constitutions. This is what is being done at the present time in these States by Congress through the active agency of the negroes, a limited number of Republicans, the Freedmen's Bureau, and the bayonet authority. All this is in violation of the pledge of Congress, commonly called the Crittenden Resolution, passed nearly unanimously July 25, 1861.

122.—LATER PHASES OF CONGRESSIONAL RECONSTRUCTION.

Under Mr. Lincoln's plan of December, 1863, Louisiana and Arkansas were reorganized, one-tenth of the old voters being loyal men, and having exercised the power of reorganization. Mr. Lincoln subsequently changed this plan, allowing all loyal men who had taken the amnesty oath, and were voters under the State constitution, to elect delegates to a State convention to amend and alter their State constitutions. Mr. Johnson adopted this plan, and issued his proclamation on the 9th of May, 1865, appointing William W. Holden provisional Governor of North Carolina. On the 13th of June he appointed William L. Sharkey Governor of Mississippi; on the 17th, James Johnson, like Governor of Georgia; on the same day, Andrew J. Hamilton, for Texas; on the 21st, Lewis E. Parsons, for Alabama; on the 30th, Benjamin F. Perry, for South Carolina; and on the 13th of July, William Marvin, for Florida. This embraced all the States, except Virginia, where the old State organization had been kept alive, under Mr. Lincoln's auspices; and Tennessee, where a political convention had proposed amendments to her old constitution,

which were adopted and treated as a part of it. It thus appears that the necessary steps had been taken for reorganization in Louisiana and Arkansas, and in all the other seceding States, those pointed out as in Mr. Lincoln's plan of July 13, 1864. In nearly every case the radical Republicans thwarted the necessary proceedings as far as practicable. From July 4, 1864, to March, 1867, a period of almost three years, Congress passed no law on the subject of restoration or reorganization. But they refused to admit Senators or members from any secession State, thus leaving every thing in the utmost confusion. The act of the 3d of March 1867, was followed by another on the same subject on the 23d, and a further one on the 19th of July of the same year. These three acts have the same objects, and the last two are intended to render the first more effective. They are designed to secure such a reconstruction as will make the secession States Republican, under the control of negroes, through the agency of the Freedmen's Bureau, and Republican employés of the Government. Even in Virginia, the old government of which Peirpont, a Republican, was Executive, seems to have been reduced to the ranks, and compelled to seek such reorganization as the negroes may permit. These three acts passed by Congress were so framed as to exclude from voting and office nearly all the former resident white men, and confer the control upon negroes and the canting new-comer white men. The whole has been put under the control of the military tyranny which exists there, above the direction of the President and the control of the people, even at the ballot-box. The names of negroes who are mere myths are registered for the purpose of voting, and many having an actual existence do not know by what name they were registered; while thousands of white men, always loyal and true, are thrust aside and not permitted to register their names, unless they promise to become the tools of the Republican party.

The conventions called have been largely filled by negroes whose ignorance is painful to the observer, if not uncomfortable to themselves. The constitution framed by a pepper-and-salt convention in Alabama has been rejected, by not receiving a majority of the registered voters. The next step probably will

be for Congress to admit the State with a rejected constitution, which will, at no distant day, end in rejecting Republicanism and all its works in that State. The absurdities and inequalities of this Alabama constitution are thus exposed by Governor Parsons:

“The convention has provided for a Senate and House of Representatives, the former to be composed of thirty-three Senators, and the latter of one hundred Representatives. They proceed to apportion representation upon the basis of fifty-nine counties in the State, entirely omitting three of the sixty-two counties into which the State is divided. To thirty-five of these fifty-nine counties, with 208,282 whites, and 111,159 blacks, in all 391,441, they have apportioned one Representative each. To the remaining twenty-four counties, with 152,407 whites, and 328,310 blacks, in all 580,717, they have given sixty-five votes. If representation had been apportioned to the entire population of the State in the same ratio awarded to the eight counties to which three Representatives were given, the House of Representatives would have consisted of one hundred and twenty-eight Representatives, instead of one hundred. On the other hand, if the same ratio of Representatives were awarded to thirty-five counties where the white population predominates over the black more than two to one, the House of Representatives would have been composed of eighty-eight instead of one hundred members. Thus it is made apparent that there is a difference of forty per cent. between the ratio of representation in the eight counties where the black population predominates and the thirty-five counties where the white population outnumbers the blacks more than two to one.”

This shows to what length the Republicans will go in order to perpetuate their ascendancy. There is not even a pretence of equality or fairness in this distribution of representation. There are other things in this rejected constitution that are little inferior in absurdity and injustice to those mentioned.

But bad as the Alabama production is, the convention, called under these reorganization laws, in Arkansas, excels it. It is thus described by that calm and truthful paper, the *Journal of Commerce*:

“It combines the extremes of freedom and tyranny to an extent hard to parallel in history. After giving the ballot to women

and negroes, and making them competent for jury duty, it proceeds to declare how voting shall be done on the new constitution. Voters are required to swear that they have never given aid to secession in any State. This offers a premium to perjury, or shuts the door of repentance and reformation against those who have erred; and is of itself a monstrous instance of injustice. Not satisfied with this, the framers of the constitution clap a muzzle upon every man's mouth by requiring him to swear that he accepts for all time the social and political equality of the white and black races, not merely the 'political,' observe, but the 'social!' But the essential despotism of this new constitution reaches the climax when, after insisting on all these qualifications for voting, it disfranchises all persons who *shall vote against the new constitution*. We match this against any thing that can be found in the previous history of the world."

The Tennessee constitution is but little better, and it is probable that other constitutions will be found to contain some equally absurd propositions. But these are sufficient to show to what extremes Republicans will go to preserve their power. Not a Republican paper or speaker, as far as we know, has condemned these outrages upon the rights of man. If they do not openly praise the actors in these matters, they doubtless secretly applauded the effort to accomplish what they desire done. How long the American people will permit such abuses for such purposes, rests with them. We are no advocates of military tyranny; but even that, under respectable, well-informed, and honest officers, is preferable to the negro tyranny sought to be fastened upon the South through these reconstruction conventions. What the Republicans will next propose, remains to be seen. They are now too busy in trying to convict and depose the President to attend to reconstruction. When that work shall be completed, a new chapter will be acted.

123.—THE AMERICAN PRESS AND THE TELEGRAPH.

The first amendment of the national Constitution wisely forbids Congress to abridge the freedom of speech and of the press. During Mr. Lincoln's administration both these privileges were violated without even the formality of a law, and Congress passed

indemnity laws to protect those guilty of violating these rights. The press is an immense power in this country, consisting of papers of little consideration and those of the highest and most useful character. In many, the best capacity and highest characters are laboriously and conscientiously employed in ascertaining and publishing the truth, and in developing and disseminating the true principles of government. There is a wide difference between a sheet of news—portions of which may be without foundation—and a dignified and conscientious journal that labors to give its readers reliable facts and safe political principles, both tending to enlighten and benefit mankind.

Error once diffused through the telegraph is seldom corrected. This instrument, the work of scientific minds for ages, now made practically useful, chiefly by Professors Henry and Morse, both Americans, has been of immense service during the war, and continues to be so since the proclamation of peace. But this scientific instrument is made the vehicle of much error and many falsehoods, in the form of mere news, which bad men circulate for mischievous, and mostly for political purposes. During the Kansas troubles, falsehoods constituted the rule and truth the exception. This was so during the war, as was seen when General Pope telegraphed that he had won a victory at the second battle of Bull Run, when he had been defeated. Since the war, the telegraph has been the vehicle of more falsehoods than truths, from the South, sent by Freedmen's Bureau agents, military men, and others in the interest of the Republicans, for political effect. Grave speeches and fiery newspaper articles have been based on such information, when they were mere myths—the creation of the brain of some reckless partisan, willing to live by framing and circulating falsehoods which disgrace the nation. Our political contests call into service many such pens. We know of no remedy for these evils, but their injurious effects can be avoided to a considerable extent, by carefully scrutinizing and weighing all such intelligence, and by patronizing and relying only upon papers conducted by able, careful, and candid men. We have in mind now an instance when in March, 1857, about eleven years since, a falsehood was telegraphed from Washington to all parts of the

country, which is still believed by a large portion of our people. The telegraph stated, and the Republican papers throughout the country, on the strength of it, declared that Chief-Justice Taney had, in the Dred Scott case, "decided that negroes had no rights that the white man was bound to respect." This has been a text for eleven years for the Republican party—its press and speakers—upon which to condemn and denounce him, and the party of which he was a member. Although its truth has been constantly denied, that party has persisted in the repetition of the charge. We *know* this charge to be untrue in letter and spirit. The Chief Justice neither held, believed, nor wished any thing of the kind. He had inherited a large number of slaves; he educated those that were capable of acquiring education, and gave all, who would accept it, their freedom, and supported, during life, those who, unable to support themselves, chose to remain with him. He preferred hiring labor to holding slaves. To misrepresent a judicial act of such a man is unpardonable, whatever the motive may be. With most of those who disseminated the charge there is no excuse, because they could have read what he did say in the Book of Reports, and then correct their error if it were unintentional. But, instead of doing this, the false charge followed that eminent and good man to his grave. The words quoted were not a part of the rulings of the Chief Justice or court, but are found in his recitals of historical facts of former times. After stating that negroes were not made citizens by the Federal Constitution, he said: "On the contrary, they were, at that time, considered as a subordinate and inferior class of beings, who had been subjugated by the dominant race, and, whether emancipated or not, yet remained subject to their authority, and had no rights or privileges but such as those who held the power and government might choose to grant them. It is not the province of the court to decide upon the justice or injustice, the policy or impolicy, of these laws. The decision of that question belonged to the political, or law-making power; to those who formed the sovereignty and framed the Constitution. The duty of the Court is to interpret the instrument they have framed, with the best lights we can obtain on the subject, and to administer it as we find it, according to its

true intent and meaning when it was adopted. . . . They had, for more than a century before, been regarded as beings of an inferior order, and altogether unfit to associate with the white race, either in social or political relations, and so far inferior that they had no rights which the white man was bound to respect; and that the negro might justly and lawfully be reduced to slavery for his benefit. He was bought and sold, and treated as an ordinary article of merchandise and traffic, whenever a profit could be made by it. This opinion was, at that time, fixed and universal in the civilized portion of the white race. It was regarded as an axiom in morals as well as in politics, which no one thought of disputing, or supposed to be open to dispute; and men in every grade and position in society daily and habitually acted upon it in their private pursuits, as well as in matters of public concern, without doubting for a moment the correctness of this opinion. And in no nation was this opinion more firmly fixed or more uniformly acted upon than by the English Government and English people. They not only seized them on the coast of Africa, and sold them, or held them in slavery for their own use, but they took them, as ordinary articles of merchandise, to every country where they could make a profit on them, and were far more extensively engaged in this commerce than any other nation in the world. The opinion thus entertained and acted upon in England was naturally impressed upon the colonies on this side of the Atlantic. And, accordingly, a negro of the African race was regarded by them as an article of property, and held, and bought, and sold as such in every one of the thirteen colonies which united in the Declaration of Independence and afterward framed the Constitution of the United States. The slaves were more or less numerous in the different colonies, as slave-labor was found more or less profitable. But no one seems to have doubted the correctness of the prevailing opinion of the time" (19 Howard, pp. 404, 407, 408). It will be seen that, instead of declaring it to be his opinion that the negroes had no rights which white men were bound to respect, he was stating historical facts, known by all well-informed men to be true, and which no one will deny, as the probable reason why the Constitution contained only the pro-

visions then found in it. He showed that the English brought negroes from Africa and sold them where they could make profit, thus leading her colonies to do the same thing, stating what both thought of the matter. The Chief Justice was not responsible for history, and committed no offence in stating it. This is one of the cases where falsehood has been knowingly circulated by the telegraph and the Republican press, and the well-informed of the party, for political effect. There can be no denial or concealment of the fact that the charge was wantonly false, and known to be so by him who first sent it over the wires, and by the Republican press after the denial of its truth, for the purpose of injuring one of the best men in the world, and weakening and destroying the force and effect of what he did decide, to wit, that, under the Constitution, negroes of African descent were not citizens of the United States, and, therefore, the Court had no jurisdiction over a case where it depended upon the citizenship of a negro plaintiff. Whether that question was rightly or wrongly decided has nothing to do with the opinion falsely imputed to the Chief Justice, reiterated, and never recalled, and all for political effect. This was no fault of the telegraph, but of those who used it.

124.—THE SECESSION STATES WERE NEVER, IN LAW, OUT OF THE UNION.

The Constitution expressly provides that new States may be admitted into the Union. Every new State has been admitted under this provision by an express statute, all of which remain unrepealed, nor is there any power in the Constitution authorizing a repeal. Nor any conferring power on the States to leave, withdraw, or secede, or permitting Congress to expel a State, or to declare war upon, or to conquer it. When once admitted, a State forms a part of the Union forever. There is no more power in Congress or a State to change this relation than there is for them to annul the Union, which we all claim to be sacred. Neither can change, except by successful revolution, shaking off the old Government and forming a new one, as we did when we expelled the British power and set up our own. Had our effort to shake off the British power fallen short of success, we should

have remained colonies as before the attempt. There being no power to expel States, and none to "let them go in peace," nor any on their part to sever their constitutional relations, it follows that they must remain a portion of the Union during all time. The identity of a nation is as indivisible as that of an individual. A man cannot be divided into two parts, nor can one or more parts be subordinated to the other parts, where the whole is in a condition of health. Where health is wanting, restoration becomes a necessity. The Constitution confers no power on the Government of the United States to put a State out of the Union by making a conquest over it, or in any other way. If the Government could do so, it would depend upon its will as to what State or States should be conquered and thus expelled, or be converted into mere dependent provinces. This was not the mission of our fathers. They simply were authorized to bring together what existed before in separate colonies, and each colony was an independent party—all having absolutely an inalienable right and joint interest in the Union. But the Constitution does provide for the exact case that has occurred, which conclusively proves that conquest of a State by the Federal Government was neither contemplated nor authorized by the Constitution. It authorizes Congress to provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions. This power has been exercised by Congress in passing the Act of 1795, authorizing the President to call out the militia to suppress insurrections, and in 1807 a law placing under his control the army and navy to aid in that object. It was under these laws that Mr. Lincoln issued his proclamation of April 15, 1861, calling for seventy-five thousand militia, and for which Congress, by the act of July 13, 1861, voted compensation. It was under this constitutional provision that, on the 22d of July, 1861, Congress called for five hundred thousand volunteers for "suppressing insurrection," and on the 29th passed "An Act to provide for the suppression of rebellion against and resistance to the laws of the United States," in which the President was authorized "to call forth the militia of any and all the States in the Union, and to employ such parts of the land and naval forces of the United

States as he may deem necessary to enforce the faithful execution of the laws of the United States, or to suppress such rebellion in whatever State or Territory thereof the laws of the United States may be forcibly opposed, or the execution forcibly obstructed." The act of July 21, 1861, provides when the President may declare inhabitants to be "in a state of insurrection." On the 6th of August, 1861, Congress passed "An Act to confiscate property used for insurrectionary purposes," which directs what shall be done "during the present or any future insurrection against the Government." On the 7th of June, 1862, Congress passed an act concerning the collection of taxes "in insurrectionary districts," declaring what should be done "in cases of insurrection or rebellion." On the 17th of July, 1862, Congress passed "An Act to suppress insurrection and to punish treason and rebellion," which declares the consequences of engaging "in any rebellion or insurrection." On the same day an act was passed, amending a former act concerning suppressing "insurrections," under which the President was authorized to call for one hundred thousand volunteers. On the 3d of March, 1863, Congress passed an act concerning enrolling the national forces, which recites in a preamble that "there now exists in the United States an insurrection," etc. On the 3d of March, 1863, Congress passed an act to prevent frauds "in insurrectionary districts," and made provision concerning abandoned property in places declared to be "in insurrection." These are merely specimens of the declarations of Congress which run through the statutes during the war. There is not one line of law looking to "conquest." Mr. Lincoln's proclamations contain like expressions, and so do speeches of members. In his first inaugural address he said: "It follows from these views that no State, upon its own mere motion, can lawfully get out of the Union; that *resolves* and *ordinances* to that effect are legally void." The pretence of "conquest" was never even suggested until long after the war, and then by members of Congress to justify themselves in treating the secession States as conquered provinces. No military officer, in his proclamations or correspondence, even thought that he or his men were fighting for conquest. Every one supposed he was engaged in putting down insurrection,

and fighting for the Union. The soldiers even expressed their indignation when told they were fighting for the abolitionists. Our Government told the people and the world, that the sole object of the war was to suppress insurrection as the best means of restoring the Union. We complained of England and France for treating the secessionists as our public enemies, we claiming that they were insurrectionists, rebels, and traitors, subject to our laws. The Crittenden Resolution is express upon this point. We all treated and talked of the South as States belonging to and forming a part of the Union.

Congress, in its acts on the subject throughout the war, treated them as States. It apportioned members of Congress to them, and assigned to them different judicial circuits. The Constitution provides that "no new State shall be formed or erected within the jurisdiction of any other State . . . without the consent of" such State. On the 31st of December, 1862, Congress passed an act for the admission of the State of "Western Virginia," which is still represented in Congress, in which it recites "the Legislature of Virginia, by an act passed the 13th of May, 1862, did give its consent to the formation of a new State," etc. But if Virginia had ceased to be a State in the Union, how could she give such consent? This proves conclusively that, at that time, Virginia was considered by Congress as a State in the Union, with all her powers as such. If it was so at the end of 1862, when and how did she cease to be such State? If these States were not really such, why did Congress, in imposing its direct taxes, describe them as States, and apportion taxes "to the States respectively?" The Confederate generals were not told, when they surrendered, that the South would be treated as conquered provinces. They and our generals understood that secession had failed, and the States were a part of the Union. Both Grant and Lee evidently so understood it. If these States were out of the Union, why call upon them to consent to amendments to the national Constitution, and why receive Tennessee, and admit the Senators and members on her adopting the 14th amendment? The United States Senate so understood the matter. United States district judges, marshals, and district attorneys were

appointed in some of the States during, and others after, the war, with the advice and consent of the Senate. They have consented to the appointment of numerous officers there, under laws applicable only in cases where States exist. They continued to sit with Senators from Tennessee and Virginia long after secession. If these States became conquered provinces, there could be no Federal officers in them until after their creation by statute. In such case the old laws would not apply. Congress frequently, during the war, changed the time and place of holding United States Circuit and District Courts in certain States. By the act increasing the number of Supreme Court Judges, passed July 23, 1866, Congress assigned Virginia and North and South Carolina to the fourth circuit; Georgia, Florida, Alabama, Mississippi, Louisiana, and Texas, to the fifth; Tennessee to the sixth; and Arkansas to the eighth circuit; and judges of the Supreme Court were, under a law of Congress, assigned to these circuits. These things prove that the States existed as such, and were not mere conquered provinces in the estimation of Congress at that time. No expression of opinion can remove these acts from the record, or annul their meaning. The executive branch of the Government has recognized the States as still having a distinct and known existence.

The Supreme Court has done the same in a large number of instances. During the war, it assigned judges to the Southern as well as Northern circuits. It kept a large number of cases upon its docket, which were there before the war, and has since heard and determined them. In some of them, the Court was informed that the war was ended, and the civil authorities exercising jurisdiction there; and, on that ground, the Court was requested to take them up, and did so; and heard and decided them. It heard one case from Louisiana that was decided and removed during the war. During the whole war, the United States District Court at Key West, Florida, continued in the discharge of its duties; and numerous prize cases decided there were removed to the Supreme Court, and heard and determined by it while the war was in progress. The Court has heard cases brought by some of these States, since the war, without objecting that

they were not States in the Union. United States District Judges in most, if not all, of these States have held courts under the Judiciary Act of 1789 without question. Judge Underwood tried numerous confiscation cases during the war, and has taken jurisdiction of the class of cases which are authorized by the Judiciary Act. Chief-Justice Chase has actually held Circuit Courts in Virginia and North Carolina, exercising the same jurisdiction as those courts did before the war. Jefferson Davis's case is still pending in the Virginia Circuit Court. The question then stands thus :

1. The Executive Department, having as much right to its opinion as any other branch, holds that the secession States are in the Union, forming an integral portion of the United States, entitled to the same powers and privileges, and subject to the same duties, as the other States.

2. The Judicial Department, whose duty it is to declare the meaning of the Constitution and laws, throughout the war, and since, has, in numerous cases and ways, recognized these States as in and forming a part of the Union.

3. The entire Democratic party, and a portion of the Republicans, concur in the views of the Executive and Judicial Departments.

4. During, and until long after the close of the war, the Legislative Department, and the residue of the Republicans, both by legislative acts and declarations, and through the press and public addresses, avowed that the sole object of the war was to restore the Union, and it was to accomplish this that men rushed to the tented-field, and cheerfully sacrificed their lives; and those having means cheerfully tendered the same to the Government.

5. The Republican party had nominated Mr. Johnson, of Tennessee, one of these seceded States, for Vice-President, which would not be legal if it was not a State in the Union.

6. That State gave Lincoln and Johnson its votes, which were counted by Vice-President Hamlin, in the presence of the Senate and House, no one objecting; and both were declared duly elected.

On the other side we now have :

1. A majority of the Legislative Department, after the close of the war, disavowing their former opinions and acts, and declar-

ing that instead of States in the Union, we have now conquered provinces to govern.

2. The larger portion of the Republican party, following their leaders, have changed their expression of opinions.

Only a fraction of the Government and people deny these States the right to assume their places in the Union. If the present position of the Republican party is correct, then all the acts of the war were based upon the false pretence of fighting to restore the Union, when the real object was to conquer provinces and govern them—a thing not authorized by the Constitution. The motives of the professed change—for it is not real—are apparent. It is to cramp and worry these States, and force them, in order to become practically States in the Union, so to mould and frame their constitutions as to enable the Republicans, through the negroes, to control them politically. These States are now as much a part of the Union as on the day they were admitted.

125.—ANDREW JOHNSON.

Andrew Johnson is a native of North Carolina, but an adopted son of Tennessee, and is about sixty years of age, in robust health, and capable of great endurance, of medium size, and rather thick set. His education, though self-acquired, is good. His application has been great, and his memory is remarkably clear and retentive. During his whole life he has been noted for strict integrity, and his word was as good as a bond. Although industrious and prudent, his acquisition of knowledge was greater than that of wealth, concerning which he has no remarkable skill. He neither hoards money nor lavishly spends it. With him it seems to be simply a medium of life and enjoyment.

Politically, Mr. Johnson came upon the stage, and has remained, a Democrat. He had before him such lights as Jackson, Grundy, White, Cave Johnson, and Polk to guide him in forming and settling his political principles. In the State Legislature, in the House of Representatives, as Governor of Tennessee, and United States Senator, he acquitted himself to the satisfaction of his friends, and with high credit to himself, as a true and faithful Democrat. His record was in all respects fair, and in many

noble. It shows endless labor, and of the most useful kind, and with as few mistakes as that of any of his contemporaries. His first mistake was in resigning his place in the Senate, and accepting that of military Governor, where it was expected he would make laws as he went along, and also administer them. Few, if any, ever retire from such a position as much respected and beloved as when they entered.

In 1864 the Republicans had many fears and doubts concerning their ability to carry a purely Republican ticket. Hence they sunk the word "Republican" in their calls and meetings and adopted the words "Union National" or "National Union party," assuming that it was not a party question which was to be solved, but one of "saving the national Union," by which they deluded many Democrats into the support of their ticket, they being made to believe they were in good faith so acting as to save the Union. As Mr. Lincoln was to be nominated, this pretence would not be received and relied upon, unless the nominating convention placed a Democrat on the ticket for Vice-President. They knew Mr. Johnson, and that he was an unchanged Democrat, who had in the House and Senate, and elsewhere, denounced their principles and practices. But he was a real Union man, and they could truly present him as such; and what was quite as important, it was believed he could carry Tennessee, owing to the attachment of the Democracy of that State to him. Its vote might control the election. Hence, without his disavowing one Democratic sentiment, or espousing one of a Republican character, he was nominated. They asked no pledges—he gave none. In accepting that nomination, and becoming entangled in the meshes of Republicanism, and consenting to travel with them, he committed his second mistake, the consequences of which are still upon him. He should not have accepted that nomination from his political enemies, unless he intended to abandon his former faith, and adopt and follow theirs. The case of John Tyler should have warned him of the consequences of being elected by those whose principles he could not follow to the end.

When the hand of a murderer had cut short the days of Mr. Lincoln, and he became President, he should then have deter-

mined whether he would adopt the Republican programme and follow wherever it might lead, or at once have resolved to follow Democratic principles to the end, and if so, to have changed his cabinet from Republican to one purely and unmistakably Democratic, filled all the important offices with Democrats, and made his an old-fashioned Democratic administration of the Jacksonian stamp, with the same fixed purposes as Mr. Lincoln had made his purely Republican. Not doing either was a mistake of a grave and enduring character, and which never can be remedied. Had he formed in line with the Democracy in the summer of 1865, he would have had a large and a controlling party supporting him. The Republicans could not have fairly complained of his thus setting up for himself, as they well knew he was a Jackson Democrat when they nominated and elected him; and if there was any wrong in the matter, it was by the leaders imposing such a man upon their rank and file. A fourth mistake was, that when he put forth Democratic doctrine in his messages, he did not sustain himself by removing those who denounced him for having done so. He preached Democracy, and undoubtedly honestly and sincerely, but allowed his officials to scout it, and abuse and ridicule him for it. He was all right on paper, and all wrong in practice. A fifth mistake was, in consenting to the formation of a third party, with one Democratic and one Republican leg to stand upon. Tyler tried this, and failed. Mr. Johnson meant well, but that did not prevent his falling into error in practice. It was these mistakes that enabled his enemies to entangle and bind him hand and foot. As his course presented him, the Republicans made war upon him for his correct principles, and the Democrats could not rally to his support because his practice was not Democratic, but almost exclusively Republican. Like Tyler, he is without a party, and his enemies are strong enough to carry every measure they desire over his veto and the Democratic votes. He is a bold rebuker of wrong, but seems to lack the courage, in practice, to take and maintain his ground, and throw the consequences of failures, if they happen, upon his enemies. But he has allowed himself to be badgered, brow-beaten, and threatened, until he has consented to nominate the worst enemies of Democracy and of

himself for high and responsible offices, some of a life tenure. Nearly all the officials of the Federal Government, and among them members of his cabinet, are his enemies and the detesters of Democratic principles. It is conceded that the Government has never been so badly officered as at present, and he now has not the means of preventing it as long as he consents to execute unconstitutional laws. Mr. Johnson is worthy of a better fate than that which is upon him. Had he assumed when he became President the attitude which his real principles required, and showed that he loved his friends better than his enemies, and officered the Government with Democrats, the crisis that is upon us would have been obviated, and he at the head of a party which, in spite of all obstacles, would triumph this fall. He has all the qualifications for a leader except that unshaken and natural boldness, that the world so much admired in General Jackson, which he has only in a limited degree. His boldness is rather the creature of reflection than of instinct. His reasoning faculties are strong, and, aided by reflection, he is almost always right, except where he is personally concerned. In that case there seems to be some halting, which never occurs with the selfish man. His motives are now fiercely assailed by his enemies, and no epithet is too severe to apply to him. This was so with General Jackson. No one was more fiercely or bitterly denounced. Now his memory is revered and cherished by his former revilers. History will do Mr. Johnson justice, and place him far higher in the temple of fame than any of his present persecutors. We say this because we believe it, and think it due to one who is no friend of ours, but whose persecutions have awakened the sympathy of all who agree with us in thinking him honest and a true Democrat at heart.

Governor Seymour, of New York, thus forcibly expresses himself in relation to President Johnson, in his address to the Democratic State Convention on the 11th of March :

“I have no political prejudices in favor of Mr. Johnson. I have never seen him. He is not one I helped to place in office, nor have I ever advised him or been consulted by him as to his policy. I know he has been cheated and betrayed by those about him, who plotted his destruction from the outset. But while he

has been most unhappy in his friends, no man has been so fortunate in his enemies. They have given him a high place in history as one who suffered for the rights of the American people. And when he shall go to his final account, and his friends seek in clear, terse, and lasting terms to tell that he was a man who loved his country and was hated by the corrupt and treasonable, they have to chisel upon his tombstone that he was impeached by this House of Representatives and censored by this Senate."

126.—IMPEACHMENT OF PRESIDENT JOHNSON.

Political tacticians, like military strategists, often threaten what they have no thought of attempting. It is doubtless true, that the Republicans wish to get rid of Mr. Johnson and place the Government in the hands of a daring and reckless Republican who would use the army and navy and all the influences it could command to carry the next election, and in the mean time to allow the most favored ones to dip deep into the Treasury. Whatever the reckless may say, or the simple believe, the substantial Republican leaders would not step upon what they knew to be untenable ground. They knew, notwithstanding what General Butler said at Brooklyn, that impeachment would not lie for error of opinion, because that is no crime, and for the reason that no standard has yet been established by law with which to make the comparison. On a trial of such a case, it would be a question of fact and not of opinion, which the Senate would have to try. A million of witnesses might be called, and the evidence stand equally balanced. As to criminal acts, the Senate could not, either as a matter of law or fact, declare that they were so, unless a statute had previously so declared them. When the law is silent, the Senate cannot declare an act a high crime or misdemeanor, without, in fact, making a law for the case, an *ex post facto* law. The most rigid scrutiny could not find that Mr. Johnson had violated any existing statute law or precept of religion. On the question of receiving or expelling members, each House is expressly clothed with the power to "judge of the elections, returns, and qualifications of its own members," and there is no express limitation of authority. But on impeachment, before a conviction can be had, some act, previously

declared by statute to be a high crime or misdemeanor, must be proved, as matter of fact, and not of opinion. The thinking men of the Republican party unquestionably knew that no such act could be proved, and no conviction had. The more reckless partisans, knowing that none could be expected, have proposed to pass a law to suspend the powers of the President during the trial, and in that way make the president of the Senate acting President during that time, and, by consuming the residue of Mr. Johnson's term in the trial, about the same result would follow as if he had been actually convicted. But the more thoughtful men knew such a law would be unconstitutional, and against former conclusions of the Senate, and therefore this plan has not been attempted to be carried out. The only thing left is to threaten impeachment, and shake the nerves of Mr. Johnson, hoping that he will attempt to pacify them by conferring offices to order, and allowing them such advantages as circumstances may permit. But they do not expect to carry out their threats. Many of the States make threatening and sending threatening letters a punishable offence. Are not these perpetual threats of impeachment as injurious and offensive as those made indictable by the State laws, and do these threateners occupy a better position? These revolutionists in Congress, for such they really are, have not now the remotest intention of entering upon an impeachment of the President. They are merely keeping up a show of acting for their own purposes, and perhaps to please buncombe. But they will sink under the weight of their own wrongs and infamy, and, whatever may become of the man they are now victimizing, the people will soon discard them and place the destinies of our country in the hands of the Democracy, to remain for a long period of time.

Since the foregoing was written, new events have occurred, and articles of impeachment have been filed and the trial of the President commenced.

ACTUAL IMPEACHMENT.—Since the completion of the preceding article, President Johnson made an order removing Mr. Stanton, Secretary of War, but he still remains in office, lives in the department, and protects himself by armed force. He has made himself a prisoner to himself, with an outside show of Government

bayonets. Adjutant-General Lorenzo Thomas received an *ad interim* appointment, but has not been permitted by Mr. Stanton to perform its duties. This step on the part of the President rekindled the fires of impeachment, and eleven articles have been adopted by the House and presented to the Senate, and he cited to appear. He is now on trial by a court composed of the Chief Justice and the United States Senators. Nearly every Republican Senator has, either directly or indirectly, formed and expressed the opinion that the President is guilty, before he took the oath to "do impartial justice according to the Constitution and laws." Mr. Wade, who is to become President if Mr. Johnson is convicted, was allowed by the Republican Senators to be sworn and to act as a disinterested trier. The charges are all frivolous and some are childish. They were got up, not because the President had done any thing illegal or wrong, but to afford a pretext for his removal because "he is in the way" of the schemes of the Republican party for continuing in power, and rewarding their friends. The charges are, in substance, these:

1. That he removed Edwin M. Stanton from the office of Secretary of War, contrary to the Civil Tenure Office Act.

But this act, if constitutional, expressly excepts those who were not appointed by him, leaving them subject to removal.

2. That he appointed General Thomas as *ad interim* Secretary, contrary to the act.

As that act is unconstitutional and void, this charge cannot be sustained. General Thomas was arrested as a criminal for receiving this appointment. But nothing was done with General Grant who received precisely such an appointment, and the proceedings against General Thomas have been abandoned and dismissed.

3. This charge is the same, omitting all reference to the Tenure of Office Act.

4. Charges a conspiracy between the President and Thomas, to prevent Stanton from the performance of his duties, by intimidation and threats.

5. Contains the same charge, and adds, that they conspired with others unknown, to prevent Stanton from holding office.

6. Charges that the President conspired with General Thomas

to seize by force, take, and possess the property of the United States then in the hands of Stanton, contrary to the Conspiracy Act, and by violating the Tenure of Office Law.

7. Charges the same thing, omitting reference to the Conspiracy Statute.

8. Charges the President with a violation of the Tenure of Office Law, in order unlawfully to control the disbursements of the military appropriations.

9. That the President called General Emory before him, with the intention of violating the law requiring all military orders to pass through General Grant, to enable him to prevent Stanton from holding the office of Secretary of War.

10. Charges the President with making speeches on three different occasions which were disrespectful toward Congress.

11. Charges that, in a speech, the President declared that, owing to the non-admission of members from the South, Congress was not a lawfully-constituted body, thereby intending to prevent the execution of the statute which deprives him of the command of the army, and to avoid the execution of the Reconstruction Laws.

Here we have the whole list of charges, not one of which has any possible rational foundation. He is to be tried and convicted, if the plans are carried out, because he differs in opinion from the Republican party on questions of constitutional law, where he has the same right of opinion as any other department of the Government. If convicted, it will be for difference of opinion, and not for any illegal act.

The proceedings of this Court of Impeachment, so far as Republican Senators are concerned, is under the control of a caucus, where the majority dictates and compels the minority to obey. There are many Senators who disapprove what is being done, but who dare not disobey the dictation of the caucuses, for fear of losing caste in their party, of which they are so often reminded. This is also true of other officials, and of many individuals who dare not do what they think right for fear of losing the confidence of their party.

The history of the times presents some strange anomalies. Jefferson Davis, who was at the head of the secession govern-

ment, was arrested nearly three years ago and is not yet tried, the Republican court and district-attorney concurring in all the postponements that have occurred, and one Republican, at least, becoming his bail. Mr. Johnson's trial is hurried on before the Court of Impeachment with indecent haste, by a party vote, not allowing him and his counsel time to prepare his defence. The crime charged against Mr. Davis is, that he believed the secession States were legally out of the Union, and he tried to keep them out, and thus committed treason. Mr. Johnson's crime is, in substance and effect, that he believes they were not legally out of the Union, and he seeks to restore and keep them in, and for this he is, in substance and effect, impeached. The Republicans have ceased to denounce Mr. Davis, and heap curses mountains high upon Mr. Johnson for seeking to do what we fought for, to restore the Union. Such are the inconsistencies of Republicanism.

ACTUAL TRIAL.—The managers on the part of the House so conducted the trial as to disgust the honest men of the country. They scarcely discussed the issues at all, but gave over a hundred columns in the newspapers of bitter rant against the President, having nothing to do with the matters charged in the articles of impeachment. They made it clear that the object was to get rid of him, without reference to the charges they had presented. At their instance, the Senate excluded the evidence of the President's good intentions. They were answered by the President's counsel in a calm, dignified, forcible, and conclusive manner. They left no question of doubt open.

The Republican press and politicians came to the assistance of the managers, seeking to induce the Senate to convict at all hazards. The following from the *New-York Tribune* is a fair specimen of their efforts. It was aimed at Senator Fessenden :

“To vote in favor of impeachment is merely to repeat votes that have been given a hundred times. If it were wise to assail Mr. Johnson for his policy, it is just to punish him. His impeachment is the logical consequence of Republicanism, and no Republican can vote against it without making himself infamous. *The only alternative is* IMPEACHMENT OR INFAMY. If Johnson is acquitted, then the whole course of these men is a LIE, and their

deception is INFAMOUS. They led the party to this issue. They educated it to the work. They echoed every denunciation, and emphasized every criticism of the President's policy. If they have been honest in this, then impeachment is as sure as the sun.

"It is because we believe in their honesty that we rest assured of a favorable verdict. American history has had one Benedict Arnold. *Money is precious, and sweet is the revenge of disappointed ambition.* We are certain that neither money nor revenge will seduce any Senator into an infamous association with America's most degraded son."

The following was issued by the same paper to deter Senators generally from voting according to their convictions:

"The Republican Senator who rises in his seat to-morrow and votes 'not guilty,' virtually says, 'I am the same as Andrew Johnson. I am his defender and apologist. I go into history as his companion. His deeds are my deeds—his speeches are my speeches. I give to his past career my approval. I accept the responsibility of any thing he may do in times to come. The pardons of unrepentant rebels, the massacres in New Orleans and Memphis, the unpunished murders in the South, the frauds in the revenues, the anarchy in many parts of the South, his indecent and incoherent speeches, so justly called, even by his counsel, Mr. Evarts, 'the voice of the beaten rebellion,' now receive my commendation.' For remember that Senators are not merely jurors but statesmen! If this were a charge against Mr. Johnson affecting his own personal safety and comfort, and of consequence to no one else, we might pardon a verdict of release."

The members of the House of Representatives from Missouri disgraced themselves and dishonored their State by sending to one of its Senators a letter in these words:

WASHINGTON, May 12, 1868.

Hon. JOHN B. HENDERSON, *United States Senate*—

SIR: On a consultation of the Republican members of the House of Representatives from Missouri, in view of your position on the impeachment articles, we ask you to withhold your vote on any article upon which you cannot vote affirmatively. The request is made because we believe the safety of the loyal people of the United States demands the immediate removal of Andrew Johnson from the office of President of the United States. Respectfully,

GEO. W. ANDERSON,
JOS. W. McCLURG,
JOSEPH J. GRAVELY.

WM. A. PILE,
BENJAMIN F. LOAN,
C. A. NEWCOMB,
JOHN F. BENJAMIN,

A noble decision :

WASHINGTON, D. C., May 13.

To E. W. FOX, *St. Louis* :

Say to my friends that I am sworn to do impartial justice according to law and the evidence, and I will try to do it like an honest man.

J. B. HENDERSON.

The chairman of the Committee of Ways and Means in the House sent this to West Virginia :

WASHINGTON, D. C., May 12, 1868.

Great danger to the *peace of the country* and the Republican cause if impeachment fails. Send to your Senators public opinion by resolutions, letters, and delegations.

ROBERT C. SCHENCK, Chairman.

Wade, president *pro tempore* of the Senate, and who is one of the triers of the President and expects his place, telegraphed thus :

To JAMES M. SCOVEL: It is all right. The President will be impeached. Nothing can prevent it.

B. F. WADE.

He was asked by a political friend if he should vote on the trial, and replied, "If I had twenty votes I would give them all."

These are specimens of what has been published to secure conviction. Senators are called upon, not to act judicially, honestly, and wisely, but to convict at all events. Even public meetings have been called to aid in the same object. Thousands of letters have been written for the same purpose, and an army of politicians have attended at Washington to control the votes of Senators. Never, in the history of man, have such efforts been resorted to for controlling judicial proceedings. No State or national court would consent to be thus insulted, and why should the Senate, sitting as the highest court in the world? We give the final action of the Senatorial Court as Appendix Number 2. This attempt to destroy the President will destroy the party engaged in it. The Republicans who refuse to lend themselves to this purpose, are among the ablest, wisest, and best men of that party, who have something to lose by doing wrong, which cannot be said of those who go for a judicial conviction upon grounds of mere political policy. Such men as Fessenden, Trumbull, Grimes, and others, though our political adversaries, are an honor to their party and country, and are not to be crushed out to gratify politicians who can only rise upon the downfall of men better than themselves.

127.—CONGRESS AND THE SUPREME COURT.

The legislation of Congress, concerning the Supreme Court, has been of an extraordinary character for the last few years. That Court had been severely censured and denounced for its decision in the Dred Scott case. The more ardent Republican partisans proposed, when Mr. Lincoln came in, to abolish the court, and thus get rid of those who decided it and appoint a full new court professing Republican principles. But as the judges were appointed during good behavior—during life—no repeal of the law under which they were appointed would deprive them of their commissions. The more prudent men thought it would have an ugly look to have two sets of Supreme Court judges, one on the bench performing duty, and the other off awaiting duty; and so this scheme was abandoned. But the leaders agreed that the court must be Republicanized. On the 3d of March, 1863, the court consisted of nine judges, six of whom were Democrats, or anti-Republicans. Congress then passed an act adding another judge, declaring six a quorum, and Mr. Lincoln appointed a political friend to the new office. On the 12th of October, 1864, Chief-Justice Taney died, and S. P. Chase was appointed in his place. The court then stood five Democrats and five Republicans, being equally divided. Soon after Chief-Justice Chase entered upon his duties—May 30, 1865—Mr. Justice Catron died, which left a majority of Republicans on the bench. Mr. Johnson proposed to fill his place with a political friend, and probably a Democrat, but the Senate would not consent. Had it done so, the court would have continued equally divided between the two political parties. To obviate this difficulty, and to secure a majority of Republican judges, Congress changed its policy, and on the 23d of July, 1866, passed an act to reduce the number of judges from ten down to six. The act provides that no vacancies in the office of justice of the Supreme Court shall be filled until the number shall be reduced to six. Hence the vacancy occasioned by the death of Justice Catron has not been filled, nor has Justice Wayne's, who died last year. The court now consists of eight members, five of whom are Republicans. These two acts present extraor-

dinary shifts, which no one can call just or honest, to secure the political ascendancy in our highest judicial tribunal. That the judges were not able to attend and perform all their circuit duties, has long been known, and that was the excuse for raising the number of judges to ten, and constituting ten circuits. In the act reducing the number of judges, the circuits are reduced to nine. Hence there is now one circuit without a Supreme Court judge to preside, and, since the death of Judge Wayne, there have been two, and in the end there will be four. Such are some of the consequences of political manœuvring with courts.

But even these changes do not satisfy the Republican leaders. Some of the Republican judges do not follow all their wild and reckless leaders, and occasionally hold the legislation of Congress unconstitutional and void, and some of the acts of Republican tribunals illegal. It is now gravely proposed to require three-fourths of the court to make a decision, and to withdraw certain questions from the consideration of the court—for instance, the constitutionality of the reconstruction and other acts of Congress—for fear that such acts may be held to be unconstitutional and void. They fear a court constituted of a majority of their own party—judges selected at their instance and appointed by a Republican President, with the consent of a Republican Senate. They see that the Court must take the back track, and reverse and condemn its own action, or it must refuse to uphold the action of Congress. A well-constituted court cannot follow the lead of a political party. Hence their desperation and extraordinary course on the subject of this court. The proceedings of Congress must be condemned either for increasing or diminishing the number of members of this court. The two positions are in conflict, and both cannot stand. If the new propositions are enacted, it will serve to increase the embarrassments of those who do it, instead of relieving them; it will be found unprofitable to try to use the courts as political machines, to decide according to order. But Congress is now taking a new tack. It proposes not only to control the Executive, but also to forbid the Judicial Department to act in cases before it, until it shall permit. It claims that it is the political department of the Government, and that it alone is competent to

determine political questions. In this, Congress assumes more than is true. The judiciary has properly decided that it will not determine political questions, but will confine itself to those of law; but that on political questions it will follow the action of those departments that control such questions. But it has not said that Congress alone can determine political questions. On the contrary, in *Luther vs. Borden*—the Rhode Island case (7 Peters, 1)—the Supreme Court expressly recognizes the right of the President, where there are two parties, each claiming to be the true State government, to decide the question, and the court followed the decision of President Tyler on that subject. The Chief Justice said: "If there is an armed conflict, like the one of which we are speaking, it is a case of domestic violence, and one of the parties must be in insurrection against the lawful government. And the President must, of necessity, decide which is the government, and which party is unlawfully arrayed against it, before he can perform the duty imposed upon him by the act of Congress. . . . In cases of foreign nations, the government acknowledged by the President is always recognized by the courts of justice. And this principle has been applied by the act of Congress to the sovereign States of the Union."

Mr. Trumbull, in the bill lately introduced in the Senate, has not truly stated the action of the Supreme Court in past cases, nor is he correct in stating that it rests exclusively with Congress to determine whether a State government exists or not, under the reconstruction laws. Under the decision quoted, the Executive has as much right as Congress to determine that question, and the courts are bound to recognize his acts. Congress seems to suppose that it can force upon a State what it thinks is a republican form of government. It has no such power. When Congress admits a State, it cannot go back of the admission and inquire whether, in the judgment of Congress, it has a republican form of government. The United States have guaranteed to protect a State in such a form. But until the State calls upon the United States to fulfil this obligation, the government has nothing to do with the question. If the State organized a government satisfactory to itself, that is all that can be required. Congress has no

special power over the subject. The guaranty is by the United States, and not by Congress. That body is not clothed with any special power to determine whether a State has or has not a government republican in form, which it is to protect, before it is called upon to fulfil the guaranty. The statutes of the United States, as in the Rhode Island case, place this question in the hands of the President, when properly called upon by the Legislature or Governor. If the power thus provided is insufficient to protect the State, then, and then only, can Congress be called upon for greater assistance, not to make or force amendments of her constitution; but if it is, in the opinion of Congress, republican in form, then it will aid the President in protecting such State. If it has not such a form, then Congress, as one branch of the Government, can refuse its aid, and nothing more. The guaranty is clear and explicit, and Congress cannot by its action, in denying the right claimed, bind any branch of the Government but the legislative. If a State is satisfied with its government, even if not republican in form, Congress cannot change it, nor require the State to do so, nor can it refuse any of its constitutional privileges because it will not change. While Rhode Island lived under its charter from an English monarch, its government was not republican in form, and still the Federal Government, as late as 1843, fulfilled its guaranty of protection, and, on the action of the President, sustained it against the Dorr government, which represented the majority of the people, with a constitution republican in form. The recent movements in Congress are based upon these principles—that Congress alone controls all political power; that they have the exclusive right to determine what laws are political; that they determine all the reconstruction and other kindred laws to be political, and therefore no other department of the Government has authority to do or say any thing concerning them; and they forbid the Executive and the courts from construing or acting under them. In all this Congress is clearly wrong, and attempting to usurp the powers of all other departments of the Government. If this is to be submitted to, then we live under a consolidated Government, without distribution of powers, and where the Legislature can make, construe, and execute laws with no power of restraint

upon it, and the courts are mere ciphers. Instead of a Government having three departments, it would consist of one only.

Should the President be convicted and removed from office, and Mr. Wade come into the presidential chair, the Supreme Court is to receive further attention from Congress. Instead of permitting the number of judges to be reduced to six, as the law now requires, it is the intention to increase it to thirteen, thus allowing him to select and add six to the present number. These will, of course, be partisans of the extreme radical stamp. By this large addition it is expected that the court will long remain Republican, and sustain whatever laws that party in Congress may pass. In that event, there will be no possible restraint upon their exercise of power. With Mr. Wade at the head, and the Court obedient to the will of Congress, our Government will become changed in its character, and constitutional liberty cease to exist among us. We shall live under a purely legislative tyranny, devoting its energies to taxing the people and to the perpetuation of its power.

128.—DESTRUCTION OF THE HIGHEST COURT IN THE DISTRICT OF COLUMBIA.

When Mr. Lincoln came into power there was a civil court in the District of Columbia, called the Circuit Court, with similar powers of other United States Circuit Courts, and which was also an appellate court. There was also a criminal court, with the usual powers of a Court of Oyer and Terminer and General Sessions. In the former were three able, learned, and good men, two of whom had sat there for many years. There was a vacancy in the criminal court, the sole judge having recently died. In the civil court the judges continued to execute the Fugitive-Slave Law, and to issue the writ of *habeas corpus*, as had been usual before the war. This gave great offence to the Republicans, who declared that these were impeachable offences. Congress took up the subject, but, instead of impeaching, a bill was promptly passed by both Houses, and approved by Mr. Lincoln, abolishing both courts, and creating one with four judges, to be called the Supreme Court of the District, with both civil and criminal juris-

diction. This court was filled with non-resident judges—one from Ohio, one from New York, one from Delaware, and one from Virginia, neither of whom had any knowledge of the laws or the practice under them in the District, and neither with any considerable reputation as lawyers. Three of them had been in Congress. They all had the reputation of being extreme partisans of the Republican stamp, except the last, who was only moderate. The new Chief Justice has been, since his appointment, an active and busy politician of the severe kind. A majority of this court could be relied upon on all questions where Republican partisan grounds were at the bottom, and it was not expected that it would venture to declare any law which Congress might pass to be unconstitutional, or any act of President Lincoln or his administration to be illegal. Here was a court, composed of men in no wise inferior to those now on the bench, legislated out of office for political purposes. No charge was ever preferred against Judges Dunlop, Morsell, or Merrick. The bar were satisfied with them, as were the suitors of the court. But they had the audacity to execute their duties as judges, and, it was feared, would not prove subservient enough to please the Administration. They stood, politically, one Democrat and two Whigs. Their commissions, like all commissions of judges of the Federal courts, were during good behavior. The court is abolished and gone, by statute, but they are judges still, in waiting for an opportunity to perform their duties, and entitled to pay as such, though they have received none since they were legislated off the bench. Political legislation, to overthrow or build up courts, is against the genius of our institutions. The Constitution, by express provision, protects the courts from such wanton acts. But nothing stands long in the way of the partisan feelings and interests of the Republicans of our day. They treat the Constitution as a by-gone instrument, not entitled to respect when it stands in the way of the will of Congress.

129.—EXCHANGE OF PRISONERS DURING THE WAR.

One of the objections raised against Mr. Cameron, as Secretary of War, was his declining to exchange prisoners of war upon

the usual terms. When Mr. Stanton came in, he openly avowed his intention of making exchanges, on the ground of humanity to our men then prisoners with the rebels. The sentiment as avowed was not only justifiable, but was clearly right. How far he acted in conformity with his professed intentions is not known. But, ere long, exchanges substantially ceased. The Confederates had enacted a statute directing that, when their officers should take negroes who were or had been slaves, they should be sent to the States where they belonged, to be delivered up to their masters, which prevented the exchange of negroes by the Confederate officers. This state of things could only be changed by an act of the Confederate Congress, which was not done. The abolitionists and many Republicans took exceptions to exchanging at all, unless the negroes should be included. They were willing the white soldiers imprisoned by the secessionists should remain shut up, with hard fare, or almost none at all, and die off, if the negroes could not also be exchanged at the same time, to prevent their delivery to the State authorities to be returned to their masters, in conformity with the Confederate law. The appeals of those suffering in prison and their friends produced no change in the purposes of those who were willing to punish thousands of patriotic white men to carry a point concerning the negro. They were willing to see white men perish, as they did in vast numbers, rather than to permit the slave to be returned to his master if claimed. Their sympathies were all for a few negroes, leaving the white men to perish for want of freedom and exercise, and the food, clothing, attention, and the kind treatment of home. They complained of the injustice and inhumanity of the treatment of our prisoners, but stood in the way of relieving them by exchange. They would permit the white man to be punished, to starve and die, in preference to having the negro returned, under the Confederate law, to the man who was bound to take care of and provide for him. If they could not secure all they wanted, they preferred all our men in prison should die miserable deaths.

The public has never been satisfied with this refusal to exchange prisoners. The Confederate authorities offered several times to exchange, wrote letters to our officers, and they wrote to

the War Department, but received no written answer, and no acceptance of the offers. The newspapers charged that the Secretary of War declared he would not exchange healthy rebel prisoners for our sick and skeleton men in the enemy's prisons, because it would add to the number of fighting men of the rebels, and few, if any, to our ranks. If this was his motive, it is less honorable than the abolition effort to protect the negro. Another motive may have contributed something to this resolution. By painting the horrors of the rebel prisons and the frightful condition of our men in them, a feeling of burning vengeance might be engendered, and result in the friends of the prisoners, and thousands of others, rushing into our ranks to crush out those guilty of the crimes imputed to the Confederates. But whether Mr. Stanton used the words attributed to him or not, there can be no question that the Administration was impelled by the motive attributed to him. Whether the thought originated in the cabinet with Mr. Lincoln or Stanton, or in the field among the officers, it is certain that General Grant acted in conformity with it. The authority of Swinton, in his work, "The Army of the Potomac," has never been called in question. At page 171 he says: "The South did not so much lack men, as the men lacked interest in the war. The conscription then became odious, and evasion universal, while those who wished to escape military service readily found those at home willing to open their ranks, let them slip through, and close up behind them. It finally came about that men enough to form *three* armies of the strength of Lee's lay, *perdu*, beyond the power of recovery of the Richmond authorities. To this must be added the fact that a prodigious number of Confederate troops—probably as many as there were in the ranks of both Lee and Johnston—were, during the last eighteen months of the war, kept out of the field by being retained as prisoners at the North, *under a fixed determination of General Grant not to exchange them*—a measure that was certainly an effectual agency in the Lieutenant-General's avowed plan of 'hammering continuously against the armed force of the enemy and his resources until by mere attrition, if by no other way, there should be nothing left of him.'" Swinton was with the Army of the Potomac, and

saw and heard what occurred, and a witness to the avowed objects of General Grant, who was certainly acting upon the motives imputed to Stanton. Concerning this there can be no mistake. This renders it perfectly certain that the thousands who perished in rebel prisons were the helpless victims of a policy acted upon by Grant, and assented to, if not dictated, by Lincoln, Stanton, and the Administration. They at first pretended that the rebels would not exchange. That pretence has been effectually and conclusively disproved; and we now have the fact staring us in the face that the non-exchange was the fault of our side, carrying out a fixed determination not to exchange, under the apprehension that the Confederates would return to their ranks and do service, and that our soldiers were not sufficiently patriotic to do so, which is a gross slander upon them. It was the Confederates, and not our men, who sought, at this time, to slip away from service. Our army was almost entirely composed of volunteers, while theirs was largely made up of unwilling conscripts, to obtain which General Grant said "they have robbed the cradle and the grave." Our commissary and pay departments were well supplied, while their commissariat scarcely prevented starvation, and their paymasters were without available money. General Johnston, after his surrender, attributed their failure to these deficiencies. Hence, if the exchanges had been made, it is probable that a greater proportion of our men than of the Confederates would have returned to the field for duty. Our men had a right to demand an exchange, without regard to its effect upon the fighting part of the army. We had volunteers enough to do all the fighting, without murdering our men in the Confederate prisons, for fear their exchange might add to the numbers of the fighting men of the enemy. The laws of humanity, the laws of war, the laws of duty required this, but all three were violated; for which no valid excuse can be rendered, whether the fault lay with the Administration, or with Grant, whose disregard of the health, comfort, and lives of his men, since his campaign from Washington to Richmond, has become so proverbial. There can be no denial of the existence of the inhuman abandonment of our soldiers to the fate of starving, sicken-

ing, and dying prisoners, nor that it was the duty of the Administration to rescue them, if among human possibilities, nor that they were neglected and abandoned to die in filth and rags, far away from friends and home. Cursing those who thus kept them was no remedy. There was an easy one offered, and the Administration would neither accept nor openly refuse. For this inhuman conduct the Administration, and especially Stanton and General Grant, are responsible. They meet the same condemnation so freely bestowed upon the enemy by the country. The facts of history trace the fault to them—to motives which no man with a human heart can approve. They have not even attempted to defend themselves, or to show that the fault belonged elsewhere. Silence is their best shield. But the country is now beginning to understand the matter—is finding out that this great crime against our soldiers was part of a settled purpose of those controlling our armies—a plan prepared in cold blood to terminate in miserable deaths. Let the people look to the facts, contemplate the motives, and pass the proper judgment upon those guilty of such cold-blooded and inhuman conduct. Let a lesson now be taught which shall protect against future repetition.

130.—WHAT OUR COUNTRY WAS, IS, AND MAY BE.

1. The scattered colonies of 1776 contained fewer white men than now inhabit New York. Being unwilling to be controlled by a distant, unlimited government, in which they were not represented, this handful of men declared their independence, fought, and won it. Since the organization of the constitutional Government in 1789, our progress and prosperity have been almost magical. Out of our then Territories ten new States were formed and admitted, and at the last census contained near twelve millions of industrious and thrifty inhabitants. The purchase from Spain became a State, where tropical productions arrive at perfection. Mr. Jefferson's acquisition of Louisiana has resulted in organizing and admitting ten new States, leaving seven Territories for future consideration. In 1860 our population exceeded thirty-one millions, and our wealth had increased proportionably fast. The more important minerals were found in endless abundance,

while the precious metals were met with in immense quantities and seem inexhaustible. The surface of the country is covered with railroads and canals. Cities and villages have sprung into existence almost in a day. Agriculture spread over the land with the speed of a cloud. Our sails whitened every sea upon the globe, and commerce brought profitable returns. Our prosperity and credit had no bounds. Every interest had its worthy representatives achieving success. The arts and sciences flourished with us in a manner unknown elsewhere. The learned professions were represented by industry, erudition, and the highest order of talent. Our army and navy had acquired a character and renown not inferior to those of any other country. Every interest was rewarded by an adequate return. The people everywhere were industrious, prosperous, and happy. Our Government was everywhere respected, and all courtesy paid to our flag—the Stars and Stripes—and our institutions looked upon as models suitable for imitation. We claimed that ours was a land where the laws, and not individuals, governed. We were independent and happy. Travellers from abroad generally expressed their admiration of our simple but beautiful system of government. They found what Benjamin Franklin had so strikingly illustrated in his device for our old copper coins. On one side, thirteen small circles linked together with one in the middle, with the words “We are one;” and, on the other, the sun and a dial, with the words “*Fugit*,” and “Mind your business.” They found the States linked together, forming one great national Government, and saw a whole land engaged in “minding its own business,” and achieving success by its skill and industry. They saw numerous small governments exercising useful and important functions, beginning with the school district, and ascending to the town, county, city, and State governments, all complete within themselves, and looking after all the interests within their jurisdiction; and up to the national Government, intended as a protector of the whole, and their representative abroad, confining itself to the few functions conferred upon it by the States for the good of the whole. This beautiful machinery, if properly worked, will never jar. There is none on the globe so well adapted to aid man in working out his

happiness. When our countrymen return from an examination of foreign institutions, they are confirmed in their opinions concerning the perfection of ours, when honestly and efficiently managed. Prior to 1860, our State governments for home purposes, and the national to attend to foreign affairs, were satisfactory to the people. With few exceptions, they believed we had the best institutions ever contrived by man, and our prosperity and happiness were proof of this fact. But the demon of discord came, and things changed with the speed of thought.

2. Our country, once so prosperous and happy, is now changed to one of grief and sorrow. To a great extent, prosperity has been blighted, and happiness has vanished. Instead of the love and good-fellowship which once existed, we have envy, hatred, and malice, and all uncharitableness. The hopes of no nation were ever so suddenly dashed to the ground. Sectional candidates for the presidency and vice-presidency were selected by one party, with avowals of fierce hostility against fifteen of our sister States because of their domestic institutions, and, owing to a division in the ranks of the other party, ending in running two sets of candidates, it proved triumphant. Neither Congress nor the new Administration did any thing tending to heal existing difficulties, but much to increase them; an unnecessary insurrection sprang up and drenched the country in blood. More than a million of men perished, bringing sorrow and mourning to almost every hearthstone in the land. Desolation followed the track of war, fruitful fields were destroyed, and homes of plenty became heaps of ruins. Life-long friendships perished, and brothers, sons, and fathers, became bitter enemies. Industry was paralyzed, and thrifty labor ceased. The hatred between North and South equalled that of ancient times between Scotland and England. The whole South has become impoverished, and the North nearly overwhelmed with debt. Peace, heretofore so magical and potent for good, brought no relief. It was followed by a war of unconstitutional laws and arms on one side, and helpless groans and lamentations on the other, even worse than those occasioned by the war where both sides were actors, and gave blows as well as received them. Violence of feeling has increased, and especially at

the North. It is claimed that the Southern States are conquered provinces, and have only such rights as the conqueror chooses to confer—that they have none which Northern men are bound to respect—that the Constitution confers no rights upon the South, because they are out of the Union and are governed by laws made outside that instrument. The good feeling once existing between the North and South has perished. The industry that once made the South bloom, and gave employment to the manufacturing and commercial interests of the North, has nearly ceased to exist, and enterprise is dead. The uncertainty of the future keeps capital from the South, and prevents the revival of hope in business matters. To crown their difficulties, Congress refuses them a place in the Union until they will deprive themselves of their former rights, and subject themselves to a level with the negroes, refusing some even the privilege of standing upon a platform with them. The civil courts and everybody among them are ruled by the bayonet, controlled by Congress and the Republican party. Congress claims and exercises the right to prohibit self-government at its pleasure, and to exercise all power itself in its own way. Crime, if committed by a negro, generally goes unpunished. The people of Poland and Hungary were never subjected to more insulting indignities. The North felt for these countries, and for Greece, but not a voice in the Republican ranks is raised in behalf of the depressed and degraded South, although her wrongs and injuries are known to all parts of the civilized world. Every European nation sympathizes more with them than do the politicians who control Congress, and through it sustain the tyranny and despotism which prevail there among all white men.

Ten States have been stricken from the Union, not to be restored, except under circumstances indicating their intention to aid in continuing the power of the Republican party, through negro suffrage, and the exclusion of white men. Such is the condition of the country at the present time, under Republican rule. They are even denied the right to seek redress in the court of last resort for admitted injuries they may sustain. The South is ruled by negroes, “wheedling strangers,” and the bayonet.

3. It is not difficult to understand what our country may become, if its affairs shall be rightly conducted. We can be first in ship-building, in commerce and the fisheries, first in agriculture and in most kinds of manufactures, first in the arts of peace and war, first in education, and in the arts and sciences, and in whatever elevates man to the highest positions accessible to him. When the war, outside the Constitution, ends, capital will flow South and investments there become safe, and prosperity will follow, with all the advantages incident to it. Individually and nationally, we shall assume that position to which we are entitled. Our agriculture will rival the most favored in the world, our commerce will go wherever ships can sail, our manufactures will spread as far as profits can be made; education, and every useful art, will receive encouragement, and produce the most beneficial results; in a word, when men are free and protected by the laws in their persons and property, they will then work out their own happiness in their own way. But this is not permitted to the secession States; though a portion of the land of freedom, they are not free, and are made, by Congress, a secondary class where they reside. If allowed to act out the natural impulses of the human mind, the whole Union will again blossom and produce the fruits of freedom. Enterprise and prosperity will again become predominant and all-controlling, and the United States will be, what our people and the nations of the earth predicted we should be, the greatest and most prosperous nation, and the most contented and happy people, on the habitable globe.

131.—DEAN RICHMOND.

The name of Dean Richmond is known in every cabin in New York where generosity, honesty, and Democratic principles are cherished. He was a power in his party, and always ignored every effort to confer office upon him. If the hand of power deprived a woman of her husband's aid in providing for the family, his check made her heart glad and kept starvation from the door. An early benefactor in a small way has been relieved from the embarrassments of after-life with a check from an unknown source for thousands. The widow and the orphan have been made happy by

his unsolicited donations. Whenever means, honestly applied, could promote the cause of the Democracy, his liberality was seldom excelled. He was wise in counsel and energetic in action. Few so readily comprehended the consequences of political action. His knowledge seemed to be intuitive, and was always at hand. He could equally detect the mistakes of friends as well as opponents. It was the superiority of his mind, and not management, that made him for many years the acknowledged head of the Democratic party, and, to a large extent, directing its policy. Its principles were established and acknowledged before he was born. He adopted them because, from their benevolent character, they found a natural resting-place in his sympathizing heart. His mind naturally, instinctively rejected those of an adverse character, as unsuited to promote the happiness of mankind. He loved people as a part of the human family, and not because they were born in any particular locality, or conformed to some expressed opinion. His sympathies were as expansive as human suffering, and he relieved most liberally.

He acquired a perfect knowledge of business, not by the slow process of practical experience, but by accurate observation, and precision of reflection. He mastered in an hour what it took many others years to comprehend. Such was the confidence of his associates in the New York Central Railroad, of which he was a long time vice-president, and then president until his death, that no enterprise of importance was undertaken without his approbation and advice. He was the master-spirit of the commercial enterprises upon the upper lakes. The soundness and accuracy of his judgment were proved by the unquestioned results exhibited in his exceedingly large income.

His ideas of business were not confined to mere localities, or building up sectional interests. He was for opening the broadest pathways, including the largest possible number of interests. He looked to business, not merely as the cause of accumulation, but as the means of accomplishing general good. While some feel proud of performing a "keen trick" in business, he was above and despised all such things. His judgment was largely relied upon by those who had the means of profiting by it. He

had his fixed views upon most subjects, and adhered to them, because his judgment told him he was right. Whenever he entered a society, corporation, or other association, he soon became the master-spirit, not because he sought to become such, but because he was master of the subject, and presented his views in such clear and terse language, that his associates seldom failed to be convinced. He did not make himself a leader of others, but they made him their leader. He did not command the unwilling, but took the lead where others demanded his guidance.

Although Mr. Richmond enjoyed the unlimited confidence of the Democracy, and exercised a greater influence in the party than any other man in it, still he never consented to hold any public office whatever. Office-holding could not have added to his elevated position in the public mind any more than it could to that of Mr. George Peabody. He participated in public affairs because they were public affairs, which every citizen ought to understand, and he performed only his public duty in attending to them. He was unwilling to become an agent of others, when he only found time to give directions as a principal. His private business had more charms for him than that of a public character, where routine is the leading feature, leaving his great intellectual faculties unemployed. He looked upon it as a clear duty to attend to his private business. He wished to see active business men look to public business as one of the first and proudest duties of a citizen, but not as an affair of personal interest. Although his early education was limited, there were few, if any, executive positions under our Government which he could not have filled with credit to himself and country. He was a man of large frame and massive brain. His features resembled the portraits of Cromwell, to whom it is said his lineage might be traced. He possessed quaint wit and humor, and agreeable manners. He was quick and happy in his replies to those assailing him. Few ever wished to repeat an assault.

In his family circle he was a model husband and father. All the duties of both relations he performed in the manner calculated to produce the greatest happiness.

The example of such a man as Dean Richmond is of infinite

value to our people, and especially to the young. It teaches them the true duties of an American citizen. From it they will learn why men should look after our political and public affairs, and why they should extend their other thoughts and apply all their energies to their private business. Public affairs should be thoroughly understood, and so directed, as to lead to the happiness of mankind, while those of a private character should demand all care and attention in order to promote the welfare of himself, of his family, and those naturally dependent upon him, and at the same time contribute, as far as practicable, to the aggregate of wealth of the State, which gives character and consideration to our nation. In time of war, if there were no accumulations of wealth beyond that acquired honestly in office-holding, what would become of the Government? It is the fruits of business on the one hand, and strong hands and resolute hearts on the other, that save us.

Dean Richmond was born March 31, 1804, at Barnard, Vermont, and was the youngest son of Hatheway Richmond and Rachel Dean, both natives of Massachusetts. He came with the family to Salina, New York, to reside at the age of twelve, and remained there until 1843, when he removed to Buffalo, where he continued in business until his death. Subsequently he made Batavia his residence. He was taken ill when returning from the Philadelphia Convention in 1866, and died in the city of New York on the 27th day of August, in the sixty-third year of his age.

132.—NEGRO WAR-SERVICES AND NEGRO LOYALTY.

On no subject has the public mind been more imposed upon than negro war-services and negro loyalty. It has been assumed, and Congress acts upon the assumption, that all the able-bodied negroes in the South were volunteers in the army, and that every negro was loyal. No evidence has yet been adduced to prove the truth of either position. The testimony is abundant that the Southern negroes heartily espoused the cause of their masters, and rendered them all the assistance they could in a hundred ways, though not enlisted in the ranks of the army. In digging and intrenching, constructing breastworks, moving and caring for army

stores, in nursing, and in playing the spy, the negro rendered the secessionists important services. These were readily and cheerfully performed, they often manifesting great pride in them. These things were continued after Mr. Lincoln's proclamation down to the end of the war, to a greater or less extent. The Southern negroes joined with their masters in hostile feelings toward the Yankees, whom they looked upon as meddling sharpers, whose manufactures and inventions were not found in practice to be as good as described.

During the war but a small portion of the Southern territory was in the actual possession of our army, and the negroes at any considerable distance from our lines did not leave their old homes to join us until after the rebellion had been substantially suppressed. Near the close of the war, when floating men from the North dared venture in the South, and the negroes made by them to believe that in all things—social and political—they would be placed on a par with or above the whites, then they commenced leaving home and feeding upon Government stores. If the number in our service depended upon the food they consumed, then it would appear very large. But this is not so. The number of fighting men in our ranks was small, and of these, the deserters' list was great. They could seldom be depended upon, except at ration-time. This is not strange. They had not been brought up to handle fire-arms or encounter them, while their vanity was so inflamed by political partisans that it was difficult to maintain subordination among, or keep them under reasonable control. Their pretended great services were heralded for political effect. But these were in fact rendered mainly by the free negroes of the North. When others came to us they were by far the most useless and most expensive troops in our service. They could not be relied upon. Since the war they have proved more dangerous to unarmed people than they were to the enemy during the war. They are now actually worse than useless, although Republican politicians puff them without limit. They take it for granted, and Congress acts upon the same assumption, that the fact of being a negro is conclusive evidence of loyalty. This theory has been acted upon in all the reconstruction proceedings in the South. The truth is,

the mass of these negroes are too ignorant and stupid to know the meaning of the term "loyalty." They will follow what they are made to believe is for their interest, whether loyal or disloyal. They are led by the worst advisers our country can produce, and easily made to believe what these men desire they should. But whoever pretends that the negroes did much fighting during the war, are now harmless among the people with arms in their hands, or are more loyal than others in the South, will, when he learns the real facts, find his mistake.

133.—PRESIDENT JOHNSON AND EDWIN M. STANTON.

When Mr. Johnson became President, one of his most unwise acts was retaining Mr. Lincoln's Cabinet, not one of whom was his political friend, or a Democrat. They did not feel that they were indebted to him for the positions which they held. There was no link of friendship between them. He was looked upon as an accidental intruder; and some of them claimed to be his superior in wisdom, sagacity, and executive experience in national affairs. Among those who felt no personal respect for him was Edwin M. Stanton, Secretary of War. It was known that Mr. Lincoln often admitted that his acts were indefensible, and contrary to law and sound policy; but said he must retain him, because he could not do without him on some special occasions, where he would do what no other man would consent to do. However he might appear, when present with him, the outside world soon came to the conclusion that Mr. Stanton did not respect or fear him, but felt free to say and do what he pleased in spite of him. He frequently dishonored his name by violating his orders. The War Department was administered in the interest of the Republican party, and not to promote that of the country. He had formerly so managed it as to reelect a Governor in Pennsylvania, and Mr. Lincoln to the presidency. It became apparent that he intended to make like use of the department at the coming election. Although, to Mr. Johnson, he kept up a show of objection to the Tenure-of-Office Bill, it is the common belief that he was in league with the conspirators in Congress to secure its becoming a law over Mr. Johnson's veto. When that bill was enrolled

among the laws, he began to throw off restraint, and act in a manner deemed disrespectful. It also became known that he had failed to bring to the notice of Mr. Johnson a dispatch addressed to him, which, if he had done so, would have enabled him to give instructions that would have prevented the New Orleans riots. In view of these and other things, Mr. Johnson suspended him from office—reporting the suspension, and the reasons for it, to the Senate. He placed General Grant in charge of the department as acting Secretary. It was arranged with the latter, that if he was not willing to retain the office so as to allow the courts to determine Mr. Stanton's right to return, Grant should vacate in season to enable Mr. Johnson to appoint some one who would. Grant fixed upon the time of calling to inform Mr. Johnson what course he had determined to take. But he failed to fulfil this promise, although he had advised that the proper course was to go to the courts to have the question of the validity of the Tenure-of-Office Bill settled by the judiciary. In excusing himself for not conforming to the direction and his promise to the President, he foolishly entangled himself in inexcusable falsehoods. It has now become quite apparent that, from the beginning, he has been acting under the direction of Mr. Stanton, and in aid of his purposes, and that he has been made the tool of Congress to aid in their schemes. The Senate did not concur in Mr. Stanton's suspension. With an utter disregard of the interests of the army and the country, the Senate seek to force him upon the President as a member of the Cabinet, with whom he holds no intercourse, and with whom he is not even on speaking terms. It is the first time in the world that a legislature has attempted to force a spy upon a chief magistrate as a counsellor. Of course insubordination reigns through the whole army, beginning with General Grant and the Secretary, and extending to the lowest subordinates. The question naturally arises, What is the object of Mr. Stanton in clinging to the War Department? He said, when asked to resign, that considerations of public policy required him not to comply. This was simply egotistical impudence—too absurd even to be ridiculous. All know it to be true that there are many other men who are as honest, talented, and capable of

managing the affairs of the department, and as competent to advise the President in council as Mr. Stanton. If so, then it must be true that some other considerations induced his action. It is not true that the public good can be promoted by his remaining a member of a Cabinet which he never attends, simply because he is not wanted. Nor does he advise with the President or his colleagues, they having no respect for his opinions or purposes. He has never attempted to explain how the public service can be promoted by his struggle to hold office; nor what his political friends intended to have him do by remaining. Every public consideration is in favor of his quitting an office where he is on ill-terms with the chief under whom he serves, and with those about him, in consequence of which he acts without authority and advice. The circumstances warrant the belief that he has acted in concert with those in Congress who wish to thwart President Johnson in every way possible, in order to deprive him of his just powers and influence. They desire to force him to retain those Republicans in office who most fiercely denounce him. They insist that he shall appoint from the same class. They are also deeply solicitous to retain in office one who will deal kindly with their friends who wish to put their hands into the Treasury, but are more anxious to secure the power and influence of the department at the next fall election. We have no doubt of the existence of these purposes and wishes. If personally popular, it might be expected that Mr. Stanton was looking to a nomination for the presidency. But so bitter and intense is the feeling against him, even by many Republicans, that no one will imagine that he could be elected. Few civilians, and fewer still of the army, speak even respectfully of him. It therefore seems certain that he is playing a part for the benefit of those resorting to every possible means to retain the political power of the country in the hands of the Republican party.

Since writing the above, Mr. Johnson has consulted the true interests of the country, and vindicated his own constitutional rights, by doing what he ought to have done years ago, in removing Mr. Stanton from office. He directed the Adjutant-General, Lorenzo Thomas, to take charge of the department. But Sen-

ators and members of Congress rushed to the department and advised him to hold on and not yield up the office, and he has refused to do so, staying there night and day, eating and sleeping in the department. He made a criminal complaint and had General Thomas arrested for accepting the appointment of acting Secretary, although he took no proceedings against General Grant, who acted under such an appointment for months. This interference of members of both Houses of Congress proves that Stanton was acting in concert with them. The President had an undoubted right to remove without the consent of the Senate—every President has exercised that right, and no one to so great an extent as Mr. Lincoln, whose nominations to fill the places of removed officials the Senate has confirmed by thousands. These removals were, to a great extent, made on the request of Senators and members. Probably there is not one Republican in either end of the capitol who has not made requests of this character.

Mr. Stanton is upheld in his struggle to remain in office by the whole Republican party. The Senators who declared it would be disgraceful to hold on, when the President desired a member of his Cabinet to quit, now approve the course which he pursues. Senators, who are now in session and trying the President for this removal, have been to the department and encouraged him to "stick" to an office, the duties of which he cannot half perform without consulting the President. Instead of the conspiracy which they charge against the President being true, it is now perfectly apparent that both Houses of Congress have conspired with Stanton to continue him in office against the Constitution and laws, and also against the best interests of the country. Mr. Stanton is wasting millions upon millions of public money, mostly in aid of the schemes of the Republican party to perpetuate its power, and control the business and politics of the country.

No man in this or any other country has pursued so reckless a course to continue in office, or has more abused his official power. No man has ever so perfectly blended tyranny and cowardice. He tyrannizes wherever he dares do so, and shows that he is personally afraid of shadows. He dare not walk abroad like a just man, but is hemmed around with bayonets, which no man

honestly performing his duties ever needed. He is the head and front of the spy system which pervades our country at an enormous expense, not authorized by the Constitution and laws, nor required by any interest or the good sense of the people. He and General Grant are linked together with hooks of steel, and engaged in the same raid upon the people's rights and the Treasury, as our public accounts will show. They are both the tools of the Republican party and used for the same purposes, and acted in quiet and perfect harmony when the latter was performing the duties of Secretary of War *ad interim*.

134.—SLANDER AS POLITICAL CAPITAL.

Slander has formed a portion of the political capital of the enemies of the Democracy in all past time. It was resorted to for the purpose of driving Washington from the head of the army, and to keep Jefferson from being elected and reelected President, and Madison from becoming his successor. The direct slanders upon Jefferson and Madison would fill several large volumes. In time, so many of these had been proved to be false, that people began to doubt and then to disbelieve what was put forth against the Democracy. It was not enough to slander General Jackson, but his revilers assailed his wife long after she was in her grave. Neither Mr. Van Buren nor Mr. Polk escaped the shafts of his political enemies. Nor did Mr. Pierce escape. It was left for Mr. Buchanan to receive more than a double share. New terms of slander were invented and applied. He was called "copperhead," rebel, traitor, secessionist, and disloyal. How far these epithets were believed by those using them is shown by the action of the Legislature of Massachusetts about the time of his going out of office as President, when they unanimously declared that they regarded with unmingled satisfaction the determination evinced in his then recent special message to amply and faithfully discharge his constitutional duty of enforcing the laws and preserving the integrity of the Union. Nothing could be more explicit or true.

When the war commenced, the system of slander became enlarged and intensified, and reached not only leading Democratic

politicians, but the whole party as a body and all its members in detail. The Republicans erected a standard of comparison, composed exclusively of themselves, and required all mankind to conform to it, or be consigned to the ranks of "traitors," "rebels," and "disloyalists," "having no rights that Republicans were bound to respect." For the first time a political Administration was treated as the Government and the people were ignored; every one who did not approve of the acts of the Administration was denounced as disloyal and an enemy to the Union. Entering the army, fighting and losing limbs, or even life, could not remove the stain of disloyalty for questioning the wisdom, honesty, and prudence of the President, his advisers, and Congress. The Republicans assumed to sit in judgment upon every man they knew or heard of, and fixed his *status* before the world. He must not only agree with the Administration and Congress, but he must conform to the changes which almost daily occurred in their standard of faith and action. Even the insignificance of a man did not insure him against a military prison. Spies were dogging the heels of every man. Sufficient "black-mail" made the contributor loyal, and the want of it usually sent him to prison as disloyal, a rebel, or a traitor.

No fidelity or vigilance could supply the place of the subserviency demanded. It was assumed that no Democrat performed his duty to the country or gave efficient aid in the war, and that whatever was actually done was by Republicans. If a riot occurred it was charged as the work of the Democrats, and that Democratic officials did not perform their duty in suppressing it. It was charged against Governor Seymour that he had been dilatory in sending New York troops to the field. But the records of the times show that he sent troops to Washington before any Republican State. His men were the first there. He complied with every requisition upon New York for men more promptly than any Republican State in the Union. He was never behind an hour. It was a deep mortification to the War Department that he ferreted out its wrong decisions, and especially in making distribution under different calls, and requiring at its hands suitable corrections. When the riot occurred in New York, it was

charged that, instead of performing his duty in suppressing it, he secretly encouraged it. This imputation, although denied and even disproved, was reiterated until after the election in 1864.

Now, when all motive for further perseverance in this slander has ceased, it is nearly universally conceded that he not only performed his whole duty, but did so with untiring zeal and unwavering perseverance, and with the most perfect success. In the convention at Albany, Mr. Opdyke, who was then mayor of the city of New York, publicly refuted the accusations that had been falsely made against Governor Seymour, and paid a warm tribute both to his motives and actions, showing them to be of the highest and most worthy character.

But slanders of another character were invented and applied to him, although equally destitute of all foundation. Under the law of New York, authorizing soldiers in actual service to vote at the election in the fall of 1864, it was charged that he had been engaged in obtaining fraudulent soldier-votes. The trial of Colonel North and others disproved this charge. It was then also proved that Governor Seymour proposed in writing to Depew, the Republican Secretary of State, to arrange agencies, consisting of one Democrat and one Republican, to visit the army together and receive the soldiers' votes in a public manner, so as to avoid all possibility of fraud, and that no notice was taken of Governor Seymour's letters. The inference that the Republicans preferred separate secret action, to aid in obtaining fraudulent votes, is clearly to be drawn from the recorded evidence on file in the War Department. The facilities for accomplishing such purposes were in proportion to the number of Republican commissioned officers. Although it is well known that two-thirds of the rank and file of the army were Democrats, the Republicans held three-fourths of all the commissions. In this lay the power of that party to control what should be returned as the soldier-vote. Governor Seymour's action on this occasion was honorable and just, and above suspicion. Not so of his adversaries.

In the approaching campaign a large political capital of slander will be used by the Republicans. No purity, capacity, or nobleness of character on the part of Democratic candidates can shield

them from the usual assaults and denunciations. Every vile epithet in the old vocabulary of abuse, as well as those newly invented, will be applied to them. The whole Republican press, and the army of Republican orators, will use the like epithets in every section of the Union. The old song will be sung to the same tune, lauding Republicans to the skies, and in denouncing the Democratic candidates as only fit for everlasting perdition. We have only to turn back to the precedents to find the whole already in print, and the answers and refutations fully recorded. Without a new special varnish, these Republican slanders will never be believed, not even by those who feel bound, as a sort of duty imposed upon them by the leaders, to repeat them. We neither ask their silence nor solicit their commendation, both of which would be the subjects of suspicion. By nature they are enemies of democratic principles, and distrust those who best represent them. As a matter of policy it is best for the Democracy that they should continue to act out their natural instincts. Being warned and put upon their guard, the Democrats protect themselves from all such assailants.

135.—WHAT HAS THE COUNTRY GAINED BY REPUBLICAN RULE?

Such a question hardly need be asked, but there may be some profit in briefly answering it. In 1856 and 1860 we were told that the administrations of Pierce and Buchanan had been worse than failures—that they had been absolutely injurious to the peace, welfare, and interests of the country. The Kansas difficulties were pointed to as evidence establishing these assertions. If they had caused these difficulties, these charges would have been supported. But they were caused not by the Administration of Mr. Pierce nor of Mr. Buchanan, but by the abolitionists and Republicans, in spite of these gentlemen and the exertions of the Democratic party. They resorted to every possible means to increase and intensify these difficulties for political effect. But these were trifling compared with those brought upon the country by the same partisans under Mr. Lincoln. What did the Republican party do or propose in Congress to avert rebellion and civil war? What did Mr. Lincoln do or suggest to avoid these calamities? Nothing. He

neither did nor proposed to do one single thing to prevent or avert either. Congress spent a whole session without taking one step toward avoiding insurrection or war, and Mr. Lincoln made no recommendation in his inaugural address, although secession had swept away several States before it was delivered, and the temporary secession Confederacy had been formed. If Mr. Pierce and Mr. Buchanan are in any way the least responsible for the Kansas controversy, then Mr. Lincoln and the Republican party are far more responsible for the civil war in the South. But the Kansas war was a struggle for control, by resort to the ballot-box, over which no President could exercise any control. Neither Mr. Pierce nor Mr. Buchanan made the laws, nor could they control the voting or frauds charged in that respect. They were both non-interventionists. But the Republicans in Congress, before Mr. Lincoln was sworn in, could have passed appropriate laws, or at all events could have proposed them. But they did nothing, although called upon by Mr. Buchanan to act. Neither in his travelling speeches coming to the capital, nor in his inaugural address, or otherwise, did Mr. Lincoln do or say one thing to avert civil war. Instead of doing so, he drew about him the very men whose advice and acts were calculated to precipitate it—to render it inevitable. He put forth and adhered to a policy which all knew must plunge the country into a long and bloody war. This came upon us and lasted four years, when all fighting by contending armies ceased, and the war in fact ended. But the Republican party were not satisfied with the return of peace and the restoration of the Union. They wanted something more. It was feared that, if these States resumed their former relations in the Union, they might range themselves with the Democracy, and thereby render the defeat of the Republicans entirely certain. The policy of worrying, annoying, and irritating them was adopted. Instead of treating them as erring, repentant, and returning sisters, they were spurned and told they were conquered provinces; and instead of restoration, reconstruction through the negro vote was resorted to, and they are still kept out. Ten whole States at the South are this day in a far worse condition than Kansas ever was, and no steps calculated to relieve them are taken. Are

the Southern States better off for Republican rule? Has that party done any thing beneficial to the North or West? Our grinding taxes and the sad demoralization of the country are the direct result of their coming into power. Have morals and religion improved, or are the laws better respected and obeyed? The reverse is true. Few will insist that our enormous public debt is a blessing. No one will pretend that our currency, which neither our public ministers abroad, nor our people when visiting other parts of the world can use, nor our Government at the custom-houses, will take, is an improvement upon the Jackson gold currency. No one will rejoice over the death of our brave volunteers. Then it is inevitably true that in no way has the country been benefited by the Republicans coming into power. In no respect are our people as contented and happy as before Mr. Lincoln came into office. As far as that party can do it, democratic principles have been ignored, blotted out; and to entertain and practise them is rendered criminal in a portion of the Union. When Mr. Lincoln became President, we had thirty-three States (three more have been added since)—but ten have been repudiated, driven out, and cease to be counted. Republican rule has lost these ten States to the Union. Is that a blessing? Ten stars have dropped from our flag as the fruit of Republican ascendancy. But this is not all. Senator Hendricks, of Indiana, thus pithily enumerates other wrongs brought upon the country by this party:

“1. You have made ten States subject to military authority. 2. You have made the civil tribunals subject to military rule. 3. The lives, liberty, and persons of the people are subject to military authority. 4. Juries are abolished. 5. *Habeas corpus* is abolished; I mean, of course, at the pleasure of the military commanders. 6. You have clothed conventions with authority to fix their own salaries and levy taxes from the people for their payment. 7. You have empowered the commanders to displace Governors, judges, and legislators, and fill their places, thus making them dependent on the will of the commanders. What a spectacle we behold, sir! The judge taken from the bench, and the lieutenant placed in his stead! Legislators driven out, and others appointed by the military to make the laws which the peo-

ple must obey! Sir, what were the causes of complaint which the colonies made against the British crown? Speaking of the King of Great Britain, our fathers declared:

‘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 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.

‘For imposing taxes on us without our consent.

‘For depriving us in many cases of the benefit of trial by jury.’”

These quotations from the Declaration of Independence aptly describe the doings of the Republicans in Congress and the military rule that they have established. Congress has done what our forefathers charged upon a British king as a crime, fully authorizing them to throw off the yoke of tyranny.

After considering what the Republican party has done, and what it has omitted, no candid man can say that the country has been benefited by its coming into power, but, on the contrary, it has been largely and seriously injured. How long will the people be content that the present state of things shall continue? This is a question for the people to settle. They have now a thousand unsettled questions, where they had one before the war.

136.—ARE NOT ALL THE STATES IN DANGER?

The broad ground is now assumed that all the States must have governments republican in form, and that Congress has the power to determine whether they are in such form or not. If it shall be of opinion that any one is not in such form, then Congress claims it can coerce and compel it to adopt such a form as it may see fit to require. It is not the people of a State, but Congress, which prescribes the standard and forces States into conformity with caucus dictation. Maryland was one of the original thirteen colonies, and afterward States, and has produced its full proportion of able, wise, and patriotic men. It has just now been

discovered, by a Republican member of Congress from that State, who has been most of his days in public life, that the constitution of the State is not republican in form. A committee of the House has been inquiring into the matter. But we have not seen a report from it. The plan of operations shadowed forth was this: Congress should inquire whether the constitution of Maryland was republican in form, and if in its opinion it was not, then the State should be denied representation in Congress until it should amend its constitution, and conform it to the standard of the Republican party. If it should be ruled out as a State, it would seem to be a natural consequence that Congress should institute a military government until it should comply with the demands of Congress. Of course, Congress can do in every other State—if it dared to—what it could in Maryland. The principles avowed by Congress, and which are now being acted upon, would authorize it to compel every State to modify its constitution and form of government so as to bring it to the Republican standard. The States can, in this way, be forced, one by one, by a majority in Congress, to obey the will of the party controlling it. New York may be called to the bar of Congress, as well as Maryland, Connecticut, or Ohio, or any other State. By taking one at a time, the States may be forced into obedience, if they seek a place under the protecting wing of the Federal Government. There is no constitutional provision or law defining what constitutes a republican form of government. The lexicographers of the period of framing the national Constitution furnish no definition indicating any thing beyond a general outline. Its common meaning of that day is found in Rees's "Encyclopædia" in these words: "a commonwealth, a popular state, or government; a nation where the body, or only a part of the people, have the government in their own hands. When the body of the people is possessed of the supreme power, this is called a *democracy*." Ancient republics were contradistinguished from monarchies and aristocracies, but differed from each other more widely than do our State governments. Athens, Sparta, Rome, Carthage, Genoa, Venetia, the Dutch States-General, the Swiss Cantons, and United Provinces of the Netherlands, were all called republics. But their internal ar-

rangements, providing the hands in which the power of government was lodged, differed very essentially. But the framers of our Constitution had immediately before them thirteen State governments, each claiming to be republican in form, and which had been in practical operation several years—during the Revolutionary War and the Confederation. These were the identical States which were to compose the Federal Government, and to be protected under the guaranty clause by it. These State governments, though republican in form, differed widely in relation to the right of suffrage, appointments to, and the duration of offices, and numerous other things. The pledge guaranteeing to the States governments republican in form, referred to these State governments as they then existed, without reference to any particular standard. Rhode Island was admitted with no other constitution than the charter granted by Charles II., in 1663. Some of the States permitted only freeholders to vote, and nearly every one excluded negroes. Whatever might be the details, the authors of the Constitution considered them republican in form at the time their assent was given to the Constitution. Mr. Madison, in the *Federalist*, says: "But the authority extends no farther than to a *guaranty* of a republican form of government, which supposes a preëxisting government of the form which is to be guaranteed. As long, therefore, as the existing republican forms are continued by the States, they are guaranteed by the Federal Constitution. Whenever the States may choose to substitute other republican forms, they have a right to do so, and to claim the Federal guaranty for the latter. The only restriction imposed on them is, that they shall not exchange republican for anti-republican constitutions, a restriction which, it is presumed, will hardly be considered a grievance." Congress, when admitting new States, deemed their constitutions republican in form, or their applications for admission would have been rejected.

But now Congress ignores all these considerations, and erects a standard of its own by which to adjudge the rights of both the original and new States. States are now required to have constitutions which will secure, through negro votes, the ascendancy of the Republican party, in order to come within the modern defini-

tion. This is the legitimate effect of what is claimed. Senator Sumner, who controls the Republicans in the Senate, in a letter to the *Independent*, made this avowal in behalf of the Republican party:

“SENATE CHAMBER, 20th April, 1867.

“MY DEAR SIR: You wish to have the North ‘reconstructed,’ so at least that it shall cease to deny the elective franchise on account of color. But you postpone the day by insisting on the preliminary of a constitutional amendment. I know your vows to the good cause; but ask you to make haste. We cannot wait. . . . This question must be settled without delay. In other words, it must be settled before the presidential election, which is at hand. Our colored fellow-citizens at the South are already voters. They will vote at the presidential election. But why should they vote at the South and not at the North? The rule of justice is the same for both. Their votes are needed at the North as well as at the South. There are Northern States where their votes can make the good cause safe beyond question.

“There are other States where their votes will be like the last preponderant weight in the nicely-balanced scales. Let our colored fellow-citizens vote in Maryland, and that State, now so severely tried, will be fixed for human rights forever. Let them vote in Pennsylvania, and you will give more than 20,000 votes to the Republican cause. Let them vote in New York, and the scales, which hang so doubtfully, will incline to the Republican cause. It will be the same in Connecticut. . . . Enfranchisement, which is the corollary and complement of emancipation, *must be a national act also proceeding from the national Government, and applicable to all the States.*”

There is no mistaking Mr. Sumner’s object. It is to force all the States, through congressional action, to admit the negroes to the full right of suffrage, so as to carry the presidential election. Maryland, Pennsylvania, and New York, are named as States which must be made to concede what he demands for the negroes. Why did he not speak of Ohio? The action of Congress will be limited only by its power over its members. If they fear the effect of excluding the representatives from the States named, and

others, then they will probably declare the new proposed amendment of the Constitution to have been adopted by the requisite number of States, excluding the ten Southern, and insist that what is now sought to be forced into State constitutions forms a part of that of the nation by virtue of this amendment. If necessary, they will doubtless admit all the Territories as new States, where they are sure they will be Republican, so as to have the requisite three-fourths. The old free States are certainly in danger of being deprived of their constitutional rights and privileges by a congressional revolution of the Federal Government. Is it to be supposed that, when the Republicans have made the negroes voters in all the States, they will omit to consider the question whether the small States are entitled to the same voice in the Senate as the large? No one can foresee the end of nominal Republicanism—which adopts the absurd theory of controlling society, instead of permitting society to control itself.

137.—ISSUES TO BE TRIED BY THE PEOPLE.

Every election has its issues, as much as every suit in the courts. But they are often false issues, the determination of which does not close the controversy. They are often got up and presented to deceive and mislead. All such issues leave the real questions undetermined and open for future controversy. Sometimes the real issues are skilfully concealed from sight, or covered up in words, intended rather to hide than to convey thoughts. For several years past, the Republican party has failed, in its platforms, to disclose its real intentions, and has misled the public by false issues. Not one of its platforms has disclosed the real policy subsequently pursued. This effort to conceal the real purpose of the Republican party will be again attempted. Unless the true issues are presented and pressed by the Democratic party, the voters will be again misled. The issues should be made up more from the acts than the professions of the Republican leaders. It often happens that the latter point in exactly opposite directions to their acts.

The Republicans have now been actors for seven years, and the issues grow out of their recorded acts. They are made de-

fendants because of their illegal, impolitic, and unconstitutional proceedings. Their action is unauthorized, and they are called upon to defend and show it to be legal, which they cannot do, and the verdict and judgment must be against them. Among the charges, we enumerate the following :

FIRST. *Congress violated the Constitution in passing the Legal-Tender Law.*

The Constitution clothes Congress with power to coin money and to declare the value of foreign coins, but does not invest it with authority to declare any thing else a legal tender, and one of the amendments declares that all powers not granted, or necessary to the exercise of express powers, are reserved to the States or the people. It is not necessary for the execution of any power to make paper a legal tender. Besides, this act greatly diminished the value of all debts due to individuals, all annuities and salaries, and Congress has raised nearly all the latter, including its own in consequence of it, thereby increasing the expenses of the Government many millions annually. The Republican party cannot deny that they are guilty of this charge, or the evil consequences flowing from that guilt.

Before the party came into power, it assumed to be sectional. In other words, a convention was called to nominate President and Vice-President, on sectional grounds—the North against the South.

SECOND. *By the Legal-Tender Act, the Government was pledged to redeem the paper issued under it in bonds payable in not less than five nor more than twenty years, with interest payable in gold, thus entering in to an express contract with the holders ; and, without constitutional authority, Congress has repealed this part of the act, thereby violating the contract, and rendering this paper far less valuable.*

This funding provision was necessary to give this paper credit with the people. It was printed on the paper itself, until the repeal of the law, leaving it without any promise on the part of the Government to pay or fund it, which the holders can enforce, except at its pleasure. Congress is authorized to borrow money on

contract, but has no authority whatever to violate or change that contract. This has been done to an enormous extent, at a very great loss to the holders and the Government. This charge cannot be denied.

THIRD. *The Tenure-of-Office Bill violates the Constitution in the six following particulars :*

1. In forbidding the President to remove officers where he believes his duty requires him to displace them.

2. In requiring the President to report to the Senate his reasons for a removal, and requiring the restoration of the officer, when the Senate does not approve the reasons assigned.

3. In requiring the President to retain, against his sense of duty, his cabinet officers during his term of office, and in imposing them upon his successor for one month after he comes into office.

4. In making it a criminal offence to accept and perform the duties of any office not authorized by this act.

5. In declaring it to be a high misdemeanor for the President to issue commissions to appointees under the Constitution, if not permitted by this unconstitutional law.

6. In making it a criminal offence to allow, and pay for the services of officers duly appointed by the President under the Constitution, though not appointed in conformity with the requirements of this void statute.

These six provisions are unauthorized by the Constitution, are calculated to prevent the President from performing his sworn duty to see that the laws are duly executed ; to produce insubordination among officials, and to continue incompetent men and rogues in office, and prevent the proper execution of the laws. It was passed to reward partisans by continuing them in office, when they ought to be removed for the good of the public service. No one can question that this law is void in these six particulars.

FOURTH. *The Freedmen's Bureau Act and amendments are unauthorized by the Constitution.*

The Constitution does not authorize any such Bureau. The revenues which can be lawfully raised are directed by it to be used for wholly different purposes. Congress is not authorized to

provide for the support of negroes or refugees, nor to give them lands which the owners do not occupy, nor to confer on the military the right to control the acts of the people in the Southern States in their business affairs, nor to close the courts of justice and substitute condemned military commissions. It is no justification for this unconstitutional act, that a previous like act had rendered something of the kind apparently necessary. Two wrongs cannot make a right. One violation of the Constitution can never rightfully excuse another. Even if the first were legal, it will not authorize what is illegal.

FIFTH. In refusing the admission of Senators and members, after the restoration of the States and after they had amended their constitutions by abolishing slavery, renouncing secession and the right to secede, and prohibiting the payment of the rebel debt, and assenting to the anti-slavery amendment of the Federal Constitution.

This refusal was in violation of the constitutional right of the States, and against the pledge of Congress, almost unanimously passed on the 25th of July, 1861, and the recitals in acts of Congress, and in Mr. Lincoln's proclamations and the decisions of the courts. The Republicans feared they should lose their power in Congress if they permitted the secessionists to be represented, and therefore they excluded twenty Senators and about fifty members.

SIXTH. In depriving the President, as Commander-in-Chief of the Army of the United States, of his right to command it as provided by the Constitution.

The Constitution in words makes the President Commander-in-Chief of the Army and Navy, but Congress, in the Army Appropriation Bill of March 2, 1867, deprived him of that power. He is not now permitted to order the General of the Army on duty as he thinks best, nor to issue orders except through him, and it forbids his removal, suspension, or assignment to duty away from Washington, except by his own request, without the consent of the Senate. Congress has made it a criminal offence to issue or obey orders not sent through this General. This provision is not only unauthorized by the Constitution, but is in conflict with its express provisions, and destructive of the subordination and effi-

ciency of the army. It is through this void act that the Republicans in Congress control the Southern States by the bayonet power.

SEVENTH. *The three Reconstruction Acts are in violation of the letter and spirit of the Constitution.*

1. These acts falsely declare that there are no legal governments in the ten secession States, and then divide them into five military districts, and place them under the command of military officers.

2. They authorize them to exercise all power, civil and military, and permit military commissions to try persons in civil life, contrary to the express decision of the United States Supreme Court.

3. They authorize the negroes and a limited number of white men to organize State governments which shall exclude a majority of white men from participating therein.

4. That the whole management of reorganization is under the control of the military, who act above all law.

5. The military are clothed with power to remove all civil and judicial officers and appoint others at will; and the General of the Army, and not the President, is made the Chief Executive to revise and control their acts.

6. That these district commanders, or officers under them, shall not be bound by the opinion of any civil officer of the United States—meaning the President, Attorney-General, or judges of courts.

7. The President, who is sworn to see that the laws are faithfully executed, is excluded from the exercise of his constitutional duties, which are conferred upon military officers. He is thus deprived of the means of performing his constitutional duty.

EIGHTH. *In creating a multitude of bank corporations, making them officers of the Treasury, and their bills a legal tender to the Government and among themselves, without the authority of the Constitution.*

1. Outside the District of Columbia, Congress has no authority to charter a corporation.

2. It has no power to create an artificial being to the end that an office may be conferred upon it.

3. It has no power to make any thing but gold and silver a legal tender.

4. Congress has no power to institute and force upon the country a currency for which it is impossible for the holders to obtain gold or silver, without submitting to a very great and ruinous loss.

5. This act has deprived the people of the right to seek redress in their local courts, when these corporations are delinquent in conforming to the law; and compels them to go to an executive officer at Washington for relief, subjecting them to great delay and ruinous expense.

6. These banks have had the effect to kill off all specie-paying banks, and to expel from use the only currency known to the Constitution.

7. The legal questions which the Constitution authorizes the judiciary alone to decide are, under this act, withdrawn from the courts, and committed to the decision of a mere executive officer, who has no constitutional power to decide them.

NINTH. In imposing an unjustly discriminating tax upon State banks, thereby taxing them out of existence.

Most of the State banks had secured public confidence to that extent that these non-specie-paying banks could only secure a foothold, and a good profitable circulation, by destroying them. consequently Congress imposed a tax of ten per cent. upon their circulation, and thus compelled them to throw up their State charters and to organize under this unconstitutional law.

To increase the temptation to do so, Congress enacted that the capital of these national banks, consisting of the debts of the United States, should be exempt from State taxation, and thus several hundred millions of profitably-invested capital escapes such taxation as other capital is subject to. This is intolerable injustice, and is without authority in the Constitution, and unsound in policy.

TENTH. That the Senate has refused seats to Senators duly

elected, and ousted others from seats they were entitled to occupy ; and that the House has withheld seats lawfully claimed, and given them to others not entitled to them, in violation of the constitutional rights of those so ousted or refused such seats.

ELEVENTH. *Both Houses of Congress are extravagant in their expenses, and, by keeping five armies on foot to reduce white men to the control of negroes, they unnecessarily increase the expenses of the Government to the extent of more than a hundred millions annually.*

1. The public accounts show that both Houses indulge in very large expenses not necessary for the performance of their duties, but which tend to interfere with a proper discharge of them.

2. The five armies sent South, and which are used to depress the whites and elevate the negroes, cost annually between one and two hundred millions of dollars, which is a wholly unnecessary expenditure, and only serves as an apology for our enormous taxation.

3. We have no assurance that these needless expenses are soon to end.

TWELFTH. *That Congress, by the power conferred upon the military district commanders, under the Reconstruction Acts, authorizes them, in effect, to suspend the writ of habeas corpus.*

These acts confer power upon the commanders over all judicial proceedings, and this includes the *habeas corpus* as well as other matters before the courts. Congress cannot vest such powers in the officers of the army, or in anybody else. It is a power which it cannot delegate at all. But in practice they exercise them, and, in fact, enforce the worst species of military tyranny, and are upheld in it by Congress and the Republican party. This is in hostility to the Constitution and the rights of the people.

THIRTEENTH. *That Congress legislated the Circuit and Criminal Courts of the District of Columbia out of office, and supplied their places by a partisan court, without constitutional authority.*

The Circuit Court had three judges, not partisans, who administered the law as they found it, which was unsatisfactory to

the Republicans. There was a vacancy in the criminal court. Congress repealed the laws creating these courts, and, reënacting them with a few changes, supplied the places of the judges of both by partisan judges, who administer the law in conformity with the views of the Republican party. A judiciary thus created becomes a political instrument of oppression, contrary to the spirit of our institutions, instead of a court to administer justice.

FOURTEENTH. *That Congress first increased the number of judges of the Supreme Court, and then diminished it to secure a majority of Republicans on the bench.*

Congress, when there were nine judges, increased the number to ten, adding one Republican to the number; and then, when a vacancy was created by death, to prevent President Johnson appointing a Democrat, it passed a law that no vacancy should be filled until the number should be reduced to six, there being five Republicans now on the bench, appointed by Mr. Lincoln. The Republicans, if they secure a President by the removal of Mr. Johnson, propose to increase the number to thirteen, so as to secure the Judicial Department for many years to come. They expect such a court will decide that whatever Congress may enact is legal and constitutional.

FIFTEENTH. *That our oppressive taxes, and the greatly-increased expenses of living, are the fruits of Republican rule and mismanagement.*

That our taxes are oppressive, and that expense of living has nearly doubled, cannot be denied. That the Republicans made the laws and have administered them, and have done things in their own way, cannot be disputed. These things, then, are the fruits of Republican rule and mismanagement, and they are responsible. Had they made good laws, and practised economy in the management of the Government, we should have escaped these evils.

SIXTEENTH. *That the Republican party are the authors of the general demoralization of the country, and responsible for it.*

The country was not demoralized when the Republicans came into power, but that it is so now cannot be questioned. They

have controlled every thing since, and given tone and character to the times, and are therefore responsible for this consequence, which fills the hearts of all good men with present pain, and with fearful apprehensions for the future.

SEVENTEENTH. *That the Republicans in Congress are impeaching the President upon frivolous pretexts to get him out of the way, so as to be able by legislation to control all branches of the Government, with the view of so moulding and shaping its whole business and interests as to continue the Republicans in power.*

1. The House, in getting up their articles of impeachment, have acted and voted as partisans, as directed by caucus.

2. The Senate, in framing their rules for the trial, and in all the preliminary proceedings, pushing it on "with railroad speed," have acted and voted as partisans, as if that lessened the crime of perjury. The Republican party are trying to dragoon all Republican Senators to vote for conviction.

138.—EXPENSES OF THE NATIONAL GOVERNMENT.

When first organized, our Government confined its operations to the powers conferred upon it. It soon overstepped them. It then practised moderate economy. With time it has expanded, drawing in and swallowing up the powers of the States, and engaging in unauthorized enterprises, until, for the number of people and the extent of its functions, it is one of the most expensive governments in the civilized world. During its first year and ten months, when it contained some five millions of people, it cost only \$7,207,539.02, or \$600,653 per month, while now, with a population of some thirty-two millions, our expenses, in time of peace, have swollen to \$1,093,079,655.27, or over \$91,000,000 per month. During the war these expenses were largely increased, and in 1865 came up to \$1,897,674,224.09, or over \$158,000,000 per month.

The following statistics are from the appendix to the Report of the Secretary of the Treasury for the year ending the 30th of June, 1867 :

TABLE I.

	Civil List.	Foreign inter- course.	Navy Depart- ment.	War Department.
Fr. Mar. 4, '89, to Dec. 31, '91	\$757,134 45	\$14,733 33	\$570 00	\$632,804 03
For the year..... 1792	380,917 58	78,766 67	53 02	1,100,702 09
1793	358,241 08	89,500 00	1,130,249 08
1794	440,946 58	146,403 51	61 408 97	2,629,097 59
1795	361,633 36	912,685 12	410,562 03	2,480,910 13
1796	447,139 05	184,859 64	274,784 04	1,260,263 84
1797	483,233 70	669,788 54	382,631 89	1,039,402 66
1798	504,605 17	457,428 74	1,381,347 76	2,009,522 30
1799	592,905 76	271,374 11	2,858,081 84	2,466,946 98
1800	748,688 45	395,288 18	3,448,716 03	2,560,878 77
1801	549,288 31	295,676 73	2,111,424 00	1,672,944 08
1802	596,981 11	550,925 93	915,561 87	1,179,148 25
1803	526,583 12	1,110,834 77	1,215,230 53	822,055 85
1804	624,795 63	1,186,655 57	1,189,832 75	875,423 93
1805	585,849 79	2,798,028 77	1,597,500 00	712,781 28
1806	684,230 53	1,760,421 30	1,649,641 44	1,224,355 38
1807	655,524 65	577,826 34	1,722,064 47	1,288,685 91
1808	691,167 80	304,992 83	1,884,067 80	2,900,834 40
1809	712,465 13	166,306 04	2,427,758 80	3,347,772 17
1810	703,994 03	81,367 48	1,654,244 20	2,294,323 94
1811	644,467 27	264,904 47	1,965,566 39	2,032,828 19
1812	826,271 55	347,703 29	3,959,365 15	11,817,798 24
1813	780,545 45	209,941 01	6,446,600 10	19,662,013 02
1814	927,424 22	177,179 97	7,311,290 60	20,350,806 86
1815	852,247 16	290,892 04	8,660,000 25	14,794,294 22
1816	1,208,125 77	364,620 40	3,908,278 30	16,012,096 80
1817	994,556 17	281,995 97	3,314,598 49	8,004,236 53
1818	1,109,559 79	420,429 90	2,953,695 00	5,622,715 10
1819	1,142,180 41	284,113 94	2,847,640 42	6,506,300 37
1820	1,248,310 05	253,370 04	4,387,990 00	2,630,392 31
1821	1,112,292 64	207,110 75	3,319,243 06	4,461,291 78
1822	1,158,131 58	164,879 51	2,224,458 98	3,111,981 48
1823	1,058,911 65	292,118 56	2,503,765 83	3,096,924 43
1824	1,326,266 24	*5,140,099 83	2,904,581 56	3,340,939 85
1825	1,330,747 24	371,666 25	3,049,083 86	3,659,913 18
1826	1,256,745 48	232,719 08	4,218,902 45	3,943,194 37
1827	1,228,141 01	659,211 87	4,263,877 45	3,938,977 88
1828	1,455,490 58	1,001,193 66	3,918,786 44	4,145,544 56
1829	1,327,069 36	207,765 85	3,308,745 47	6,250,230 28
1830	1,579,724 64	294,067 27	3,239,428 63	6,752,688 66
1831	1,373,755 99	298,554 00	3,856,183 07	4,846,405 61
1832	1,800,757 74	325,181 07	3,956,370 29	5,446,131 23
1833	1,562,758 28	955,395 88	3,901,356 75	6,705,022 95
1834	2,080,601 60	241,562 35	3,956,260 42	5,698,517 51
1835	1,905,551 51	774,750 28	3,864,939 06	5,827,948 57
1836	2,110,175 47	533,382 65	5,807,718 23	11,791,208 02
1837	2,357,035 94	4,603,905 40	6,646,914 53	13,731,172 31
1838	2,688,708 56	1,215,095 52	6,131,580 53	13,088,169 69
1839	2,116,982 77	987,667 92	6,182,294 25	9,227,045 90
1840	2,736,769 31	683,273 15	6,113,896 89	7,155,204 90
1841	2,556,471 79	428,410 57	6,001,076 97	9,042,749 92
1842	2,905,041 65	563,191 41	8,397,242 95	6,658,137 16
1843	1,222,422 48	400,566 04	3,727,711 53	3,104,638 43
1844	2,454,958 15	636,079 66	6,498,199 11	5,192,445 05
1845	2,369,652 79	702,637 22	6,297,177 89	5,819,888 50
1846	2,532,232 92	409,292 55	6,455,013 92	10,362,374 36
1847	2,570,238 44	405,079 10	7,900,635 76	35,776,495 72
1848	2,647,802 87	448,593 01	9,408,476 02	27,838,374 80
1849	2,865,196 91	6,908,996 72	9,776,705 92	16,563,543 33
1850	3,027,454 39	5,990,858 81	7,904,724 66	9,687,924 53
1851	3,481,219 51	6,256,427 16	8,880,581 38	12,161,965 14
1852	3,439,923 22	4,196,321 59	8,918,842 10	8,521,506 19

* Purchase of Florida.

TABLE I.—(Continued.)

	Civil List.	Foreign inter- course.	Navy Depart- ment.	War Department.
Fiscal yr. end'g June 30, 1853	\$4,265,861 68	\$950,871 30	\$11,067,789 53	\$9,910,498 49
1854	4,621,492 24	*7,763,812 31	10,790,096 32	11,722,282 97
1855	6,350,875 88	997,007 26	13,327,095 11	14,648,074 07
1856	6,452,256 35	3,642,615 39	14,074,834 64	16,963,160 51
1857	7,611,547 27	999,177 65	12,651,694 61	19,159,150 87
1858	7,116,359 04	1,396,508 72	14,053,264 64	25,679,121 63
1859	5,913,281 50	981,946 87	14,690,927 90	23,154,720 53
1860	6,077,088 95	1,146,143 79	11,514,649 83	14,472,202 72
1861	6,074,141 83	1,147,786 91	12,387,156 52	23,001,530 67
1862	5,939,009 29	1,339,710 35	42,674,569 69	391,468,407 36
1863	6,350,618 78	1,231,413 06	63,211,105 27	599,298,600 83
1864	8,059,177 23	1,290,691 92	85,733,292 77	690,791,842 97
1865	10,833,944 87	1,260,818 08	122,567,776 12	1,031,323,360 79
1866	12,287,828 55	1,338,388 18	43,324,118 52	284,449,701 82
1867	15,585,439 55	1,543,589 26	31,034,011 04	95,224,415 63

TABLE II.

	Pensions.	Indians.	Miscellaneous.	Total of ordinary expenditures.
Fr. Mar. 4, '89, to Dec. 31, '91	\$175,813 88	\$27,000 00	\$311,533 83	\$1,919,589 52
For the year.....1792	109,243 15	13,648 85	194,572 32	1,877,903 77
1793	80,017 81	27,232 83	21,709 46	1,710,070 26
1794	81,399 24	13,042 46	118,248 30	3,500,546 65
1795	68,673 22	23,475 69	92,718 50	4,350,658 04
1796	100,843 71	113,563 98	150,476 14	2,531,930 40
1797	92,256 97	62,396 38	103,880 82	2,833,590 96
1798	104,845 33	16,470 09	149,004 15	4,623,223 54
1799	95,444 03	20,302 19	175,111 81	6,480,166 72
1800	64,130 73	31 22	193,636 59	7,411,369 77
1801	73,533 37	9,000 00	269,803 41	4,981,669 90
1802	85,440 39	94,000 00	315,022 36	3,737,079 91
1803	62,902 10	60,000 00	205,217 87	4,002,824 44
1804	80,092 80	116,500 00	379,558 23	4,452,858 91
1805	81,854 59	196,500 00	384,720 19	3,737,079 91
1806	81,875 53	234,200 00	455,485 18	6,080,209 36
1807	70,500 00	205,425 00	464,546 52	4,984,572 89
1808	82,576 04	213,575 00	427,124 68	6,504,338 85
1809	87,833 54	337,503 84	337,032 62	7,414,672 14
1810	83,744 10	177,625 00	315,783 47	5,311,082 28
1811	75,043 88	151,875 00	457,919 66	5,592,604 86
1812	91,402 10	277,845 00	509,113 37	17,829,498 70
1813	86,989 91	167,358 28	738,949 15	28,082,396 92
1814	90,164 36	167,394 86	1,103,425 50	30,127,686 38
1815	69,656 06	520,750 00	1,755,731 27	26,953,571 00
1816	188,804 15	274,512 16	1,416,995 00	23,373,432 58
1817	297,374 43	319,463 71	2,242,384 62	15,454,609 92
1818	†890,719 90	505,704 27	2,305,849 82	13,808,672 78
1819	2,415,939 85	463,181 39	1,640,917 06	16,300,273 41
1820	3,208,376 31	315,750 01	1,090,341 85	13,134,530 57
1821	242,817 25	477,005 41	903,718 15	10,723,479 07
1822	1,948,199 40	575,007 41	644,985 15	9,827,643 51
1823	1,780,588 52	380,781 82	671,063 78	9,784,154 55
1824	1,498,326 59	429,987 90	678,942 74	15,330,144 71
1825	1,308,810 57	724,106 41	1,046,131 40	11,490,459 91
1826	1,556,593 83	743,447 83	1,110,713 23	13,062,316 27
1827	976,148 86	760,624 88	826,123 67	12,653,395 65
1828	850,573 57	705,084 24	1,219,368 40	13,296,041 45

* Includes seven millions of Mexican indemnity. The years 1819 to 1852 also embrace large sums paid to Mexico.

† The first Revolutionary pensions.

TABLE II.—(Continued.)

	Pensions.	Indians.	Miscellaneous.	Total of ordinary expenditures.
For the year.....1829	\$949,594 47	\$576,344 74	\$1,565,679 66	\$12,660,400 62
1830	1,363,297 31	622,262 47	1,363,624 13	13,229,533 33
1831	1,170,665 14	926,167 98	1,392,336 11	13,864,067 90
1832	1,184,422 40	1,352,323 40	2,451,202 64	16,516,358 77
1833	4,589,152 40	1,801,977 08	3,198,091 77	22,713,755 11
1834	3,364,285 30	1,002,625 07	2,082,565 00	18,425,417 25
1835	1,954,711 32	1,637,652 80	1,549,396 74	17,514,950 28
1836	2,882,797 96	4,993,160 11	2,749,721 60	30,868,164 04
1837	2,672,162 45	4,299,594 68	2,932,428 93	37,243,214 24
1838	2,156,057 29	5,313,245 81	3,256,868 18	32,849,718 08
1839	3,142,750 50	2,218,967 18	2,621,340 20	26,496,948 72
1840	2,603,562 17	2,271,857 10	2,575,351 50	24,139,920 11
1841	2,388,434 51	2,273,697 44	3,505,999 09	26,196,840 29
1842	1,378,931 33	1,151,400 54	3,307,391 55	24,261,326 59
Six mo's end'g June 30, 1843	839,041 12	382,404 47	1,579,724 48	11,256,508 60
Fiscal yr. end'g June 30, 1844	2,632,008 99	1,282,271 00	2,554,146 05	20,650,108 01
1845	2,398,867 29	1,467,774 95	2,839,470 97	21,895,369 61
1846	1,809,739 62	1,080,047 80	3,769,758 42	26,418,459 59
1847	1,742,820 85	1,496,008 69	3,910,190 81	53,801,569 37
1848	1,226,500 92	1,103,251 78	2,554,455 37	45,227,454 77
1849	193,695 87	509,263 25	3,111,140 61	39,933,542 61
1850	1,866,886 02	1,663,591 47	7,025,450 16	37,165,990 09
1851	2,293,377 22	2,829,801 77	8,146,577 33	44,049,949 48
1852	2,401,858 78	3,043,576 04	9,867,926 64	40,389,954 56
1853	1,736,262 45	3,900,537 87	12,246,335 03	44,078,156 35
1854	1,369,009 47	1,413,995 08	13,461,450 13	51,142,138 42
1855	1,542,255 40	2,708,347 71	16,738,442 29	56,312,097 72
1856	1,344,027 70	2,596,465 92	15,260,475 94	60,533,836 45
1857	1,423,770 85	4,241,028 60	18,946,189 91	65,032,559 76
1858	1,221,163 14	4,976,871 34	17,847,851 19	72,291,119 70
1859	161,190 66	4,551,566 58	16,873,771 68	66,327,405 72
1860	1,100,802 32	2,991,121 54	20,708,183 43	60,010,112 58
1861	1,034,599 73	2,865,481 17	16,026,574 79	62,537,171 62
1862	879,533 23	2,223,402 27	14,129,771 52	461,554,453 71
1863	3,140,194 44	1,076,326 35	15,671,890 24	689,980,148 97
1864	4,979,633 17	2,538,297 80	18,155,730 31	811,548,666 17
1865	9,291,610 48	4,966,964 90	32,670,795 17	1,212,911,270 41
1866	15,605,352 35	3,247,064 56	27,430,744 81	387,683,198 79
1867	20,936,551 71	4,642,531 77	33,975,948 46	202,947,537 42

TABLE III.

	Interest on public debt.	Principal of public debt.	Total debts and loans.	Total expenditures.
Fr. Mar. 4, '89, to Dec. 31, '91	\$2,349,437 44	\$2,938,512 06	\$5,287,949 50	\$7,207,539 02
For the year.....1792	3,201,628 23	4,062,037 76	7,267,665 90	9,141,569 67
1793	2,772,242 12	3,047,263 18	5,819,505 29	7,529,575 55
1794	3,490,292 52	2,311,285 57	5,801,378 09	9,302,124 74
1795	3,189,191 16	2,895,260 45	6,084,411 61	10,435,069 65
1796	3,195,054 53	2,640,791 91	5,835,846 44	8,367,776 84
1797	3,300,043 06	2,492,378 76	5,792,421 82	8,626,012 78
1798	3,053,281 28	937,012 86	3,990,294 14	8,613,517 68
1799	3,186,287 60	1,410,589 18	4,596,876 78	11,077,043 50
1800	3,374,704 72	1,203,665 23	4,578,369 95	11,989,739 92
1801	4,412,912 93	2,878,794 11	7,291,707 04	12,273,376 94
1802	4,125,038 95	5,413,965 81	9,539,004 76	13,276,084 67
1803	3,848,828 00	3,407,331 43	7,256,159 43	11,258,983 67
1804	4,266,582 85	3,905,204 90	8,171,787 45	12,624,646 36
1805	4,143,998 82	3,220,890 97	7,369,889 79	13,727,124 41
1806	3,723,407 88	5,266,476 73	8,989,884 61	15,070,093 97
1807	3,369,578 48	2,938,141 62	6,307,720 10	11,292,292 99

TABLE III.—(Continued.)

	Interest on public debt.	Principal of public debt.	Total debts and loans.	Total expenditures.
For the year.....	1808 \$3,428,152 87	\$6,892,092 48	\$10,260,245 35	\$16,764,584 20
	1809 2,866,074 90	3,586,479 26	6,452,554 16	13,867,226 30
	1810 2,845,427 53	5,163,476 93	8,098,994 46	13,319,986 74
	1811 2,465,733 16	5,543,470 89	8,009,204 05	13,601,808 91
	1812 2,451,272 57	1,998,349 88	4,449,622 45	22,279,121 15
	1813 3,599,455 22	7,505,668 22	11,108,123 44	39,190,520 36
	1814 4,593,239 04	3,307,304 90	7,900,543 94	38,028,230 32
	1815 5,754,568 63	6,874,353 72	12,628,922 35	39,582,493 35
	1816 7,213,258 69	17,657,804 24	24,871,062 93	48,244,495 51
	1817 6,389,209 81	19,041,826 31	25,423,036 12	40,877,646 04
	1818 6,016,446 74	15,279,754 88	21,296,201 62	35,104,875 40
	1819 5,163,538 11	2,540,388 18	7,703,926 29	24,004,199 73
	1820 5,126,097 20	3,502,397 08	8,628,494 28	21,763,024 85
	1821 5,087,274 01	3,279,821 61	8,367,093 62	19,090,572 69
	1822 5,172,578 24	2,676,370 88	7,848,949 12	17,676,592 63
	1823 4,922,684 60	607,331 81	5,530,016 41	15,314,171 00
	1824 4,996,562 08	11,571,831 68	16,568,393 76	31,898,538 47
	1825 4,366,769 08	7,728,575 70	12,095,344 73	23,585,804 73
	1826 3,973,480 54	7,067,691 65	11,041,082 19	24,103,398 46
	1827 3,486,071 51	6,517,596 88	10,003,668 39	22,656,764 04
	1828 3,098,800 59	9,064,637 48	12,163,438 07	25,459,479 52
	1829 2,542,843 23	9,841,024 55	12,383,867 78	25,044,358 40
	1830 1,913,533 40	9,442,214 82	11,355,748 22	24,585,281 55
	1831 1,383,582 95	14,790,795 27	16,174,378 22	30,038,446 12
	1832 772,561 50	17,067,747 79	17,840,309 29	34,356,698 06
	1833 303,796 87	1,239,746 51	1,543,543 38	21,257,298 49
	1834 202,152 98	5,974,412 21	6,176,565 19	24,601,982 41
	1835 57,863 08	328 20	58,191 28	17,573,141 56
	1836 *63,389 85	*3,140 32	66,560 17	30,934,664 21
	1837	21,822 91	21,822 91	37,265,037 15
	1838 14,997 54	5,590,722 73	5,605,720 27	39,455,438 35
	1839 399,834 24	10,718,153 19	11,117,987 43	37,614,936 15
	1840 174,635 77	3,911,977 93	4,086,613 70	28,226,553 81
	1841 288,063 45	5,312,626 29	5,600,689 74	31,797,530 03
	1842 778,550 06	7,796,989 88	8,575,539 94	32,936,876 53
Six mo's end'g June 30,	1843 528,584 57	333,011 98	861,596 55	12,118,105 15
Fiscal yr. end'g June 30,	1844 1,874,863 66	11,117,039 18	12,991,902 84	33,642,010 85
	1845 1,066,985 04	7,528,054 06	8,595,039 10	30,490,408 71
	1846 843,228 77	370,594 54	1,213,823 31	27,632,282 90
	1847 1,117,820 22	5,601,452 15	6,719,282 37	60,520,851 74
	1848 3,391,652 17	13,036,036 25	15,427,688 42	60,655,143 19
	1849 3,554,419 40	12,893,460 73	16,452,880 13	56,386,422 74
	1850 3,884,406 95	3,554,321 22	7,438,728 17	44,604,718 26
	1851 3,711,407 40	714,947 43	4,426,354 83	48,476,104 31
	1852 4,002,014 13	2,320,640 14	6,322,654 27	46,712,608 83
	1853 3,666,905 24	6,832,000 15	10,498,905 35	54,577,061 74
	1854 3,074,078 22	21,256,902 33	24,330,980 66	75,473,119 08
	1855 2,315,996 25	7,536,681 99	9,852,678 24	66,164,775 96
	1856 1,954,752 34	10,437,772 78	12,392,505 12	72,726,341 57
	1857 1,594,845 44	4,647,182 17	6,242,027 61	71,274,587 37
	1858 1,652,774 22	8,118,292 81	9,771,067 04	82,062,186 74
	1859 2,637,664 29	14,713,572 81	17,351,237 20	83,678,643 92
	1860 3,144,620 94	13,900,392 13	17,045,013 07	75,655,125 65
	1861 4,034,157 30	18,815,984 16	22,850,141 46	85,387,313 08
	1862 13,190,324 45	96,006,922 09	109,287,246 54	570,841,700 25
	1863 24,729,846 61	181,086,635 07	205,816,481 68	895,796,630 65
	1864 53,685,421 65	130,197,114 03	483,882,535 72	1,298,144,656 00
	1865 77,397,712 00	697,361,241 68	684,758,953 68	1,897,671,224 09
	1866 132,067,741 69	620,321,725 61	752,389,467 30	1,141,072,666 09
	1867 143,781,591 91	746,350,525 94	890,132,117 85	1,093,079,655 27

* Actual payments on the public debt, but not carried into the totals because of repayments to the Treasury.

N. L. JEFFRIES, Register.

TREASURY DEPARTMENT, REGISTER'S OFFICE, November 9, 1867.

These tables show the wild extravagance of the Government, and the cause of our enormous taxes. The public debt, unnecessarily doubled by the resort to depreciated paper, calls for interest to nearly twice the amount of the whole expenses for any year before the war since the organization of the Government. The civil list alone now costs more than the whole Government during any year of its early stages. Not one step is taken in Congress to diminish these enormous expenditures. Nearly one-half of our present expenses are occasioned, not by national necessity, but by the reckless and never-ending efforts of the Republicans to retain political power in their own hands.

We call upon the people to examine these tables, and to learn where and how these expenses are incurred, and, if they wish them diminished, to secure representatives in Congress who will attend to the interests of their constituents, instead of making the nation pay for keeping the Republican party in power.

139.—OUR PUBLIC DEBT.

The Constitution authorizes Congress to borrow money on the credit of the United States, and 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. This does not authorize taxing the people to sustain Freedmen's Bureaus and armies to govern people in States, or to make and use machinery to produce political effect, which we now see in the Southern States. But we have now a debt upon us, that is already recognized, amounting to \$2,757,689,571.43, the details of which we give below. A considerable portion of this vast sum was unauthorized by the Constitution, but cannot now be separated from the honest and legal portion. The evils that are upon us we must endure. But we can secure ourselves against the future by taking the Government from the hands of those who have been unmindful of the Constitution and regardless of their pledges of economy, and place it with those who have been faithful to both, and wise, and sagacious, and will so administer it as to make it a blessing instead of a burden under which the people are bending, staggering, and liable to be crushed, without the hope of possible relief.

Statement of the Public Debt on November 1, 1867.

Debt bearing coin interest.....	\$1,778,110,991.80
Debt having currency interest.....	426,768,640.00
Matured debt not presented for payment.....	18,237,538.83
Debt bearing no interest.....	402,385,677.39
	<hr/>
Total debt.....	\$2,625,502,848.02
Money in the Treasury.....	133,993,398.02
	<hr/>
Debt unprovided for.....	\$2,491,504,450.00

The unrecognized debts, which must be eventually admitted, will add very largely to this amount, and many estimate that it will nearly double it.

The money in the Treasury has already gone, without actually diminishing the public debt, in paying interest and meeting new claims under appropriations by Congress. The legislative authority is daily increasing instead of diminishing our public debt. It keeps in the field, at the South, five armies to promote the interests of the Republican party, and a host of Freedmen's Bureau officers and spies, all of whom are worse than useless for any honest purpose under the Constitution and laws.

Receipts for the last Fiscal Year—June 30, 1867.

Receipts from customs.....	\$176,417,810.88
“ “ lands.....	1,163,575.76
“ “ direct tax.....	4,200,233.70
“ “ internal revenue.....	266,027,537.43
“ “ miscellaneous sources..	42,824,852.50
	<hr/>
	\$40,634,010.27
Expenditures for the civil service.....	\$51,110,027.27
“ “ pensions and Indians.	25,579,083.48
“ “ War Department....	95,224,415.63
“ “ Navy Department....	31,034,011.04
“ “ interest on public debt.....	143,781,591.91
	<hr/>
	\$346,729,129.33

Loans paid	\$746,350,525.94
Receipts from loans.....	640,426,910.29
	<hr/>
Reduction of loans.....	\$105,923,615.65

Estimates by Treasury Department for current Year.

Receipts from customs	\$145,000,000.00
Internal revenue.....	205,000,000.00
Lands.....	1,000,000.00
Miscellaneous.....	30,000,000.00
	<hr/>
	\$381,000,000.00

Estimated Expenditures.

Civil service.....	\$51,000,000.00
Pensions and Indians	35,000,000.00
War Department, including \$25,000,000 for bounties.....	120,000,000.00
Navy Department	36,000,000.00
Interest on public debt.....	130,000,000.00
	<hr/>
	\$372,000,000.00

Leaving an estimated surplus over expenditures of \$9,000,000. If there should be an annual surplus of nine millions to apply to the discharge of the principal, it would take some two hundred years to pay the whole acknowledged debt. But already the Treasury records show a large falling off of the estimated income, and a very considerable increase of the debt, while our expenses are increasing, and are likely to continue to do so. Let us compare these expenses with those incurred in General Jackson's time: "Whole expenses in 1833 were \$24,257,298.44, while the estimated expenses for 1868 are \$372,000,000, being over fifteen times as much, and at a time when we have no war on hand, except a political one. Notwithstanding all the estimates and pretences to the contrary, our public debt is increasing, instead of being diminished. When will this enormous debt be paid? Honesty and good faith require us to pay it, just as honest men pay their debts. But the signs

indicate that it is not the intention of the Republican party to pay. Stevens, Butler, and other kindred spirits in the House, Sherman and others in the Senate, are engaged, with their political friends in various States, in schemes of indirect repudiation. It is to be done a little at a time, instead of by a bold and open movement, not subject to disguise. They fear that a frank and manly step would be promptly condemned, while they seek to accomplish the result by a less odious name, and in a deceptive form. The scheme is to create a currency more worthless than the present, and to give it the same name, as a more valuable one, pronounced as good as gold when first issued, but not having the funding provisions, and to compel the holders of Government bonds to receive it at par. They propose not only to enforce this inferior currency upon those who sold the Government greenbacks, but upon all holders of Government bonds, whether issued upon liquidated debts or subsequently bought at a large premium in the market without knowing upon what considerations such bonds were issued. These demagogues do not propose any time or mode of payment of the currency they design to issue. It is doubtless expected that this currency will become worthless, and never be redeemed, like that issued during the War of the Revolution. Should this course be pursued, would the Government, under any future exigency, be able to borrow money to meet its necessities? Would foreigners lend their gold and silver, or would our own citizens yield it their confidence, or trust again to its good faith?

140.—A NEW DEPARTMENT IN THE FEDERAL GOVERNMENT.

The Constitution provides a government with three departments—legislative, executive, and judicial. The powers of each are distinctly specified in the Constitution, each supreme in its sphere, but not superior to the others. When either assumes powers not conferred upon it, its acts are null and void, and bind nobody. The recent attempt of the legislative branch to control the other two, being unauthorized by the Constitution, is wholly null, and its acts are void. Within the last few years there has sprung into existence a new and powerful department, un-

known to the Constitution, which exercises more control than either the Executive or Judicial Department, if not more than all the others combined. It dictates what laws shall be passed or acts performed by the Legislative Department, and what powers may be exercised by the other departments. It acts, but the public is not permitted to be present at its deliberations, or to see a record of its proceedings. It controls the action of both Houses of Congress, and dictates what shall and what shall not be done. Its meetings are frequent, and its discussions protracted, and often not very parliamentary in form. Obedience to its dictation is enforced with rigid severity. No one dares to question its authority. This department owes no allegiance to the people, nor does it admit that it is accountable to any power on earth. All great questions are considered and settled by it without appeal or review. The exact part taken in it by individuals is kept secret, and not allowed to be made public. It dictates the action of committees, determines who shall be impeached, and for what; who shall be members of committees, and what they shall do; who shall lead in the business of the two Houses; whether the gag law shall be applied or not; and how long members may be permitted to talk, or be shut off from talking. In fact, it is the great controlling power over the agents sent by the people to transact their business. It invents and directs the tyranny to be practised by Congress. Disobedience is punished by reading the offender out of the Republican party, and by being degraded before the people. The effort of Mr. Raymond, of the *Times*, to act independently of the orders of this new department, led to his being traduced and abused, and his reelection to Congress forbidden. As far as it can, this new department kills off all who are disobedient to its commands. The catalogue of unconstitutional laws now upon the statute-book, and many others proposed for adoption, had its origin in this secret department. Sometimes it is composed of the Republicans of both Houses, and at others of one House alone, depending upon the subject-matter in hand. It embraces the "Union Leagues," so called, and all similar associations, under whatever name they may act. When in session, this department, however constituted or organized, im-

poses the strictest secrecy upon all who are present. It dare not let the world know what it orders, or the reasons which led to its adoption. This, being outside the Constitution, may properly be called "the self-assumed confederates of loyalty," or, in other words, THE DEPARTMENT OF TYRANNY.

141.—THE SEDITION LAWS OF 1798 REVIVED.

Congress assumes the right to say what it chooses of every person in or out of office; to appoint committees, and send for persons and papers; and to investigate every thing said and done by others. It heaps abuse upon whoever it chooses, calling them thieves, liars, perjured villains, and traitors. There is no limit to its accusations against those who do not agree with it politically. It questions the legality and good faith of the acts of others, and votes money to have its charges printed in an official paper, and circulated broadcast over the country. This it assumes to be lawful and right. But when its acts are questioned, or its opinions criticised by others, it is deemed a high offence. Two of the articles of impeachment against President Johnson are based upon his want of courtesy toward Congress in his speeches, and his supposed attempt to bring it into "disgrace, ridicule, hatred, contempt, and reproach," to "impair and destroy the regard and respect" of the people; and to "excite odium and resentment" against the laws which Congress might enact. Long extracts from speeches made by the President, on different occasions, are set out, as evidence of his want of respect for Congress; and showing that he had doubts concerning the legality of its acts when ten States were unrepresented in Congress; and that he deemed many of its laws unconstitutional and void. The principles involved in these charges are precisely those of the Sedition Law of 1798, under which men were indicted, convicted, and imprisoned for speaking disrespectfully of Federal dignitaries. The House calls it a high crime and misdemeanor, and an impeachable offence, for the President to speak as freely of Congress as it does of him. This principle, if allowed to take root, and control, will end in sealing the mouths of the people concerning the acts of all public agents, and especially

those composing Congress. There is no law declaring the ridicule or censure of Congress, or denouncing its acts illegal, and not binding upon the people, to be an offence or misdemeanor for which the President or any one else can be indicted. If Mr. Johnson can be convicted, when there is no statute offence, by a partisan Senate, the same rule can be applied to every man in the United States by the Federal Courts. All can be punished, although Congress has passed no law upon the subject. There is quite as much necessity for laws protecting other branches of the Government and the people from ridicule and abuse by Congress, as for the protection of Congress. The Constitution shields the members of Congress for what they do and say, but there is no protection for others. Hence the effort to suppress free speech—free and full discussion—concerning what Congress says and does. That body is instituting the machinery of tyranny to prevent the people discussing its merits, and holding it to a strict accountability. It has already forbidden the courts to review its laws, so as to declare them void if in conflict with the Constitution; and it now declares it an impeachable offence to deny their validity, and to discuss the merits of the body. Little liberty is left to the citizen if this new rule shall be sustained. Congress has already, as far as unconstitutional laws can do it, stripped the President of the power of removing Federal officials, however basely they may act, and deprived him of the command of the army; and it is compelling him to retain in his Cabinet one of the most objectionable men ever holding such a position. Congress is fast absorbing all the powers of the Executive and Judicial Departments. The tyranny now exercised by it exceeds that of the Alien and Sedition Laws of 1798, which overthrew the party enacting them. Congress now, in effect, says it is a high crime or misdemeanor to complain of wrongs, however flagrant. If it continues its aggressions for four years to come, as it has those which have just expired, the liberties of the country will be swallowed up, and we shall be governed exclusively by the will of Congress—by *an unrestrained legislative tyranny*, to complain of which will be deemed criminal, and punished accordingly, if it dares order it.

142.—CONCLUSION.

Our space has not permitted an extended discussion of Democratic principles, or the basis upon which they rest, nor fully to develop those of an adversary character. We have done little more than to state them, and give a limited number of illustrations showing their consequences—the practical action naturally flowing from them. These principles cannot be equally effective in promoting the happiness of mankind. One must be superior to the other, or both would be of equal merit and value. We have endeavored to show that Democratic principles are vastly superior to those of an opposite character in their effects upon the human family. The fruit they bear furnishes the true test of superiority. It is not our purpose to affirm that all Democrats always do right, and their adversaries always wrong. The reverse may sometimes be true. But we do affirm that, when Democrats faithfully and understandingly carry out the principles of their party, they will then do what is best for the whole, and that, when the opposite principles are followed to their natural results, they will inflict evils upon them greatly diminishing the common happiness. Democrats may err, or fail to follow where their principles lead; and, when they do, they forget their duty, and wrong triumphs. The same is true of Christianity. Anti-Democrats may, when not following where their own principles lead, do most worthy acts. When such things occur it is owing to surrounding circumstances, and not to their principles, that they espouse the right. Such exceptions may occur, but they are too infrequent to impair a general rule.

Our own history proves the truth of our theories. Since the organization of the Democratic party, in 1800, Democratic principles have triumphed and been the rule of action for fifty-two years, and anti-Democratic only sixteen. Most of the time during these sixteen years the people sustained the Democracy against the Administration of their opponents. No nation on earth has prospered like ours when the Democrats were in power. The administrations of Jefferson, Madison, Monroe, Jackson, Van Buren, Polk, Pierce, and Buchanan, have been unparalleled in pros-

perity and unequalled in promoting happiness. Mr. John Quincy Adams's administration, distinguished for his effort to build up internal improvements by the Federal Government, produced no special benefits to mankind. Those who brought Harrison and Tyler into power claim no special merits as resulting therefrom. Taylor and Fillmore, though respectable, conferred nothing of peculiar usefulness upon the people. Lincoln gave us the war, our public debt, and a demoralized country, with no special benefits. It is to the Democratic administrations alone that we must look for our growth and prosperity, peace and happiness, and that simply by giving the people the protection of the Constitution and laws, and allowing them to pursue their industry and seek happiness in their own way. Here lies the secret of our wonderful prosperity, our growth and progress, which astonish the world. The prosperity under the Adams, Harrison, Tyler, and Taylor-Fillmore administrations, as far as it existed, was the result of letting the people alone, leaving them to work out their own prosperity and happiness, and not the fruit of anti-Democratic principles. The forcing system, compelling the people to follow where others direct, has never succeeded well in the United States, and never will. The people are wiser than their public agents, and best know how to make themselves happy, and will do so if the laws protect them and they are let alone.

There rests upon every individual two great duties from which he cannot rightfully release himself; he owes them to his country, to his kindred, and his fellow-men. The one is to watch over and participate in our public affairs, and use all lawful and reasonable exertions to secure their safe, constitutional, and wise management, and the other to devote the residue of his energies to the management of his private affairs and promote their prosperity, to the end that he may be personally independent, and be able to supply the wants of those dependent upon him, and also to add to the stock of accumulated wealth of the country, so that our nation may command that standing and position abroad that will command universal respect. The faithful performance of these duties are leading guaranties in favor of Democratic principles.

We have given brief sketches of leading events and prominent officials in the Federal Government and of New York. This we have endeavored to do impartially and truthfully. If we have erred, it has been unintentional. To politicians we have assigned such motives as their acts, in our opinion, warrant, and, as we believe, actuated them. We do not expect universal concurrence in these by our political adversaries; but that an impartial jury, from the testimony, would arrive at the same conclusion we think certain, and we are confident history will confirm our impressions. If we are wrong, it is no fault of ours, but is imputable to those who have talked and acted in a manner leaving no possible grounds for a different conclusion. If they were not chargeable with the intentions and motives we impute, the fault was theirs in furnishing false indexes to their purposes, which could not be made to mean any thing else. They should have presented the real instead of a false face. We believe they did exhibit truly what they intended, and so we have written, and have drawn the natural conclusions. It is their fault, and not ours, if we have made a mistake.

We have unhesitatingly declared laws and acts to be in violation of the Constitution when we believed them to be so. For these opinions we alone are responsible, although the ablest jurists of the Union concur with us in asserting most of them. We believe, from full consideration of the facts, that since the Republican party came into power, they have used greater exertions in violating than in sustaining the Constitution, and we believe the courts will so determine when permitted to act.

The political principles put forth are those which we believe have the full approbation of the great body of the Democratic party, if not of every member of it. We know of no dissenters who do not, in fact, belong to the other side.

We have given some of the pending issues which are to be tried by the people next fall, and upon the determination of which our future well-being as a nation depends. If determined against the Democracy, the clouds of adversity will shut down around us, and a surging chaos and a night of despair be upon us. If the people are true to themselves, to the Constitution, and to what

is due to future generations, they will be decided in their favor, and days of clear skies, and bright sunshine, and prosperity, will dawn upon and enliven us for long years to come. Hope, the mother of much happiness, bids us be cheerful, for success, being deserved, will surely, at no distant day, follow. We expect it, but it will not come without proper and efficient exertions. We cannot ask a blessing upon our works until we perform them, and then we may fairly expect it.

We also give the expenses of the Federal Government for each year since its organization, which shows its former economy and present extravagance. We also call the attention of our readers to the signs of the times, and the dangers threatening our rights and liberties.

We also furnish an exhibit of the Public Debt, and show what taxation is necessary to keep down the interest. It is apparent that, without a diminution of our expenses—a thing not expected while the Republicans are in power—this debt never can be paid. Our only hope rests in restoring the Government to Democratic hands, disbanding the five needless Southern armies, and bringing the Government back to the economy of former days. The Federal Government must be brought down to the simple machine its framers contemplated, or our enormous debt can never be extinguished by payment.

A P P E N D I X .

143.—THE NATIONAL CONSTITUTION.

KNOWING that the Constitution is not accessible to most people, we give it entire, as it now exists. We advise our readers to study it carefully, and to reflect thoroughly upon its provisions, and hold their public agents to a strict accountability under it. It is the sheet-anchor of their safety.

CONSTITUTION OF THE UNITED STATES.

WE, the People of the United States, in order 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, 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. 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 choose 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 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.

Section 4. 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.

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 5. 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 behavior, 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 6. 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 7. 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 become 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 (Sunday 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 8. 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 a 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 laws 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, dockyards, 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 9. 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 10. 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 impost 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 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.

ARTICLE II.

Section 1. 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.

[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 choosing 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 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 2. 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 3. 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 4. 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 1. 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 behavior, and shall, at stated times, receive for their services, a compensation, which shall not be diminished during their continuance in office.

Section 2. 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, 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 crimes 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 3. 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 1. 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 2. 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 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.

Section 3. 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, 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 4. 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 be ever required as a qualification to any office or public trust under the United States.

ARTICLE VII.

The ratification of the conventions 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.

GEORGE WASHINGTON,
President, and Deputy from Virginia.

NEW HAMPSHIRE.	PENNSYLVANIA.	VIRGINIA.
John Langdon, Nicholas Gilman.	Benjamin Franklin, Thomas Mifflin, Robert Morris, George Clymer, Thomas Fitzsimons, Jared Ingersoll, James Wilson, Gouverneur Morris.	John Blair, James Madison, Jr.
MASSACHUSETTS.		NORTH CAROLINA.
Nathaniel Gorham, Rufus King.		William Blount, Richard Dobbs Spaight, Hugh Williamson.
CONNECTICUT.	DELAWARE.	
William Samuel Johnson, Roger Sherman.	George Read, Gunning Bedford, Jr., John Dickinson, Richard Bassett, Jacob Broome.	SOUTH CAROLINA.
NEW YORK.		John Rutledge, Charles C. Pinckney, Charles Pinckney, Pierce Butler.
Alexander Hamilton.		
NEW JERSEY.	MARYLAND.	GEORGIA.
William Livingston, David Brearley, William Paterson, Jonathan Dayton.	James McHenry, Daniel (of St. Thomas) Jenifer, Daniel Carroll.	William Few, Abraham Baldwin.
	<i>Attest:</i>	WILLIAM JACKSON, <i>Secretary.</i>

AMENDMENTS

TO THE CONSTITUTION OF THE UNITED STATES, RATIFIED ACCORDING TO THE PROVISIONS OF THE FIFTH ARTICLE OF THE FOREGOING CONSTITUTION.

ARTICLE THE FIRST. 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 redress of grievances.

ARTICLE THE SECOND. 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 THE THIRD. 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 THE FOURTH. 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 THE FIFTH. 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 and 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 to 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 THE SIXTH. 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 THE SEVENTH. 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 reëxamined in any court of the United States, than according to the rules of common law.

ARTICLE THE EIGHTH. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

ARTICLE THE NINTH. The enumeration, in the Constitution, of certain rights shall not be construed to deny or disparage others retained by the people.

ARTICLE THE TENTH. 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 THE ELEVENTH. The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another State, or by citizens or subjects of any foreign state.

ARTICLE THE TWELFTH. 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 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 THE THIRTEENTH. *Section 1.* Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist in the United States, or any place subject to their jurisdiction.

Section 2. Congress shall have power to enforce this article by appropriate legislation.

144.—APPENDIX No. 2.

THE Chief Justice said: Senators, in conformity to the order of the Senate, the Chief Justice will now proceed to take the vote on the eleventh article, as directed by the rule.

The eleventh article was read by the clerk.

The first name on the roll, that of Senator Anthony, being called, that Senator rose in his place, and the Chief Justice, also standing, addressed to him this formula:

Mr. Senator Anthony: How say you, is the respondent, Andrew Johnson, President of the United States, guilty or not guilty of a high misdemeanor, as charged in this article?

Senator Anthony responded "guilty," and so the vote went on till all the Senators had responded, the vote summing up, yeas 35, nays 19, as follows:

THE TEST VOTE.

FOR CONVICTION.

1. ANTHONY,	13. FRELINGHUYSEN,	25. SHERMAN,
2. CAMERON,	14. HARLAN,	26. SPRAGUE,
3. CATTELL,	15. HOWARD,	27. STEWART,
4. CHANDLER,	16. HOWE,	28. SUMNER,
5. COLE,	17. MORGAN,	29. THAYER,
6. CONKLING,	18. MORRILL (Me.),	30. TIPTON,
7. CONNESS,	19. MORRILL (Vt.),	31. WADE,
8. CORBETT,	20. MORTON,	32. WILLEY,
9. CRAGIN,	21. NYE,	33. WILLIAMS,
10. DRAKE,	22. PATTERSON (N. H.),	34. WILSON,
11. EDMUNDS,	23. POMEROY,	35. YATES.
12. FERRY,	24. RAMSEY,	

FOR ACQUITTAL.

1. BAYARD.	8. GRIMES.	14. PATTERSON (Tenn.),
2. BUCKALEW,	9. HENDERSON,	15. ROSS,
3. DAVIS,	10. HENDRICKS,	16. SAULSBURY,
4. DIXON,	11. JOHNSON,	17. TRUMBULL,
5. DOOLITTLE,	12. MCCREERY,	18. VAN WINKLE,
6. FESSENDEN,	13. NORTON,	19. VICKERS.
7. FOWLER,		

FOR CONVICTION.

Republicans.....	35
Democrats.....	0

FOR ACQUITTAL.

Republicans.....	7
Democrats.....	12

[The names of the Republican Senators voting for acquittal are printed in *italics*.]

CONGRESS.—SENATE, MAY 26.

On the assembling of the Senate, the Chief Justice took the chair as presiding officer of the Court of Impeachment.

Mr. Stevens was not present with the managers.

Messrs. Stanbery, Evarts, and Nelson, represented the President. Every Senator was in his seat.

On motion of Mr. Williams, the resolution as to the order of reading and voting on the articles was rescinded. Yeas 29, nays 25, as follows:

Nays—Messrs. Anthony, Bayard, Buckalew, Corbett, Davis, Dixon, Doolittle, Edmunds, Ferry, Fessenden, Fowler, Grimes, Henderson, Hendricks, Johnson, McCreery, Morrill of Vt., Morton, Patterson of N. H., Patterson of Tenn., Saulsbury, Trumbull, Van Winkle, and Vickers—25.

Yeas—Messrs. Cameron, Cattell, Chandler, Conkling, Conness, Cragin, Drake, Frelinghuysen, Harlan, Howard, Howe, Morgan, Morrill of Maine, Morton, Nye, Pomeroy, Ramsey, Ross, Sherman, Sprague, Stewart, Sumner, Thayer, Tipton, Wade, Williams, Wilson, and Yates—29.

Mr. Conkling moved to vote on the remaining articles in their order. Lost—26 to 28.

Mr. Williams modified his resolution so as to rescind all orders relating to the time of voting, and Mr. Trumbull raised a point of order that this could not be done.

The point was not sustained by the Senate—24 to 30.

Mr. Morrill, of Maine, moved an adjournment to the 23d of June. The vote resulted in a tie vote, and the Chief Justice declared it lost.

The vote was then taken on the second article, and resulted: Guilty 35, not guilty 19. Same as on the eleventh article.

A vote was then taken on the third article, and it resulted the same.

Mr. Williams then moved that the Court adjourn *sine die*, which was carried, 34 to 16, the anti-impeachment Senators voting in the negative.

The Court then adjourned *sine die*.



ALPHABETICAL INDEX.

- Adams, John, administration, 8.
his patriotism and mistakes, 9.
elector for Monroe and Tompkins, 13.
died July 4, 1824.
- Adams, John Quincy, on the Federal party, 39, 40.
proves their disunion proclivities, 81.
was in Monroe's cabinet, 111.
elected President, 118.
favored Federal Government making roads, etc., 120.
rendered good service before and after he was President, 120.
negotiated for Florida, 110.
had no party to sustain him as President, 119.
- Albany, city of, voted not to read Declaration of Independence, 32.
- Anti-Democratic principles, 6.
- Anti-Democrats during the War of 1812, 71, 72.
- Anti-Democratic naturalization laws, 11.
- Anti-Masonry, political, 128.
- Arkansas, reorganization under Lincoln, 304.
- Army and its officers, 63.
General Pike, 64.
" Macomb, 65.
" Wool, 65.
" Brown, 66.
" Jackson, 67.
" Ripley, 69.
" Porter, 69.
" Worth, 70.
- Banking system of Secretary Chase, 288.
unconstitutional and void, 289.
no money—nothing but debt, 290.
- Banks and banking in New York, 108.
- Bank of the United States, 136.
unconstitutional and void, 137.
removal of deposits from, 138.
contest with General Jackson, 140.
- Banks of the States, taxed to death and destroyed, 215.
- Benton, Thomas H., 166.
- Blount, dismissed by Senate, 36.
- British, claim of American citizens, 42.
Federalists sustained them, 43.
- Brown, John, at Harper's Ferry, 240.
- Buchanan, James, 248.
his administration, 251.
Kausas matter, 252.
- Buchanan—
his calls upon Congress, about disunion, 253.
his defence complete, 257.
- Bureau, Freedmen's, 309.
unconstitutional, 310.
extended in 1865, and its real objects, 311.
to be further extended, 313.
- Capital, slander, as political, 366.
- Caucus, congressional, 307.
effect on legislation, 308.
- Chase, S. P., calling clergy for political assistance, 316.
a good citizen and judge, but not banker or financier, 391.
- Clay, Henry, reply to Quincy, 49.
resolution condemning General Jackson, 143.
- Clergy, American, mistakes of, 315.
acting in the name of the Almighty in politics, 216.
- Clinton, George, 34.
Vice-President, 36.
- Conclusion, 396.
- Committees, congressional fishing, 294.
- Congress and Supreme Court, 344, 347.
- Constitutions, 2.
present, 400.
proposed 14th amendment, 319.
- Court, destruction of, in District of Columbia, 348.
- Debt, our public, 389.
- Democratic principles, 4.
- Department, new, of tyranny, 492.
- Distress of politicians, 149.
- Distribution of revenue, 159.
- Disunion, proposed by Federalists, 80.
by Hartford Convention, 81.
by others, 82, 83.
- Dix, John A., sketch of, 207.
what Republicans feared, 211.
- Election, 1840, 199.
- England, New, clergymen preaching politics, 27.
- Embargo, recommended by Jefferson, 29.
speeches, sermons, and newspapers against, 30.
why abandoned, 38.
- Equality, true basis of legislation, 121.

- Extravagance, Congress responsible for, 221.
 unauthorized appropriations, 222, 228.
- Federalists favor disunion, 80.
 course in relation to war, 47, 50.
 when against their own country, 33.
- Fillmore, Millard, 237.
 occurrences while President, 238.
 capacity for business—political views, 239, 240.
- First gun, 266.
- Flagg, A. C., 242.
- Florida, acquisition of, 110.
- Free trade and sailors' rights, 41.
- Gerry, Elbridge, elected Vice-President, 94.
- Gold currency, 156.
 real money, 159.
 gold dollars, 158.
- Government, forms of, 1.
 self-government, 4.
- Habeas corpus, suspension of, 270.
 General Jackson did not suspend, 99.
- Hartford Convention, 85.
 sketch of, 85 to 92.
- History of Democracy being prepared, 7.
- Hoffman, Michael, 145.
 sketch of, 146.
- Impeachments, 36.
 of Jefferson, Pickering, Peck, Chase, Humphreys, and President Johnson, 36.
- Internal improvements, 132.
 veto by General Jackson, 134.
 Governor Seward's recommendation, 135.
- Issues to be tried by the people, 376.
- Jackson, Andrew, as a general, 67.
 battle of New Orleans, 97.
 did not suspend habeas corpus, 99.
 how he treated mutineers, 100.
 vetoed the United States Bank, and removed deposits, 140.
 removal of Duane, 141.
 protest to the Senate, 143.
 Farewell Address, 165.
 devotion to his wife, 183.
- Jefferson, Thomas, attempt to deprive of election, 14.
 his marriage, temper, and disposition, 16.
 was a musician, 16.
 on contracting debts, 17.
 his political principles, 18.
 extracts from first inaugural, 21.
 proposition to impeach, 36.
- Johnson, Andrew, 333.
 mistakes and his record, 335.
 charges against, and trial, 240.
 vote on, see Appendix No. 2.
 matters with Stanton, 362.
- Johnson, Cave, extract from letters, 267.
- Johnston, General, cause of failure of rebellion, 349, 351.
- Loans, Federalists tried to prevent Government obtaining, 51.
- Lincoln, Abraham, 259.
 in Congress, 259.
 his political opinions, 260.
 made no recommendation to prevent war, 264.
- Lowell, his pamphlet against the War of 1812, 74.
- Louisiana, reorganization of, under Lincoln, 304.
- Madison, James, 45.
 elected to Congress, 45.
 Secretary of State, 46.
 elected and reelected President, 47-94.
 an able writer, 47.
- Majorities, tyranny of, 257.
- Marcy, W. L., Koszta letter, 42.
 took first prisoners and colors, 126.
 elected and reelected Governor, 126.
 Secretary of War and State, 126, 127.
- Monroe, James, election as President, 102.
 sent abroad, 103.
 remarks on his administration, 111.
- Military commissions, trials by, 276.
 trial of North and others, 277.
 decided to be unconstitutional, 278.
- Moral and religious people, unbecoming to celebrate our victories, 73.
- National Government, expenses of, 384.
- Navy and naval heroes, 51.
 Bainbridge, 53.
 Stewart, 54.
 Decatur, 55.
 Hull, 56.
 Perry, 57.
 Rodgers, 58.
 Macdonough, 59.
 Lawrence, 60.
 Porter, 61.
- Negro fighting and loyalty, 360.
- New York, conventions to amend constitutions, 112.
- New England, political clergymen in, 72.
- New Orleans, battle of, 97.
- Objects of the war, 279.
 what Lincoln said, 280.
 what Congress did, 281.
 later professions, 282.
- Party names, 3.
- Pickering, Timothy, his contradictions on impressions, 44.
- Pierce, Franklin, his administration, 246.
 Kansas difficulties, during, 248.
- Pirates and freedom of the seas, 26.
- Plummer, Governor, gives plans of disunionists, 80.
- Power, Republican struggle for, 301.
- Polk, James K., his election as President, 231.
 sketch of, and of his administration, 232, 233.
 Mexican War and Oregon question, 233.
 discovery of gold—passing Sub-Treasury, 234.
- Prisoners, non-exchange during war, 349.
 cause of—Grant and Stanton, 351.
 what Swinton says, 351.

- Precedents, force of bad, 215.
Voting to pay expenses of election, 216.
- Press and telegraph, American, 323.
their uses and abuses, 324.
misrepresentation of Chief-Justice Taney, 325.
- Protective system, 152.
its bad consequences, 153.
if amount of, is stated in account, who would pay, 155.
- Quincy, Josiah, impeachment of Jefferson, 36.
his speeches, extracts from, 49, 50, 72, 73.
- Randall, his life of Jefferson, 79.
- Reconstruction, Lincoln's first plan, 297.
Arkansas and Louisiana, 298.
later plans, 320.
negroes, injury to, by reconstruction, 299.
- Reorganization, in Louisiana and Arkansas, 304.
failure of Lincoln's plan, 306.
- Redfield, Heman J., sketch of, 218.
course of New York electoral law, 219.
Naval Officer and Collector in New York, 220.
served in War of 1812, 219.
- Republican governments, 3.
- Removals from office, 147.
Governor Marcy's views on, 128.
action of all Presidents, including Lincoln, 148.
- Richmond, Dean, 357.
business talent, and knowledge of public affairs, 358.
ideas of the duties of men, 359.
- Revolution, political, of 1800, and causes, 13.
consequences, how long continued, 13.
- Sectionalism and its supporters, 187.
why Lincoln was nominated, 254.
- Secession, proposed in New England, 29.
extracts from speeches, sermons, and newspapers, 29-32.
- Sedition Laws revived on impeaching the President, 394.
- Scymour, Horatio, what he said of the President, 336.
slandered, and slanders refuted, 366, 367.
- Specie Circular and its effects, 163.
- Spies and secret Government agents, 273.
- Spiritualists, socialists, free-lovers, and perfectionists, 4.
- Stanton, E. M., and his course, 362.
his course about exchange of prisoners, 349.
an instrument of radical Republicans, 365.
- States, secession, never out of the Union, 327.
Lincoln's opinion, 328.
Congress resolution, 330.
Supreme Court opinion, 331.
how the question stands, 332.
other States in danger, 372.
what Sumner says, 375.
- Sub-Treasury, established, repealed, and re-established, 195.
- Taney, Chief-Justice, his Dred Scott decision falsified, 325.
- Tariff duties, 202.
unconstitutional when not for revenue, 205.
difficulties it occasions, 206.
- Taxes, internal revenue, incongruities and absurdities, 312.
attempt by, to alter contracts and State laws, 214.
- Taylor, Zachary, and his administration, 235.
well-meaning and honest man, 236.
- Test vote, 410.
- Toast at the Madison-Richmond dinner in 1808, 32.
- Tompkins, Daniel D., 32.
great usefulness as Governor, 75.
indorses notes for the United States, 77.
elected Vice-President in 1816, and re-elected in 1820, 78.
a great and good man, 79.
- Tyler, John, and his administration, 228.
attempt to form a new party, 229.
- Van Buren, Martin, sketch of, 188.
elected Governor and United States Secretary of State, 190.
rejected as minister to England, and its consequences, 190.
elected President—projected Sub-Treasury, 195.
- Washington, George, his administration, 8.
his wisdom and firmness, 8.
his Farewell Address and its warnings, 173.
- Wright, Silas, sketch of, 176.
at home, 177.
impulses and amusements, 178.
offices he held, 181.
as a speaker, 180.
declined numerous offices, 182.

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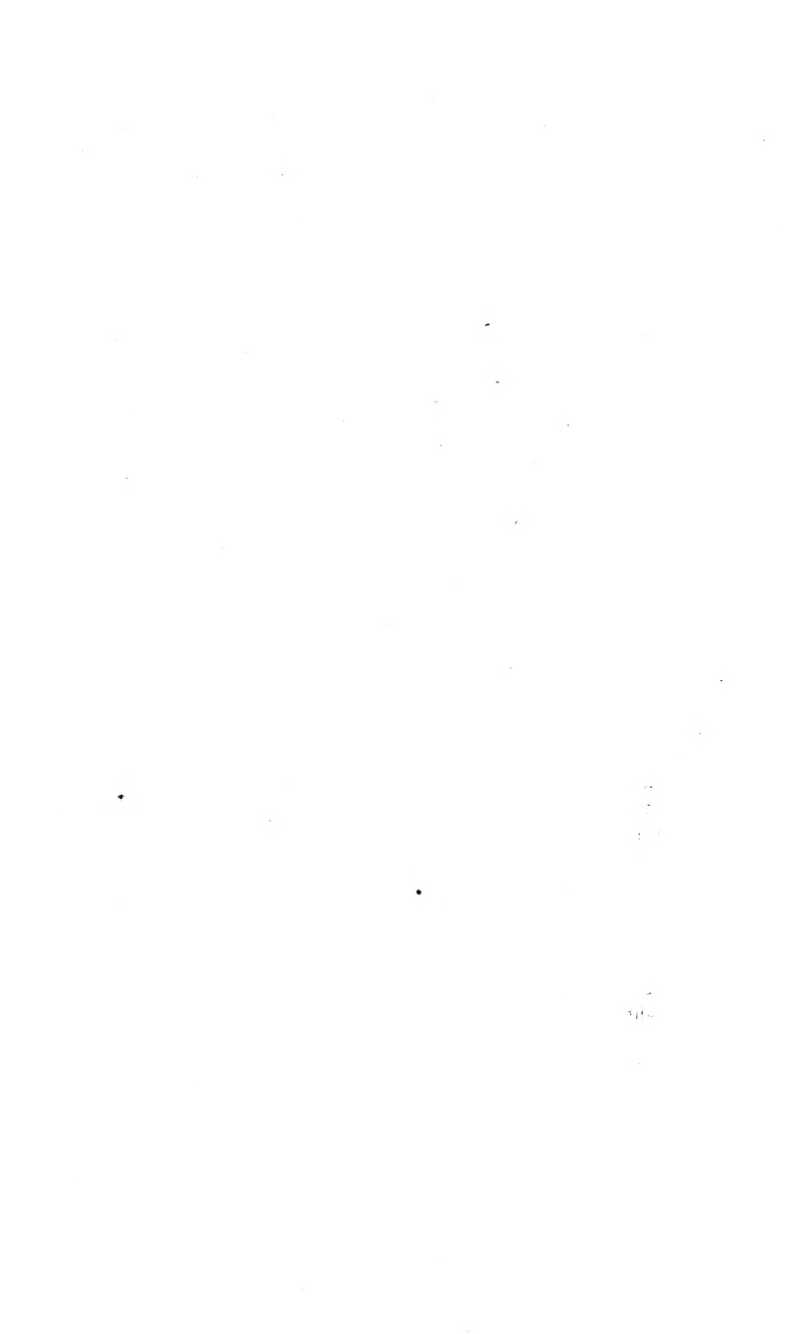
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“CASTLE HILL, May 22, 1866.

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