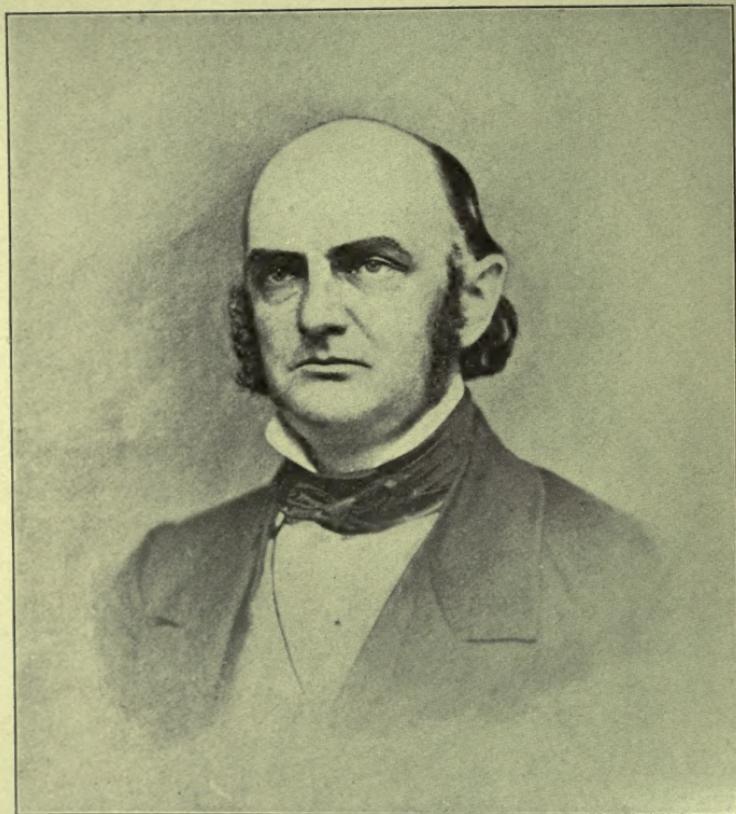


MESSAGES AND PROCLAMATIONS
OF
WIS. WAR GOVERNORS

WISCONSIN HISTORY COMMISSION

REPRINTS NO. 2



Governor Alexander W. Randall

From a photograph taken during the War

CIVIL WAR MESSAGES AND
PROCLAMATIONS OF WISCONSIN
WAR GOVERNORS

EDITED BY REUBEN GOLD THWAITES

IN COLLABORATION WITH ASA CURRIER TILTON AND FREDERICK MERK

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DECEMBER, 1912

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THE WISCONSIN HISTORY COMMISSION

(in behalf of the State of Wisconsin)

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EDITOR'S PREFACE

The history of a war is usually deemed complete when its campaigns have been discussed, its field operations described, its camp life portrayed, and the deeds of its heroes set forth in song and story. But the administrative and economic side of warfare is quite as worthy of consideration. Nowhere can this better be studied than in the reports and other state papers of those administrative officers whose duties are to supply troops and funds and from their home offices to keep intact the machinery of civil government. Their tasks are less picturesque than those of the military arm, but the result of the conflict is as often determined by them as by the troops on the firing line.

During the turmoil of our Civil War, a considerable share of the responsibility of maintaining the credit of each Northern Commonwealth, fostering its economic growth and prosperity, keeping the peace at home, and at the same time stoutly aiding the Federal authorities with loans of money and contingents of volunteers, fell on the chief executive. As in the field, heroes sprang up in every command, so in civil life the crisis developed many master spirits whose energetic work in their line of duty ably supplemented that of the generals.

Wisconsin was particularly fortunate in this regard. Her five "War Governors"—representing in themselves both the native American and the foreign elements of our diverse population—proved to be men whose capacity met the exigencies of the occasion. Their state papers, here reprinted from the obscure and rarely consulted public documents of the period, present an epitome of the glowing story of Wisconsin's proud share in the great struggle. In interest and subject, they range from Randall's calm, but deeply earnest, discussion in 1858 of the wrongs of

EDITOR'S PREFACE

slavery and the evils of nullification, to Fairchild's cordial endorsement of the Fifteenth Amendment to the Federal Constitution. A storehouse of facts, they are as well an adequate expression of the thoughts and sentiments of the great mass of our people during the long struggle, and they do honor to the heart and brain of the Commonwealth.

The brunt of active preparations for the war fell on the shoulders of Governor Randall. An ardent member of the Republican party, he was in full sympathy with the Lincoln administration. His papers were briefs for the Northern cause, which he discussed in oratorical periods whose rotundity amuses us today, but such was the literary style of many of his contemporaries in American statecraft. Nor was he lacking in logic and vigor as he arraigned before the bar of public opinion the purposes and methods of the Southern leaders.

Randall was as active in leadership as he was fluent in speech. The energy with which he responded to the President's early calls for troops, the ability and resourcefulness he exhibited in financing and organizing Wisconsin's military establishment, and his quick comprehension of military needs, soon won for him a national reputation; he became one of the most enterprising and prominent of the War Governors of the West.

Retiring from his high office at the close of 1862, Randall left the burden of sustaining Wisconsin during the continuance of the appalling crisis, to his former Secretary of State—now his successor, Louis P. Harvey. The one message sent by the latter to the Legislature, showed that his practical training in the Secretary's office had given him a grasp of the situation, and his ability to meet it was unquestioned. The few state papers which he wrote, show him possessed of deep human sympathies; these led him to undertake a mission of helpfulness to the theatre of war, which ended in his tragic death after only four months in the executive chair.

The duties of the governorship now devolved on the Lieutenant-Governor, Edward Salomon. A German by birth, Salomon

EDITOR'S PREFACE

had become among the most useful and patriotic of American citizens. The vigorous efficiency with which he met the responsibilities suddenly placed upon him, merit the highest praise. Throughout his administration, the war in the South was a stern business. Wisconsin was in a tense condition, every nerve and muscle strained to meet the shock. Regiment after regiment was recruited within our borders, organized, trained, and forwarded to the front. Aid for the sick and wounded was solicited, gathered, and dispatched to the field hospitals; soldiers' families required and were given frequent financial assistance; the State's resources were taxed to the last possible dollar. Draft riots broke out, but Salomon's proclamations to the people of the offending localities were sternly-phrased lessons in duty and obedience to law. On our then sparsely-settled northwestern border, restless aborigines threatened the security of frontier settlers. All such exigencies were met and firmly mastered by this sturdy German-American executive. A deep sense of duty, a capacity for prompt and efficient action, are exhibited in his tersely-phrased state papers. No more able administration has been given to our Commonwealth than by this man who came to his commanding position through an accident, but who completely satisfied the most exacting standards to set by his distinguished predecessors.

To Governor James T. Lewis fell the closing fifteen months of the war. It was an administration at first characterized by a strong pressure for men, and later by the exciting Presidential campaign of 1864. In time came the welcome proclamation of peace, and in rapid succession the assassination of Lincoln, the homecoming of Wisconsin's volunteers, and preparations for the restoration of the social and economic *status quo*. Lewis was confronted by strenuous duties; but he met them squarely and ably. His messages and proclamations are replete with sound sense and a deep feeling of patriotism; and when he had occasion, which was frequently, for thanking the troops as they returned to their homes, his language was a dignified expression of

EDITOR'S PREFACE

the pride felt by the State in the records of its representatives at the front.

Governor Lucius Fairchild, himself one of the most gallant of Wisconsin's soldiers, was the moving spirit in our State during the four years of National rehabilitation. His messages relative to amendments to the Federal Constitution reflect his sympathy with the Congressional policy of Southern reconstruction. During his administration the soldiers' orphans became the wards of the State, and aid was given to those returned volunteers who were wounded and infirm. In many ways, Fairchild was called on for active assistance in healing the wounds of the war, in inaugurating prosperity on the peace basis, and in adjusting the State's finances to new conditions. These administrative duties were performed by him with marked ability, and his state papers were worthy of the man and of his office.

In reprinting these state papers emanating from the five War Governors of Wisconsin, the Commission believes that it is performing a needed public service, for they furnish a mass of material essential to any adequate study of Wisconsin's participation in the struggle. The biographical sketches are largely the work of Dr. Asa Currier Tilton, formerly of the Wisconsin Historical Society's staff, who, also furnished about a third of the notes. Frederick Merk, also of the Society's staff, has contributed the remainder of the notes and has rendered much practical assistance in putting the volume through the press. Other editorial aid has been given by Dr. Louise Phelps Kellogg and Miss Annie A. Nunns of the same staff.

R. G. THWAITES.

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Civil War Messages and Proclamations of Wisconsin Governors

1858-1862. Alexander William Randall

Biographical Sketch

Alexander William Randall, the sixth Governor of Wisconsin, was born October 31, 1819, at Ames, Montgomery County, New York. His father was Phineas Randall, a native of Massachusetts; and his mother, Sarah Beach Randall of Schenectady, New York. His father was a lawyer and in 1851 followed his son to Waukesha, Wisconsin.

Young Randall received a good elementary education, then studied law, and was admitted to the bar at the age of nineteen. In 1840 he came to Wisconsin and settled at Prairieville, now Waukesha. Here he practiced law, and at once took an active part in the public affairs of his community and State. He was one of the founders, in 1841, of Prairieville Academy, later Carroll College. For a time he was postmaster, and in 1846 was active in securing the organization of Waukesha County from the western part of Milwaukee County. In 1842 he married Mary C. Van Vechten, also from his native county. She died in 1858.

Randall's first prominent connection with State affairs was in 1846, when he was elected one of the delegates to the first Constitutional Convention. In this Convention he introduced a resolution for the separate submission of the question of negro suffrage to a vote of the people. In 1848 he took part in the Free Soil movement, but did not long continue with it.

In the following years the slavery question was breaking old party alignments. Finally, the wing of the Democratic party to which Randall belonged united with a considerable part of the Whigs to form the Republican party. He was elected to the Assembly of 1855 from Waukesha and became one of the leaders of the new party therein. The same year he was candidate for the attorney-generalship on the Republican ticket, but was defeated.

In 1856 Randall was one of the counsel for Bashford in the Bashford-Barstow contest over the governorship. Later in the year he was appointed judge of the Second (Milwaukee) Judicial Circuit to fill the vacancy caused by the resignation of Judge Levi Hubbell. He was, the following spring, a candidate for election to this judgeship, but was not successful.

In 1857 he was the Republican candidate for Governor. The contest was very close. Randall was elected, but his colleague, Carl Schurz, candidate for Lieutenant-Governor, was defeated. This result added a new factional element to political affairs which showed itself in the Republican convention of 1859, when the opponents to the re-nomination of Randall rallied around Schurz. Randall was, however, nominated and elected by good majorities.

The interpretation which the Governor gave to the course of events in the approaching struggle between North and South, his foresight of the necessity for an appeal to arms, and the consequent recommendations which he made with the wish that his State might be prepared for the struggle, are shown in the extracts here given from his messages.

When the war broke out he was prompt and energetic in the organization of a military establishment and in raising troops; and was painstaking in all those details that are so essential to successful military administration. The State camp at Madison was named in his honor, and this title has been preserved since its purchase by the University of Wisconsin in 1893.

Randall was an active participant in the conference of governors of Western and border states, held at Cleveland in

May, 1861; and was elected to lay the report of the conference before President Lincoln. The same year he was a candidate for a United States senatorship from Wisconsin, but withdrew from the contest.

At the close of his second term as governor, in January, 1862, Randall wished to enter the army; but President Lincoln persuaded him to accept a civil position where his executive ability and experience were more needed, and appointed him minister-resident at Rome. He remained there only a few months, however, leaving his post in August, 1862.

On his return, Randall again sought military service; but again was dissuaded by the President, who appointed him assistant postmaster-general in December, 1862. He held this position until the resignation of the postmaster-general, William Dennison, in July, 1866. President Johnson, whom Randall was supporting, then appointed him postmaster-general, and he held office until the end of Johnson's term, March 4, 1869.

In 1863 he married Helen M. Thomas of Elmira, New York; and in 1865 changed his residence from Waukesha to that place. On his retirement from the postmaster-generalship he took up the practice of law in Elmira, and continued therein until his death, July 26, 1872.

1858. Eleventh Annual Legislative Session, January 13—
May 17

The two Houses of the Legislature met in Joint Convention on January 15, and the Governor read thereto in person his

ANNUAL MESSAGE

in the course of which he made the following allusions to the impending struggle between the South and the North:

Gentlemen of the Senate and Assembly:

* * * * *

MILITIA AND STATE ARMS

More adequate provision should be made for the organization of the militia system of the State.¹ If the proper steps are taken and exhibits made, the State will be entitled to receive during the present year, arms to the value of twenty-four thousand dollars.² Some safe and commodious place ought to

¹ The militia system of the State was organized under Wisconsin Laws, 1851, chap. 8. In 1858 it was reorganized by direction of *Id.*, 1857, chap. 24. The recommendation of the governor for further changes was responded to by *Id.*, 1858, chap. 87. The militia law in force in 1858 may be found in Wisconsin *Revised Statutes*, 1858, chap. 31. Committee reports on the militia are given in Wisconsin *Senate Journal* (Madison, 1858), pp. 426-428, and in Wisconsin *Assembly Journal* (Madison, 1858), pp. 1001-1003.—Ed.

² The State militia was provided with an annual allotment of arms, equipment, and stores by Act of Congress of April 23, 1808, which has been continued with modifications to the present. To share in the distribution, it is necessary that the State militia be organized in conformity with the militia laws of the United States. For these laws see, in general, Davis, *Military Laws of the United States* (4th ed., 1908, issued by War Dept.).—Ed.

be provided for depositing and preserving them. The volunteer companies already organized are an honor to themselves and to the State, and are entitled to favorable public consideration.³

* * * * *

THE SLAVERY QUESTION⁴

The subject of slavery, and the powers of the federal government over the subject of slavery, are assuming at the present time a very grave importance. The question whether a man shall own himself, or another man shall own him, is of itself, infinite in its importance to the parties interested; but it becomes fearful in its import when the institutions of the whole country are likely to be involved in difficulty growing out of its connexion with that peculiar institution. Great controversies have arisen as to the duty of the Federal Government, and as to the duties of the States themselves, upon this subject, and this antagonism of opinion has led to antagonism of action, and is likely to involve the Federal Government and the States in grave confusion. The government of no one State has any right to interfere directly with the domestic institutions or government of any other State of the Union. The jurisdiction of no one State extends in any manner or for any purpose whatever over the territory of any other State. Each is sovereign within its own boundaries, and entirely independent, except so far as power has been delegated to the Federal Government, in express and exact terms, under the Constitution of the United States.

³ The Adjutant General's report for 1858 lists the volunteer companies.—Ed.

⁴ On slavery and politics at this time see T. C. Smith, *Parties and Slavery* (American Nation series, New York, 1906); and for a fuller account, J. F. Rhodes, *United States* (New York, 1893), i, ii. See *Wis. Sen. Jour.*, 1858, pp. 63, 912 for report of joint committee on the portion of the message relating to slavery.—Ed.

The laws of no State reach beyond the limits of that State and every legislative enactment assuming a jurisdiction beyond a constitutional right, is void. Wisconsin has no right to interfere with the domestic, or any other institution of Virginia, nor has Virginia with those of Wisconsin. No legislative enactment here, and no judgment of our own State courts, can interfere to abolish slavery in Kentucky, nor can Kentucky establish slavery in Wisconsin. Beyond this, the Federal Government, being purely a government of delegated powers, established for specific purposes, cannot abolish slavery in any State of the Union, nor can it establish slavery in any State, or in any of the Territories of the United States; nor has it a right directly or indirectly to advise, countenance, or assent to, the establishment of domestic slavery any where within its jurisdiction. The Federal Government is entirely one of delegated powers, and the powers delegated are independent powers. There is no such thing as an independent power granted by implication. There are certain dependent powers, implied, assumed and exercised, as incidents for the purpose of giving effect to an independent power delegated.

The Federal Government, therefore, takes nothing but that which the Constitution gives it in express terms, and acquires no right or authority to exercise any power not expressly delegated, except so far as may be necessary to give force and effect to one expressly delegated, and then only for the purpose of carrying out the great objects for which the Government itself was formed. The history of dead nations, written upon the record and in their ruins, tells us in terms of solemn warning the danger of departure, by any Government, in the exercise of its authority, from the great objects for which all good governments should be instituted, and of using legitimate powers as engines of oppression, and fraud, and wrong. The theory of our Government is that it was instituted to secure, among other rights, the rights to life and liberty, and that it derives all its just powers from the consent of the governed. The people ordained and established the Federal Constitution, in order to

“form a more perfect union among the independent States, establish justice, insure domestic tranquility, provide for the common defence, promote the general welfare, and secure the blessings of liberty.”

Using the great powers delegated to the Federal Government by that Constitution for any other purposes than those intended and specified, operates as a direct violation of the principles that underlie its foundations; denies practically, that the Government was instituted for the purpose of protecting and sustaining the rights to life and liberty; perverts the theory that it derives its just powers from the consent of the governed. Instead of confirming the strength of a perfect union formed, it weakens its bonds, and tends to disunion. Instead of establishing justice, its tendency is to injustice and violence. It insures domestic confusion and discord, instead of tranquility; breaks down the constitutional walls erected for the common defence, opens the way for thick-coming disasters and misfortunes, in the place of promoting the general welfare, and shackles the liberty of the people instead of securing its blessings.

The relation of master and slave is peculiar in its character. It does not depend for its existence, necessarily, upon local law. It is not a natural condition of any distinct race of men. It is rather a relation depending upon the exercise of force. It is a relation that existed before the present State Constitutions were made, and before there was any local legislation on the subject. Law makers and constitution makers recognized it as an existing institution, and passed no laws creating or assuming to create it. It was established without law, and is sustained by law protecting the exercise of force without right. This is the character of the institution now sought to be forced upon a free Territory of the United States.⁵ Since A. D. 1820,⁶

⁵ The struggle over the admission of Kansas was at its height in 1853. See Rhodes, *United States*, ii, *passim*.—Ed.

⁶ Act of Congress of March 6, 1820, known as “Missouri Compromise.”—Ed.

until within a brief period, slavery was prohibited by act of Congress north of what was called the Missouri Compromise line. That act was repealed and superseded by the Kansas-Nebraska Act. *At the time of its repeal there was no slavery in Kansas, in the judgment of the law. At the time of the passage of the Kansas-Nebraska Act there was neither slavery nor involuntary servitude in any of the Territories of the United States, under the Constitution of the United States.* There was no local law authorizing it, nor any act of Congress. There was neither a slave state or a free state having any jurisdiction over them. The Constitution of the United States never carried slavery into any free Territory of the United States. The statesmen who made it did not make it for that purpose. The people who ordained and established it, did not ordain and establish it for that purpose.

There is in it neither an express or implied power to establish slavery anywhere. If there was slavery at that time in Kansas or any other Territory of the United States, it was without law, and in direct violation of every principle upon which our institutions are based, and in conflict with the declared objects for which the Constitution itself was adopted. Neither in regard to slavery or any other subject, does the Constitution do that for which it was not intended or instituted, or that for which it does not itself declare it was intended or instituted. No partnership was formed by the Confederate States, at the time the Federal Constitution was adopted, for the purpose of creating or sustaining slavery. There was no article in the partnership contract declaring slaves to be common property, or registering them among the list of articles of chattels universally recognized throughout the civilized world as common subjects of property. That cannot, by any just law, be made property which is not the subject of property. Men entitled to life and liberty are not the subject of property to men entitled to life and liberty. Equals are not the subject of property to equals. The Constitution of the United States was never intended to establish or sustain, and does *not* now sustain, this

peculiar relation or institution in any Territory of the United States.

There is another serious aspect to this anti-Republican doctrine of slavery under the Constitution. If the right to hold slaves existed in Kansas at the time of the passage of the Kansas act, under the common Constitution, it existed in Utah and New Mexico and Oregon and Washington and Minnesota Territories. If the right to hold slaves exists under the Constitution of the United States independent of local law, the Constitution being the Supreme law of the land as it expressly declares, then every act prohibiting slavery in any of the Territories, the ordinance of 1787, and every law and Constitution of every free State, abolishing or prohibiting slavery, were and are unconstitutional, and the right of slaveholders to bring into Wisconsin their slaves and to hold them here as such, and to sustain the institution of slavery here, now exists, and slave labor, forced upon us, is liable to come into competition with the free labor of our citizens. It is a question which rises far above all party considerations. The free people of Wisconsin will never consent to any such construction of the Federal Constitution.

We owe to ourselves, and to the other free States, and to the spirit of our institutions, to record our solemn protest against it. Wisconsin was born of Virginia when ideas of free government filled the minds of her great statesmen, and when Liberty was the theme of her Orators. The child has not forgotten the early taught lessons of the parent. "*There SHALL BE neither slavery nor involuntary servitude in the State of Wisconsin otherwise than in the punishment of crime whereof the party shall have been duly convicted.*"⁷

The right to control, is a necessary incident to the power to acquire Territory. Congress has no power to establish slavery in the Territories, because it derives no power from the Constitution, and to establish slavery was not one of the purposes for which it was ordained and established. The Federal Gov-

⁷ Constitution of Wisconsin, art. 1, sec. 2.—Ed.

ernment has no right to acquire Territory except for purposes consistent with the objects of our institutions. It has a right, and it is its duty to prohibit slavery in the Territories, because it has power to legislate over the Territories, and slavery is the antagonist of that Liberty, to secure the blessings of which the Constitution was ordained and established.

The right of Congress to legislate for the territories has been conceded by every President, and sanctioned by every administration, from that of Washington down to that of President Pierce. It has been declared by the adjudication of the Supreme Court of the United States. Every organic law, organizing a Territorial Government, passed by Congress, is an act of legislation. The act of Congress, organizing a Territorial Government in Kansas, holds the same relation to that territory that a State Constitution does to the State. Congress can confer no power of legislation that it does not itself possess, and every act of legislation by Congress establishing an organic law is legislation for the territory, and for the people of the territory; is legislation over the territory and over the people of the territory, affecting the rights and privileges and institutions of the people of the territory. It is the duty of Congress to exercise that power of legislation over the Territories in order to prevent the aggressions of an enemy to the common liberty which the people have, under the Constitution, a right to enjoy. To a certain extent, the people have a right to regulate their own Institutions in their own way. But the people have no right to do wrong. The majority of the people have no right to oppress the minority. Constitutions are adopted and laws made with a view to protect the rights of minorities against the excesses of majorities, as well as to protect the rights of the majority because of their intrinsic merits. Under a constitutional government, the power of the people is not unlimited. The people must be bound by the law, or there is the end of civil government. Our Government is not a pure democracy, where the will of the people necessarily becomes the law. Otherwise, if the majority determined upon a Limited Monarchy or ab-

solute Despotism, without regard to constitutional safeguards, our Government might be changed to-morrow, and all our liberties overthrown. Under our present form of government, the people in every organized State, having regard to the bounds set to their action by the Constitution, and having in view the great objects of the Government, have a right to say through their legally chosen agents and representatives, by what kind of laws their lives and liberty and property shall be protected and preserved.

This applies, not to the rights of the majority or of the minority, but to the rights of the whole people. And when the objects of the government are to protect and preserve the life and liberty and property of the whole people, the majority has no authority to so will or so order their rule as to take away the rights of the least and humblest individual in the State. The majority of the people have no right under our constitution, or under the Federal constitution, to declare as law that the minority shall be slaves; and the fact that the majority should so declare would destroy the only really democratic element in the government, and would be a solemn mockery of every idea of Republicanism. It is the business, therefore, of Congress, wherever it has jurisdiction, to prevent by every constitutional means, the least attempt to establish an institution or a system of laws so opposed to all ideas of free government.

The repeal of the Missouri Compromise was a great wrong done to the Free States, and no benefit to the Slave States. It opened the door to every species of fanaticism, and to wild excesses from the criminality of which an age of good deeds and good government could bring no atonement, and the urgent effort still made to force upon the people of Kansas a Constitution to which a vast majority are notoriously opposed, against every principle of justice and constitutional obligation, is lighting up there the flames of civil war, which may spread until the whole country shall become involved.⁸ It is not the busi-

⁸ On conditions in Kansas see L. W. Spring, *Kansas* (Boston, 1885); and Rhodes, *United States*, ii, *passim*.—Ed.

ness of Congress to make state constitutions, or to force any state into the Union with a constitution odious to its people. The Constitution gives to Congress a discretionary power over the admission of new states. It may admit or it may refuse to admit. It is the duty of Congress to prevent the admission of any more Slave States into the Union. Slavery has spread far enough. It has diffused itself over more territory, and has now more power over the Federal Government than the Fathers ever intended or expected. It is the duty of every free State to remonstrate against its further extension, and against the admission of any more Slave States. Congress has no right to interfere with it in the Slave States, but should confine it just where it is, with all its blessings and all its woes, by great walls of law, supported by all the powers of the national government.

Article 10 of the Constitution of the United States says: "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 the people."

President Madison well said—"The powers delegated by the Constitution to the Federal Government are few and defined. Those which are to remain in the State governments are numerous and indefinite. The former will be exercised principally on external objects, as war, peace, negotiations, and foreign commerce, with which last the power of taxation will for the most part be connected. The powers reserved to the several States, will extend to all the objects, which, in the ordinary course of affairs, concern the lives, liberties and properties of the people, and the internal order, improvement and prosperity of the State."⁹

The tendency of the action of the Federal Government, has been for many years, aided by the Federal Courts, to centralization, and to an absorption of a large share of the sovereignty of the States. It has trespassed upon the reserved rights of the

⁹ F. C. Lodge (ed.), *The Federalist* (New York, 1889), no. 45, p. 290.—ED.

States and of the people, assuming a jurisdiction over them, in the exercise of power never delegated. The Federal Government, so far as there is any sovereignty under our form of government, is sovereign and independent in the exercise of its delegated powers, and the States are sovereign and independent in the exercise of their reserved powers. The safety of the States in the exercise of those powers in defence of the lives and properties, and liberties of the people, demands a firm, deliberate opposition and resistance to any attempt at usurpation or aggression by the Federal Government, its Courts, its officers or agents, upon the reserved rights of the States or the people.

The laws of Wisconsin declare "It shall be the duty of the Governor, and of all the subordinate officers of the State to maintain and defend its sovereignty and jurisdiction."¹⁰ The deliberate judgment of the highest judicial tribunal of the State as to the sovereignty and jurisdiction of the State, as to the reserved powers of the State and of the people, and as to the rights to liberty and property of its people, is the law, and must be sustained.¹¹ Wisconsin is true to the Constitution. The people are loyal to the Constitution and to the Union. She will give to the Federal Government all its rights, to her sister States all their rights, and will insist upon her own. The people will never consent to disunion of the States. They will aid in bringing back every State that forgets its loyalty. They will not consent to speculate upon a contingency in which disunion would be justifiable, or even excusable, but doing justice and demanding justice, they will continue to support the Constitution and the laws.

* * * * *

ALEXANDER W. RANDALL.

¹⁰ Wis. Rev. Statutes, 1849, chap. 1, sec. 3.—ED.

¹¹ *In re Sherman M. Booth*, 3 Wis. 13; and *in re Booth and Rycraft*, 3 Wis. 144; see also *Ableman vs. Booth*, 21 Howard 506, in which the U. S. Supreme Court reversed the decision of the Wisconsin Supreme Court. For historical review, consult J. B. Winslow, *Story of a Great Court* (Chicago, 1912), pp. 70-81, 118.—ED.

1859. Twelfth Annual Legislative Session, January 12-
March 21

The two Houses of the Legislature met in Joint Convention on January 13, and the Governor read thereto in person his

ANNUAL MESSAGE

in the course of which he made the following allusion to the slavery question:

Gentlemen of the Senate and Assembly:

* * * * *

SLAVERY

My views, as expressed in my last message, in regard to the relative powers and duties of the Federal and State Governments, and in regard to the power and duty of Congress to prohibit slavery in the Territories by positive enactment, and to prevent the admission of any more slave States into the Union, remain unchanged. They must be settled upon and sustained, as indicating the true policy of the Government, and as the only means by which the objects for which the Government was formed can be successfully attained, and the rights and liberties of the people preserved.

* * * * *

ALEXANDER W. RANDALL.

1860. Thirteenth Annual Legislative Session, January 11-
April 2

The two Houses of the Legislature met in Joint Convention on January 12, and the Governor read thereto in person his

ANNUAL MESSAGE

in the course of which he referred as follows to the status of the Wisconsin militia and the pending question of slavery:

Gentlemen of the Senate and Assembly:

* * * * *

ADJUTANT GENERAL'S REPORT

The Report of the Adjutant General shows 55 volunteer military companies, embracing 2,365 rank and file. The returns of the enrolled militia show great neglect of duty by the assessors. From a large majority of the counties of the State no returns are made as provided by law. As this annual return is necessary, under a law of Congress, to insure the distribution of an annual quota of arms to the State, it is to be hoped that more care may hereafter be taken.

Various interesting statistics relative to the volunteer militia will be found in the Report.

* * * * *

SLAVERY

New subjects of excitement connected with slavery and the slave trade are agitating the public mind. As a national question, that of slavery and slavery extension is foremost among the people. Slavery existed in the Colonies before the law, and before there were any State Constitutions. It was forced

into some of the States, as in the case of Virginia, against the will and remonstrances of colonial citizens. The slave trade was made a matter of complaint against the mother country. It was deemed of incalculable evil to the new settlements upon the western continent. Existing, as slavery did, in all but one of the colonies, at the time of the formation of our present constitutional government, it was *tolerated* for the time being, with the idea that its existence would be, comparatively, but temporary, and that it would die out, as an institution entirely incompatible with the genius of the government, and with the great objects for which it was formed. While the increase of the number of slave states has not been correspondingly great, the increase of slavery and of the power of slavery in the government has been so great that the slave population in the slave states is now greater than the entire population of the colonies at the time of our revolutionary controversy with Great Britain,¹² and the whole machinery of the federal government is blocked up by its exactions. The compact made at the time of the adoption of the Constitution of the United States, that slavery should be *tolerated*, and that "persons held to service should be delivered up on claim of the party to whom service was due"¹³ has not been satisfactory to the slaveholding States. New demands have been constantly made upon the consciences of the people of the non-slaveholding States, until serious difficulties have arisen between the two sections of the Union. There is no right of interference with slavery in the Slave States by legislation in the Free States, tending to its abolition, or by citizens of the Free States through a violent intervention. But the government was formed for the declared purpose of "preserving the blessings of Liberty," among other things, and not for the purpose of extending slavery. The colonies which so urgently denounced the evils of the institution and so strongly

¹² The population of the United States in 1790 was 3,929,214; the slave population in 1860 was 3,953,760.—Ed.

¹³ U. S. Constitution, art. 4, sec. 2.—Ed.

complained of the slave trade, now, erected into states, seek to force upon free territories the evils of a system they then deplored, by planting slavery where the Fathers of the Republic never intended it should go. Time after time compromises have been entered into, connected with and growing out of the existence of slavery, and time after time, at the demands of slavery, they have been broken down. Its exactions are intolerable. While there is no right of interference with slavery where it exists in the slave states, by free state legislation, and while there is no effort at interference with it by forcible means by citizens of the free states, with a few individual exceptions, the free states have a right to insist, and it is their duty to insist, that it shall be no farther extended. The fact that the Territories are the common property of the people of all the states carries with it no right to establish slavery there. The fact that men are held as slaves in slave states gives no right to carry them as slaves into territories, simply because they are counted as property in the slave states. The fact that slaves are called property, gives no right of property in them. Men are not recognized by the civilized world as common subjects of property. They cannot be placed in the same category as chattels, and things and estates, which are universally conceded to be subjects of ownership. Slavery in the Territories, therefore, would be without law and above the law, a mere creature of force, subject to all the contingencies of a violent existence. An institution so inhuman, so pernicious in its character, so disastrous to the interests of free labor, and terrible in its consequences to the bondmen, and so antagonistic to the great principles of human liberty that underlie our government, ought, by the exercise of every legitimate power, to be restrained from any further extension. The new and fearful doctrine, that under the Constitution of the United States, slavery goes traveling into the Free Territories of the United States, and is there to be protected under its broad shield, without any local law on the subject in the Territories, is unworthy of the age in which we live, or of the statesmen to whose hands are entrusted the

interests of this great people. It is no subject of congratulation that in this theoretically free government an effort has been made, and is still persisted in, to establish the "right of every citizen to take his property of every kind, including slaves, into Territories, and have it protected there under the Constitution." The idea that "neither Congress nor a Territorial Legislature, nor *any human power*, has any authority to annul or impair this vested right," is the most unwarranted of any ever conceived since the Federal Government had an existence. No good citizen can give assent to it. No honest, enlightened statesman should countenance it for a moment. It is not true. There must be a power over slavery somewhere. It is not above the law or out of the reach of the law.

If Congress cannot prevent its extension, where does it get the power to authorize a convention to form a State Constitution prohibiting it? If a Territorial Legislature cannot prohibit it, how can it provide for the election of delegates to a Constitutional Convention, with power to make a free Constitution? It would then be unconstitutional to declare in a State Constitution, formed over a Territory, that there should be no slavery there. A Constitutional Convention, sitting to make a State Constitution, is a "human power." Is it true that slavery overrides every other great interest? That the assumed right of property in man is so old and enduring that, touched by the indurating hand of time, it can harden into a right absolute, beyond the reach of any interference but that of Omnipotence? Have we such a government that there is no power but that of Almighty God that dares to touch it? If so, this great nation must bend its neck to the yoke, and slavery become universal, and, in a government ordained by the people to preserve the blessings of Liberty, humanity must "give signs of woe that Liberty is lost." The fact that Congress has the power to prohibit slavery in the Territories, however much that doctrine may be opposed from motives of interest or ambition, notwithstanding the great weight that has been thrown into the scale

against it,¹⁴ is as certain as that the government has power to acquire territory at all. That it cannot control what it has power to acquire by treaty, by conquest, or by purchase, is absurd. This power should be exercised, and the way of slavery extension walled up forever. The slave States have no reason to complain of this. They must be left unmolested in the enjoyment of the blessings of that peculiar institution, if there are any blessings connected with it, in the slave States, so long as the government remains. While this is conceded, the right to impose it upon new territories cannot be admitted, and its extension must be prevented, not by inroads upon the slave States themselves, with violence and in blood, but by legitimate constitutional legislation, sustained by the power of the government itself.

It cannot be conceded that the black race has no business upon the earth. We can have no controversy with the Great God over any supposed error in the location or distribution of races. There is a diversity of races. Intellect is confined to no race, while there is great inequality in intellectual development. So far as the great rights of life, liberty, and the pursuit of happiness are concerned, it is enough to know that they belong to manhood. With the wisdom which has distinguished the different races of men by marked physical and intellectual features, we can have no dispute. But we can learn, and we do learn, from this very diversity, that each race belongs to itself alone, and that there can be no social contact or assimilation but would carry with them untold disasters.

There are other evils connected with this subject. While the African slave trade is made piracy by law, and is so condemned by the whole civilized world, deliberate attempts are constantly made to re-open it, and in frequent instances cargoes of slaves, fresh from Africa, have been landed upon our southern coasts, and the chattels scattered though the country, marketed for

¹⁴ The U. S. Supreme Court declared in the Dred Scott decision that Congress had no power to prohibit slavery in the territories.—Ed.

service upon southern plantations. This evil is more grave from the fact that it receives countenance from leading southern statesmen, and is openly proclaimed as a policy designed to be reinstated.¹⁵

Again: In some of the slaveholding States, laws have been passed authorizing the sale of free blacks into slavery, and the confiscation of their property, in case they remain there after a given time mentioned in the law. The laws which prohibit the ingress of free blacks surrounding these States, render deplorable indeed the condition of that unfortunate race of men, and are a sad commentary upon the Christianity and Civilization of the age, in a land boasting of its freedom.¹⁶ The extension of an institution of this character, so fraught with calamities to both the white and black races, into free territories, multiplying the elements and means of oppression and wrong, ought not to be encouraged or countenanced either by the citizens of the Southern or Northern States.

Free labor languishes and becomes degrading when put in competition with slave labor; and idleness, poverty and vice, among large classes of non-slaveholders, take the place of industry, and thrift, and virtue. It prevents a general system of popular education, and ignorance abounds in the places where knowledge should be the brightest ornament of intellect.

The increase of the blacks in warm climates is far more rapid than that of the whites. Already in some of the slave States the slaves outnumber the free whites.¹⁷ Twenty-five years from the present time, the ordinary ratio of increase will give

¹⁵ Act of Congress, May 15, 1820. Cf. Rhodes, *United States*, ii, index under "slave trade." See also a resolution from the legislature of New York to the legislatures of the other States, protesting against the reopening of the slave trade; *Wis. Sen. Jour.*, 1860, p. 249.—Ed.

¹⁶ See *ante*, p. 13, note 10.—Ed.

¹⁷ Consult codes and revised statutes of Southern States in last editions before 1861.—Ed.

¹⁸ Mississippi and South Carolina.—Ed.

a slave population in the slave-holding States of nearly ten millions, at least equaling, if not superior in numbers to the free white citizens.¹⁸ Looking to a future in the history of States beyond that, we may well enquire what will be the condition of the Southern States and of the whole country at the end of fifty years. What can be done with twenty millions of slaves, without education, without fixed moral principles, the subjects of whim, caprice, passion; knowing no law but the law of force, submitting to no power but the power of force; smarting under real or imaginary injuries; deeming themselves oppressed and looking every day upon their supposed oppressors; more restrained of their liberty through the fears of the masters, and subject to more rigid police surveillance, and more extreme exactions, because of multiplied dangers? What could control the wild passions of that overwhelming physical power, once aroused? So terrible a wrath, with so resistless a force, would almost inevitably lead to a war of races, more cruel, destructive, bloodthirsty, than the world ever saw before, beginning with conflict and ending with butchery. In such a war, one or the other of the two races must be destroyed. In such a contest, where would the victory be? To precisely such a result are we tending to-day. Deny it as we may, the physical laws of the races, and the climatic influences, are driving us right onward towards such a future. The sagacious statesman, gathering wisdom from the history of living as well as of the dead nations, looking forward to a probable future as he looks back at an actual past, and seeing danger to his country and institutions afar off, should devise some means of protection commensurate with the apprehended danger, by which such calamities may be avoided.

It has been well said that "it is the true mission of a superior and enlightened race to protect and establish with well founded

¹⁸ In 1890 the U. S. census gave the total negro population of the United States as 7,488,676, and the total white population of the South Atlantic and South Central states as 13,193,453.—Ed.

institutions the feebler races within its influence. The general welfare requires this, and renders it the exalted duty of powerful nations. England, France and Russia, though subject to selfish monarchies, yet feel the impulse of this enlightened age; and we see the Czar giving freedom and rights to his sixty millions of serfs, and spreading civilization over all the North of Europe and Asia.¹⁹ England and France hold up besotted Turkey, and are endeavoring to instill life again by imparting freedom and toleration to the masses. England extends her principles of representative government, in greater or less degree, to her dependencies; and France, propagating her power in Africa and Asia, carries with it the refinement, intelligence and skill which may at some time elevate the people she civilizes in the scale of nations.

“Shall the mighty States of this hemisphere—the pioneers of the liberal principle of the greatest good to the greatest number—be known to the red and black races, struggling into existence, under liberal forms of government, in neighboring climes, suited to their caste, only as depredators and enslavers? They seem to have been committed to our guardianship by the gracious Providence that has conferred so many blessings upon us in the achievement of our own liberties. Shall we abuse the power thus conferred by establishing bondage as the law for all whom we can master?”

A remedy for these anticipated evils, and a solution of this whole slavery problem may be found in the suggestions of our early statesmen while they were casting about for this purpose, impressed as they were that the relation of master and slave was to be tolerated for the time and ultimately to die out.

It can be found by simply providing for the peaceful emigration from all the States of this Union, of all the free colored persons of African descent, who may desire to emigrate, to some place in Central or South America, in some of the States

¹⁹ Alexander III, who came to the throne in 1855, by a series of acts and measures emancipated the Russian serfs.—ED.

of the tropical regions, in which rights may be acquired by treaty by the United States, for that purpose, and for their benefit. It is simply that these people may go and mingle with the population already existing in those States (and a large portion of the people there is of the colored race), where color is no degradation, and where they may mingle freely together, with all the rights of settlement and citizenship, and form themselves into colonies.²⁰

In speaking upon this proposed measure, Mr. Jefferson said: "It was, however, found that the public mind would not yet bear the proposition; yet the day is not far distant when it must bear it, and adopt it, or worse will follow. Nothing is more certainly written in the book of fate, than that these people (the negroes) are to be free; nor is it less certain that the two races, equally free, cannot live in the same government. Nature, habit, opinion, have drawn indelible lines of distinction between them. It is still in our power to direct the process of *emancipation and deportation*, and in such slow degree that the evil will wear off insensibly, and their place be *pari passu* filled up by free white laborers. If, on the contrary, it is left to force itself on, human nature must shudder at the prospect held up. We should in vain look for an example in the Spanish deportation or deletion of the Moors."²¹

In a letter to Mr. Coles, Mr. Jefferson thus warns his friends in the South: "Yet the hour of emancipation is advancing in the march of time. *It will come*; and whether brought on by the generous energies of our own friends, or by the bloody proc-

²⁰ Colonization projects appeared at an early date. The American Colonization Society was founded in 1816. Liberia was colonized in 1822. There were other projects for colonization in Texas and Haiti. The idea was favored in the South, especially for free blacks, as well as in the North, and received aid from the United States government and from state governments.—Ed.

²¹ Written in 1821. See B. L. Rayner, *Sketches of Life and Writings of Thomas Jefferson* (New York, 1832), p. 164.—Ed.

ess of St. Domingo * * * is a leaf of our history not yet turned over.’²²

In his letter to Mr. Sparks, he says: “The second object, and most interesting to us, as coming home to our physical and moral characters, to our happiness and safety, is to provide an asylum to which we can, by degrees, send the whole of that population from among us, and establish them under our patronage and protection, as a separate, free and independent people, in some country and climate friendly to human life and happiness.’²³

In consideration of the commercial advantages of a free trade with such colonies, the United States could well make all necessary and proper engagements to maintain them in the enjoyment of the rights and privileges, acquired by a treaty made for the purpose of establishing them there. Here this government can do something worthy of a great nation. A way of escape would be offered to the free blacks from renewed bondage. Inducements would be held out to philanthropic men to emancipate their slaves; the northern slave States, following the lead of the free States could quietly and gradually introduce free labor in the place of slave labor, thus adding to their wealth and honor; the great evils to be apprehended from an over-crowded slave population would be avoided, and liberty prevail throughout a land universally prosperous, and under the sole dominion of the white race. The commerce of these colonies, increasing with their age and civilization, would add to our accumulating wealth and prosperity, and the wrongs of ages of oppression be blotted out from the book of remembrance forever. To this it must come sooner or later, and delay only increases the difficulties surrounding us.

To lead in invoking the attention of the whole people to this great enterprise would well become the vigorous young States

²² P. L. Ford (ed.), *Writings of Thomas Jefferson* (New York, 1892), ix, p. 478.—Ed.

²³ *Id.*, x, p. 290.—Ed.

of the Northwestern Territory, which have grown up under the shadow of the tree of liberty planted by Virginia.

A memorial to Congress on this subject is seriously recommended.²⁴

Peaceable and legal remedies alone can relieve us of slavery extension and slavery agitation.

The provoking riots at Harper's Ferry, which were dignified into treason against the Government of the State of Virginia, were the fit offspring of the forcible attempt to plant Slavery in Kansas and the legitimate fruits of the repeal of the Missouri Compromise.

However much we may admire brave men and heroic deeds, we can find in them no excuse for attempts by force to undo domestic evils under a government like ours. The theory of our government is, that it is one of law, not of force. There are peaceful and legal remedies by which wrongs may be redressed. Justice for the sins of nations, as for the sins of individuals, though sometimes apparently slow, is always sure as the execution of Divine Judgments. While we remain a government of banded States, good faith requires that no State, and the citizens of no State, shall interfere with the institutions of any other State. While Wisconsin will suffer no hostile invasion from any other State or the citizens thereof, so it must repress any hostile attempts upon the institutions of its sister States. The occasion of the difficulties at Harper's Ferry was signalized by crimes committed both by invaders and invaded. No matter how philanthropic or humane the motives of misguided men may have been, they committed wrongs in the eye of the law which cannot by good citizens be palliated or excused.²⁵

²⁴ No such memorial was introduced.—Ed.

²⁵ The reference is to John Brown's capture of the United States arsenal at Harper's Ferry on Oct. 16, 1859. For detailed account see F. E. Chadwick, *Causes of the Civil War* (American Nation series, New York, 1906), index; also Rhodes, *United States*, ii, index.—Ed.

The disunion sentiments avowed in portions of the country, and sometimes in our Halls of National Legislation, are unpatriotic, undignified, disgraceful. Every *threat* of disunion should be held up to public reprobation in all sections of the Union, and every *attempt* at disunion rewarded with a halter. The Union of these states cannot be dissolved. It may be rocked, but cannot be overturned.—There is no conceivable contingency in which it can be consented to. A disruption, instead of relieving us from present evils, would involve all sections in far greater evils. While the North asks nothing that is wrong, it will submit to no wrong, but will seek its remedy in wholesome laws, wisely enacted and firmly executed. If any state forgets its allegiance, it must be brought back. The South is entitled to be left unmolested in her domestic relations and institutions, and must be content with that; while both sections of the Union, striving to do exact justice to each other, may yet be relieved from all jealousies and heartburnings, and escape the derision of the nations of the earth.

“Faith without works is dead.” Labor, and vigilance, and honesty of purpose, devoted to the welfare of the State, and of the common country, with an earnest desire for the prosperity and happiness of the whole people, will dispel all the darkness that envelopes us, and restore the hopes of permanent prosperity. With a just pride we may then look, in the past, upon the budding, opening glory of Young America as she was, and, in the present, upon her rich ripeness as she is.

ALEX. W. RANDALL.

MADISON, Jan. 12, 1860.

A SPECIAL MESSAGE

was sent to the Legislature by the Governor, on March 7, 1860, as follows:

MADISON, Wis., March 7, 1860.

To the Honorable the Legislature:

On two occasions in my messages I have called the attention of the Legislature to the inadequacy of the militia laws of the State. The law declares that "it shall be the duty of the Governor, and of all the subordinate officers of the State, to maintain and defend its sovereignty and jurisdiction."²⁶

The Constitution makes it the duty of the Governor to "take care that the laws be faithfully executed."

The Governor is made, by the Constitution, "commander-in-chief of the military and naval powers of the State."²⁷

Section 4, of chapter 31, of the Revised Statutes reads—"The Governor shall be commander-in-chief of the militia of this State, *except when called into the service of the United States,*" etc.²⁸

Either the constitution of the State is wrong, or the statute is wrong. They materially disagree. While the constitution makes the Governor Commander-in-Chief of the militia, the Legislature must direct how the militia is to be used, and furnish the means for support while in service. Under the militia laws of this State, the power of the Executive over the militia is confined mostly to making and unmaking military officers and organizations, and to suppressing riots. The entire military organization is wholly inefficient, and the authority of the Executive wholly inadequate to meet any contingency where the rights, or jurisdiction, or sovereignty of the State are imposed upon by usurpation or aggression from without, or

²⁶See *ante*, p. 13, note 10.—Ed.

²⁷Both quotations are from art. 5, sec. 4.—Ed.

²⁸Wis. Rev. Statutes, 1858.—Ed.

where they are likely to suffer from insurrection or rebellion from within. Expenses incurred in the use of a military force must be paid as they are incurred. I shall undertake to do, in all cases, and without regard to consequences, whatever the Legislature may or shall constitutionally authorize or require, to the full extent of the power conferred and means furnished for the performance of public duties.

I deem it my duty to again call the attention of the Legislature to this subject, because of the radical defects in our Militia Laws.²⁹

ALEX. W. RANDALL.

²⁹ The committee on militia, to which the message was referred in the Senate, brought in minority and majority reports; see *Wis. Sen. Jour.*, 1860, pp. 733-734, 787-789. A similar committee of the Assembly brought in a report on March 13, which was, however, on the next day ordered expunged, as being the report not of the committee but of the minority thereof; *Assem. Jour.*, 1860, pp. 682, 701.—Ed.

1861. Fourteenth Annual Legislative Session, January 9—
April 17

The two Houses of the Legislature met in Joint Convention on January 10, and the Governor read thereto in person his

ANNUAL MESSAGE

which contained the following references to the impending national crisis:

Gentlemen of the Senate and Assembly:

* * * * *

ADJUTANT GENERAL'S REPORT

The annual report of the Adjutant General, shows that fifty-two uniformed volunteer companies are organized and armed, and in various states of efficiency, numbering 1,992 rank and file. Besides these companies, twelve others, in different portions of the State, have applied for organization and equipment. Should the last mentioned companies be regularly equipped with the legal number of arms, the total number would be 2,473. But the State has not the means to arm more than three or four of the companies applying, and the annual quota, to which the State is entitled under the practice of the Federal Government of late years, will only give us sufficient for about three companies more.³⁰

Efforts have been made during the past year, by the Adjutant General, to bring the uniformed militia up to a standard of greater efficiency, and with some degree of success; but the

³⁰ At this time the Federal government distributed arms among the States in proportion to their number of senators and representatives in Congress.—Ed.

fact is nevertheless apparent that the organization of military companies has been too often the result of the desire of localities to obtain the means of making a display on anniversary occasions, and when the arms have been obtained from the State, the object of the organization is too often deemed accomplished, and the company seldom meets for drill thereafter; the men resign after a time, and the company maintains but a nominal existence. It is for the Legislature to consider whether this state of things ought to continue, and whether there is anything in the signs of the times which should cause steps to be taken to place the Volunteer Militia upon a more efficient footing. The number of persons subject to military duty in the State exceeds 130,000.

* * * * *

SPECIAL PREMIUMS

In view of the probable difficulties which may embroil the States of the Union, but more especially with a purpose of developing new agricultural products, and rendering our citizens more nearly independent by reason of their home productions, I have deemed it proper to call the especial attention of the Legislature to the propriety of special premiums on one or two products, from whose diffusion important and valuable results may be anticipated.

The annual expenditure of the people of the State, for supplies of sugars and syrups, reaches beyond a million of dollars. Experience has already demonstrated that the recently-acquired Imphee, Sorghum, or Chinese Sugar Cane plants, may become acclimated, and open a wide field for the enterprise of agriculturists. Thus far, the cultivation has only been experimental, and on too limited a scale to be regarded as a fair test. But these experiments, made generally in connection with other pressing labors distracting the attention, with limited means and inadequate apparatus, have afforded very satisfactory results. They seem to render it certain, that every acre of good cane will produce from one hundred and fifty to three hun-

dred gallons of syrup, equal in quality to any imported, and that the manufacture of sugar is also an attainable end, at but moderate cost.

It is difficult to induce agriculturists, engaged in the common farm pursuits, to devote their attention to a new crop on a sufficiently large scale, and incur the necessary outlay of capital required, without some special inducement. I suggest, therefore, whether it is not a matter of sufficient importance to the State to offer for one or two years, under suitable restrictions, liberal premiums or rewards to the producer of the greatest amount of cane, and the largest yield of sugar and syrup of approved quality. Ten premiums could be so graduated as to call for a sum not exceeding \$3,500 in the aggregate, making the highest one thousand and the lowest one hundred, and would, in my opinion, invite a lively competition, from which the State, in time, would reap very essential benefits.

The cultivation of flax, also, is a branch of agriculture entitled to special encouragement. Recent scientific discoveries have rendered it probable that a material can be fabricated from this plant under certain chemical processes, similar but much superior to cotton, and at a cost, not much, if any greater. If these results should be realized, the cultivation of the crop in increased quantities will prove highly important in an economic point of view, and would add one step more towards freeing us from dependence on foreign States for articles of indispensable necessity.³¹

³¹ Chinese and African sugar cane were introduced into Wisconsin by the State Agricultural Society in 1857. Statistics collected by the Society in 1860 showed 314 acres under cultivation, 51,085 gallons of molasses made, and 3,493 pounds of sugar; Wis. State Agr. Soc., *Transactions* (Madison, 1860), p. 56. During the decade from 1900 to 1910, Wisconsin stood first among the non-irrigated states in the Union in the production of sugar beets, and first among all the states in the production of flax.—Ed.

* * * * *

MILITARY ORGANIZATION

I have before called the attention of the Legislature to the necessity of some further legislation to aid in a more efficient organization of the militia of the State. While there is a mere skeleton of an organization, no efficient use can be made of it to suppress insurrection or rebellion from within, or to prevent aggressions from abroad. The militia may be used, under the direction of the Executive, to sustain the civil arm of the Government, and to aid in the execution of the laws. The laws are to be executed only in the manner directed by the laws themselves, and the military forces can only be used to aid the officers of the law in executing the process of a court, when obstructions are placed in the way, and in suppressing riots. No provision whatever has ever been made to meet the expenses which would necessarily be incurred in the use of a military force, for any purpose whatever. While, therefore, it is the duty of the Executive to see that the laws are faithfully executed, he is left comparatively powerless—called upon to execute without means of execution. The signs of the times indicate that there may arise a contingency in the condition of the Government, when it will become necessary to respond to a call of the National Government for men and means to maintain the integrity of the Union, and to thwart the designs of men engaged in an organized *treason*. While no unnecessary expense should be incurred, yet it is the part of wisdom, both for individuals and States, in revolutionary times, to be prepared to defend our institutions to the last extremity. I commend this subject to your wisdom and discretion.

SLAVERY, DISUNION, ETC.

By the original articles of Confederation, the States of New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina,

and Georgia, severally entered into "a firm league of friendship with each other for their common defence, the security of their liberties, and their mutual and general welfare;" binding themselves to assist each other "against all force offered to, or attacks made upon them, or any of them, on account of religion, sovereignty, trade, or any other pretence whatever." Each State retained its sovereignty, freedom, and independence, and every power, jurisdiction, and right which was not by the Confederation expressly delegated to the United States, in Congress assembled.

This was a league of the States, and not a government of the people of the United States.

Experience soon proved that while in some respects that species of government answered the purpose for which it was created yet the diversity of local and sectional interests, and the claims of the several States themselves, to the right to exercise powers not too well defined, and the differences gradually growing up between the several States, from a variety of causes, showed the necessity of a form of government widely different in principle, which should acquire and maintain a larger degree of permanent strength and efficiency, by making the people themselves, instead of the several States, directly parties to it.

The Confederation was a league of friendship between the States, having in view, as declared, the common defense of the States; the security of the liberty of the States, the mutual general welfare of the States; as they bound themselves, each separately speaking for itself and not for the people, to assist each other against all force offered to, or attacks made upon them on account of religion, sovereignty, trade, or any other pretence whatever. The technical obligation was that the Confederation should make common cause in defending any State; in securing the liberty of any State, and its general welfare; that the States assist each other against all force offered, not to the people, but to the State; against all attacks made upon the States, and not against attacks made upon the people, on ac-

count of religion, sovereignty of the States—not sovereignty of the people; trade of the States—not attacks upon the trade of the people. The league was, in other words, to protect the States in the enjoyment of their rights as such, and to protect State sovereignty, so far as the States were sovereign, without regard to the rights of the people themselves, which were solely to be determined, except in a few enumerated cases, by the government of the several States themselves. It was a compact between several sovereign powers, virtually distinct from each other, made for certain specified purposes, and to aid each other in the exercise of their several prerogatives as independent States. The people, strictly, did not make it.

The statesmen of that day, satisfied that that species of government must ultimately prove a failure to a very great degree, devised a new system, which, while it retained a few of the features of the Confederation, so far as the limited independence of the States was concerned, was materially different, particularly in that *the people themselves*, as a *people*, instead of *States*, became parties to it. *A league of States* was turned into a *government of the people*. It was necessarily made to embrace a great variety of particulars, in order to accommodate the interests, or opinions of interests, of the States whose several peoples became parties to it, and it involved the necessity of a spirit of accommodation to the reasonable expectations of the people, and of moulding and arranging the particulars which composed the whole in a manner to satisfy, so far as possible, all the parties to it. It was made, not for the benefit of any State; to gratify any whim, caprice, or passion; to pander to any local influence, or to protect or foster any local interest.

In the one case, the States made the articles of confederation for the States themselves. In the other case, the people of the United States ordained and established our present Constitution, "*for the United States of America.*"

In the one case, the States entered into a league of friendship with each other, for their common defense, the security of their liberties, their mutual and general welfare; binding

themselves to assist each other against all force offered to or attacks made upon them, etc.

In the other case, "The *people* of the United States, in order to form a more perfect Union, establish justice, ensure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to themselves and their posterity, ordained and established this Constitution, for the United States of America."

Here are the different purposes avowed in the organization of the two systems of government. One looking particularly to the benefit and interest of the States, and the other more to the protection of the rights of the people. Under the new system, the people delegated certain powers, by the Constitution, particularly enumerated to be solely exercised by the General Government of the United States. At the same time they declare that "the enumeration in the Constitution of certain rights, should not be construed to deny or disparage others retained by the people;" also 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."

Here are absolute grants and positive reservations, with the clear declaration that by the enumeration of certain rights in the Constitution conferred upon a General Government, there should be no construction that they denied or disparaged any of the rights not enumerated, but retained by them. While they give up certain rights and conferred or delegated certain powers, they did not give up all, nor did they in set terms reserve all that were reserved, but in their delegation and reservation assumed that there were other rights than those enumerated, which were not to be denied or disparaged, the same being retained by the people themselves. So the powers held, and to be exercised, by what we call the General Government are only those expressly delegated, or such implied powers as become absolutely necessary to be used in the exercise of delegated powers. The government takes nothing but what

the Constitution gives it and the States respectively, and the people part with nothing—lose nothing—but what they have in express terms given away. The United States are sovereign and independent in the exercise of delegated powers, and the States and the people sovereign and independent in the exercise of all reserved and non-enumerated powers of government. The government of each State belongs to the people of that State. The government of the United States belongs to the people of the United States. The people of each State may mould and control the civil and political institutions pertaining peculiarly to itself, and so long as they do not act in conflict with the Constitution of the United States, may change their system as they please, without consulting the General Government. The people of the United States alone can change the character of the General Government. The General Government cannot change the character of a State Government, or usurp or exercise any power over it not delegated, nor can any State, or the people of any one State, change the character of the United States Government, abridge its powers or add anything to them; restrict or increase its jurisdiction or authority, impair any of its rights, violate its constitutional laws, or disturb its integrity and wholeness.

Each State has the power, within its own jurisdiction, as it is its duty, to protect the rights of persons and property of its citizens; and the citizen of any one State, sojourning in any other State, as a citizen of the United States, has a right to be protected in his person by the government of the United States, in the exercise and enjoyment of all the privileges and immunities which belong to him under the Constitution, which is the common charter and shield of the whole people.

The government of the United States is Federal in a limited sense, so far as in the exercise of its powers it operates upon the political bodies called States, in their political capacity. But so far as it operates upon the people in their individual capacities, in its ordinary and essential proceedings, it is purely National, though limited in its jurisdiction. The governments

both of the several States and the United States, are inviolable within their distinct spheres. The people act, make and unmake constitutions and laws, by processes known only to the Constitution of the several States or the United States. The government is one of law and not of force, and there is no revolutionary element in its character. The Constitution tells us how it may be changed, and tells us the only peaceable mode of changing it. It tells us how boundaries and territorial jurisdiction may be extended and enlarged. It gives power to Congress to admit new States, but *no power to turn one out*. By virtue of its complete sovereignty and independence as against all the other nations of the earth, and as a power necessarily incident to government, it may acquire new territory by treaty, by conquest or by purchase. It has power in itself to strengthen and confirm the government, making it greater, richer, stronger; but no where in it is found a delegated power to aid in breaking in pieces the Union, or to suffer it to be broken.

When the Government was made it was intended to be perpetual, and no plan or device was suggested or conceived whereby it could be destroyed. Mr. Madison concisely stated the delegated, and some of the reserved, powers of the National and State governments. "The powers delegated in the Constitution to the Government are few and defined. Those which remain in the State governments are numerous and indefinite. The former will be exercised principally on external objects, as war, peace, negotiations and foreign commerce; with which last the power of taxation will, for the most part, be connected. The powers reserved to the several states will extend to all the objects which, in the ordinary course of affairs, concern the lives, liberties and properties of the people; and the internal order, improvement, and prosperity of the State. The operations of the Federal Government will be most extensive and important in times of war and danger; those of the State governments in times of peace and security."³² In the exercise

³² From *The Federalist*, no. 45, p. 290.—ED.

of the various powers by these different governments, great care and prudence must ever be exercised. The reserved rights of the States are not to be imposed upon or impaired by usurpations of the National Government, or any of its departments, nor is a single delegated power to be restricted or opposed in its exercise. The General Government is to look to the general welfare, and to the integrity and perpetuity of the Union for the great purposes for which it was established; while the States must take care of the lives and liberties and properties of the people, and the internal order, improvement and prosperity of the State.

This Government, so artfully conceived and skillfully formed, with its legislative, judicial and executive departments, as between State and National, claiming of right, a double allegiance—an allegiance not inconsistent or antagonistic—complicated yet simple, is today involved in strange difficulties, and perhaps dangers. For three score years the States multiplied and waxed strong; the nation grew great and rich, beloved at home, and respected and feared abroad. The citizens of the United States, in any part of the civilized world, had but to declare their country, and nations respected their rights. Today, citizens of independent States and of the United States, within the national jurisdiction, upon American soil, are mobbed and hung upon the next tree, for the mere expression of opinion upon questions both of radical principle and of public policy and sometimes for even refusing to express an opinion—silence being construed into crime.

The idea of Mr. Jefferson, that Governments derived their just powers from the consent of the governed—not from a part, but from the whole governed—runs through and is the spirit of our common Constitution. The people who were to live under it and to be protected by it, made it for themselves and consented to abide by it, paying it their obedience as they claimed its protection. *Government is the exercise of the power of making and executing laws.* Here those who exercise this power of making and executing the laws are not, or at least

should not be, self-chosen. The people choose or should choose whom they will to exercise this power, for their own purpose and benefit, limited in that exercise only by the rule of that Constitution which the people themselves have made. It was made for the purpose of protecting and not for the purpose of taking away inalienable rights, for the purpose of protecting and preserving civil and religious liberty, and not for the purpose of extending human slavery. So said the fathers of our system, who, while they tolerated slavery as an existing institution, deemed that ultimately it would be extinguished, and the nation become in fact what it is in theory, the home of universal Liberty. Interest, and passion, and ambition have startled the civilization of the age with strange ideas of government, and of the equality of mankind. The theory that this Government is a machine to be used to extend Slavery wherever its power and jurisdiction reaches, and wherever our national flag floats; and that when so extended, the whole power of the nation should be used to sustain the institution there, through the direct declarations or implied consent of the head of the government, and the chiefs of its departments, has taken so strong a hold upon the people of large sections of the country, that a wild excitement rages upon the subject.

Within the last year—as is a legal habit once in four years—the people, in the usual constitutional way, without force or violence; with no armed bands; with no hostile or wicked intent; with no serried ranks or glittering bayonets, elected a President of the United States. The choice of the people, as shown in the selection made by the electors, is a peaceable, quiet citizen, undeniably eligible to the office. His opinions upon questions of public policy are precisely such as have been entertained by those who have held the high office and discharged its duties before him. Believing that human slavery is in antagonism to that common liberty sought to be established and maintained under our common Constitution, he is opposed to its extension into the Free Territories of the United States.

While he consents to the fact of the existence of slavery in many of the States, and avows that there is no right in the Free States, or in the General Government, to any interference, directly or indirectly, with slavery in the Slave States, he is opposed to its extension unauthorized by law. The multitude of people by whose suffrages he has been elected, entertain the same views. There is nothing unconstitutional in entertaining such views, or in expressing or avowing such opinions. There is no pretence by any considerable number of people anywhere, that there can be any legal interference with slavery in the Slave States, except by the people of the States themselves. The right or power of interfering by force is almost universally denied.

Yet, on account of the result of such an election, interfering with the rights of no people or class of people, either in or out of the slave States; taking away the rights of no State nor of the people of any State; and on account of opinions and principles precisely such as were entertained by Washington and Jefferson and Madison, and all the early Presidents and statesmen both in the slaveholding and non-slaveholding States, violence is invoked, and armed men, making actual war upon the nation, threaten a dissolution of this Union, and the destruction of this government. The Constitution of the United States makes no man a slave. It makes slaves of no class of men. The great leading idea of the government, that underlies all, overshadows all, permeates all, is civil and religious liberty. The idea that slavery under such a Constitution goes traveling into the free territories, without any local law in those territories authorizing or tolerating it, is both absurd and wicked. Men are not universally recognized as property, or as the common subjects of property. The fact that a class of men are held as slaves under the laws of any given State, does not make them slaves out of the jurisdiction of that State unless it can be legally and legitimately assumed that the laws of a slave State follow the slave outside of that State, and are in actual

force beyond its limits. Because the people of the free States entertain views opposed to slavery extension, and because they have elected a President of the same faith, war is threatened, and devastation and blood.

A variety of excuses are made for the threatening attitude assumed toward the government and Union. The extreme Southern States complain of the Personal Liberty Bills, and demand their immediate and unconditional repeal.³³

In the slave States farthest South, from which a slave has scarcely ever escaped, there is the most apparent excitement on this subject. Further complaints are made because of the difficulty of enforcing the fugitive slave law in the North. Odious as that law is, it has been enforced in almost every State where the attempt has been made. Whether right or wrong, this is the fact. That people should object to an odious, and as they believe, unconstitutional law, which calls upon them to aid in reducing men to slavery, is not remarkable. A change in its oppressive features would, just to the extent of the change, do away with hostility to it.

Personal liberty laws are found or should be found, upon the statutes of every State. They ought to be there. All States have them, both North and South, varying in their character

³³ The personal liberty laws were an effort on the part of many of the Northern states to destroy the operation of the Fugitive Slave Law. Their ostensible object was to protect free negroes residing in the North from being carried into slavery on the charge of being fugitive slaves. Their real object was to make the capture and return of escaped slaves so difficult that any effort toward such an end would be discouraged. They provided accordingly for extending the writ of habeas corpus and the right to a jury trial to alleged fugitives; prohibited the aid of State officers or the use of State jails for their capture; established free legal aid; and laid down rigorous penalties for any attempt at kidnapping free persons. See Alex. Johnston, "Personal Liberty Laws," in J. J. Lalor, *Cyclopædia of Political Science* (Chicago, 1881), iii, p. 162.—ED.

and provisions, yet still personal liberty laws.³⁴ The highest duty of the legislature of any civilized State, is to provide by every constitutional means for the protection of the rights of person of the citizen. So a law for the protection and preservation of the liberty of the people cannot be too stringent if it is within the Constitution. The States never surrendered the right to protect the person of citizens. Every living human being has a right to a legal test of the question of whether he is a free man or a slave. While it cannot be consented that laws, looking to the protection of liberty, should be repealed, yet all such laws should conform to the Constitution of the United States. If on a close examination and scrutiny, you are satisfied that any of the provisions of our personal liberty laws are in conflict with the Constitution, it will be your duty, as your pleasure, to so change them that they shall conform to that Constitution.³⁵ But no fear, no favor, no hope of reward, no demand, no threat, should ever induce or drive a free people to break down the walls of their protection. We love the Constitution and the Union of these States. We will make sacrifices of feeling to appease and conciliate our brethren, but *we will make no more sacrifices of principle*. While this govern-

³⁴ The Wisconsin Personal Liberty Law provided for:

- a. The right to a writ of habeas corpus and a jury trial for alleged fugitives.
- b. Free legal aid.
- c. A fine of \$1000 and imprisonment for one to five years for **falsely** representing a free person to be a slave.
- d. Limitation of evidence admitted against alleged fugitives.
- e. Legal discrimination against judgments secured for the violation of the Federal Fugitive Slave Law.

See *Wis. Rev. Statutes*, 1858, chap. 159, secs. 51-61.—ED.

³⁵ No action was taken at either the regular or the special session of 1861 toward a modification of the Wisconsin Personal Liberty Law. In 1862, however, all of its important provisions were repealed. See *Wis. Gen. Laws*, 1862, chap. 346. Committee reports may be found in *Sen. Jour.*, 1862, pp. 158, 216.—ED.

ment stands, and we consent to live under it, Liberty may pay to Slavery the price the Fathers agreed should be paid, but, with our consent, it shall pay no more. We will abide by, and have never refused to abide by, the Compromises of our common Constitution. But, subject to that Constitution, the civil and religious liberty, for which the flesh of the martyrs melted, and their bones crackled, in the flames; for which the Pilgrims became Pilgrims, and for which our fathers fought, shall travel down to other generations as they came careering on in the midst of the ages, with not one right impaired or one attribute lost.

The remedy chosen for the imaginary evils suffered by the South, is *Secession*, and a total disruption of the States.³⁶ And here, in brave words, the right of secession is claimed. One State did not make the Union, nor did the people of one State make it. It was the joint work of all the people, speaking through all the States, and only the power that made it can destroy it. A disruption of a part is a disruption of the whole.

The right of a State to secede from the Union can never be admitted. The national government cannot treat with a State while it is in the Union, and particularly while it stands in an attitude hostile to the Union. So long as any State assumes a position, foreign, independent, and hostile to the government, there can be no conciliation. The government of the United States cannot treat with one of its own States as a foreign power. The constitutional laws of the United States extend over every State alike. They are to be enforced in every State alike.

A state cannot come into the Union as it pleases, and go out when it pleases. Once in, it must stay until the Union is destroyed. There is no coercion of a State. But where a faction of a people arrays itself, not against one act, but against all

³⁶ The convention of South Carolina passed its ordinance of secession on Dec. 20, 1860, three weeks before Governor Randall's message was delivered to the legislature.—ED.

laws, and against all government, there is but one answer to be made: "*The Government must be sustained, and the laws shall be enforced!*"

Secession is revolution; revolution is war; war against the government of the United States is treason.

It is time, now, to know whether we have any government, and if so, whether it has any strength. Is our written Constitution more than a sheet of parchment? The nation must be lost or preserved by its own strength. Its strength is in the patriotism of the people. It is time now that politicians become patriots, that men show their love of country by every sacrifice but that of principle, and by unwavering devotion to its interests and integrity.

The hopes of civilization and Christianity are suspended now upon the answer to this question of dissolution. The capacity for, as well as the right of self-government is to pass its ordeal, and speculation to become certainty. Other systems have been tried and have failed, and all along the skeletons of nations have been strewn, as warnings and landmarks upon the great highway of historic government. Wisconsin is true, and her people steadfast. She will not destroy the Union, nor consent that it shall be done. Devised by great, and wise, and good men, in days of sore trial, it must stand. Like some bold mountain, at whose base the great seas break their angry floods, and around whose summit the thunders of a thousand hurricanes have rattled, strong, unmoved, immovable—so may our Union be, while treason surges at its base, and passions rage around it, unmoved, immovable—here let it stand forever.

ALEX. W. RANDALL.

ATTEMPTS TO COMPROMISE

EXECUTIVE OFFICE,

MADISON, Jan. 26, 1861.

To the Honorable the Legislature:

I transmit herewith a copy of resolutions received from the Governor of Virginia.³⁷

ALEX. W. RANDALL.

³⁷ The resolutions called upon the State of Wisconsin to appoint delegates to a great peace conference at Washington, which should endeavor to arrive at some plan of adjustment whereby war might be averted. The legislature appears to have been willing to appoint delegates, but was unable to agree upon the instructions to them. As a result, no delegates were sent from this State.

The conference opened at Washington on Feb. 4, 1861, with representatives present from twenty states. It deliberated for somewhat over three weeks, and agreed to recommend to Congress a number of amendments to the Federal Constitution, practically identical with those earlier proposed by Senator Crittenden of Kentucky. Congress was in no mood for compromise, however, and without much consideration the recommendations were defeated. See E. McPherson, *History of the Rebellion* (Washington, 1865), pp 67-70.

Messages of the Governor transmitting to the legislature resolutions from Alabama, Arkansas, Georgia, Indiana, Illinois, Massachusetts, Michigan, Minnesota, New Jersey, New York, Ohio, Pennsylvania, Tennessee, and Texas have been omitted. These resolutions ask for no action from the State. They are merely expressions of opinion upon secession, and as such do not bear with directness upon Wisconsin history.—Ed.

EXECUTIVE OFFICE,

MADISON, February 18, 1861.

To the Honorable the Assembly:

In answer to resolution No. 72, Assembly, I have to report that I have received no communications in reply to joint resolutions No. 6, A.,³⁸ which were forwarded by me to the Governors of other States, except letters simply acknowledging the receipt of the joint resolutions.

On Friday last [Feb. 15], I received the enclosed resolutions which had been sent to the Governor of North Carolina, with endorsement on the back of the same in pencil, which explains itself, made by some person whose signature is not affixed to the same. I transmit it as it was received by me.

ALEX. W. RANDALL.

³⁸ The joint resolution should be no. 6 S; it became Jt. Res. no. 1, Wis. *Gen. Laws*, 1861. It tenders the President the support of Wisconsin in enforcing the laws and upholding the Union. See *Sen. Jour.*, 1861, pp. 43, 50, 52, and *Assem. Jour.*, 1861, pp. 74, 75, for amendments, etc., showing variations of opinion.

The "endorsement on the back of the same in pencil," mentioned in the Governor's communication, is as follows:

"The South can survive the threat contained in the annexed resolutions, so long as the Legislature of Wisconsin uses the resources of that State *only*, but should they call in aid the famed La Crosse and Milwaukee Railroad Company, then it may be we will succumb.

"The strongest castle, tower and town;
The golden bullet breaks it down."

You know the little circumstance to which reference is made: a small matter, merely,—the circumstance of the La Crosse & Milwaukee Railroad Company bribing and buying up your "ILLUSTRIOUS" predecessor, the Governor of Wisconsin, and every member of their Legislature, save *five*, and failing in one of the five because the contracting parties could not agree upon the price to be paid for him.

Let Wisconsin wipe this stain from her escutcheon before she pledges her '*sacred!!! honor!!!*' to others, as she presumes to do in the annexed resolutions."

EXECUTIVE OFFICE,

MADISON, March 26, 1861.

To the Honorable the Legislature:

Herewith I transmit an authenticated copy of a joint resolution to amend the Constitution of the United States, adopted by Congress, and approved March 2, 1860, by James Buchanan, President of the United States.³⁹

BUTLER G. NOBLE.

[Lieutenant Governor]

AN APPEAL FOR FUNDS

EXECUTIVE OFFICE,

MADISON, April 15, 1861.

To the Honorable the Legislature:

Extraordinary exigencies have arisen which may create the necessity of further legislation, in order to aid efficiently the Federal Government to maintain its integrity. The act approved April 13, 1861 is entirely inefficient. It provides for an expenditure and outlay of money, and provides no where for drawing money until after it has been expended. Before anything can be done under that act it requires a material amendment. It is a time when party politics sink into insignificance, and when the patriotism of Legislators and of the people must be manifested by works. An amendment to the laws at this time will save the expense of a special session of

³⁹ The proposed amendment prohibited amendments to the Federal Constitution, which would give Congress the power to abolish or interfere with the domestic institutions of any State, "including that of persons held to labor or service." No action appears to have been taken upon it, except reference to the Assembly committee on federal relations.—ED.

the Legislature which I shall be compelled to call unless the necessary legislation is passed before an adjournment.⁴⁰

ALEX. W. RANDALL.

FOUR PROCLAMATIONS

On April 16, 1861, the Governor issued the following call for troops:

To the Loyal Citizens of Wisconsin:

For the first time in the history of this Federal Government, organized treason has manifested itself within several States of the Union, and armed rebels are making war against it. The Proclamation of the President of the United States tells of unlawful combinations too powerful to be suppressed in the ordinary manner, and calls for military forces to suppress such combinations, and to sustain him in executing the laws.⁴¹ The treasures of the country must no longer be plundered; the public property must be protected from aggressive violence; that already seized, must be retaken, and the laws must be executed in every State of the Union alike.

A demand made upon Wisconsin by the President of the United States for aid to sustain the Federal Arm, must meet

⁴⁰ Fort Sumter was fired upon on Friday, April 12, and evacuated on Sunday, April 14. The President's first call for troops was made on April 15. The act of April 13 is *Wis. Gen. Laws*, 1861, chap. 239. It received the necessary amendments in *Ibid.*, chap. 307. These acts authorized the Governor to accept the services of volunteers and to equip them, if the President should call upon the State for aid. They made an appropriation of \$200,000, to be raised by a bond issue for that amount. A minority report of the select committee on bill 37 S, which became chap. 239, is printed in *Sen. Jour.*, 1861, pp. 757, 758. For the negotiation of the bond issue see Governor's message of Jan. 14, 1862, *post*, pp. 81-83.—Ed.

⁴¹ Proclamation of April 15, in J. D. Richardson, *Messages and Papers of the Presidents* (Washington, 1896), vi, pp. 13, 14.—Ed.

CALL FOR VOLUNTEERS

with a prompt response. One Regiment of the Militia of this State, will be required for immediate service, and further service will be required as the exigencies of the Government may demand. It is a time when against the civil and religious liberties of the people, and against the integrity of the Government of the United States, parties and politicians and platforms must be as dust in the balance. All good citizens, everywhere, must join in making common cause against a common enemy.⁴²

Opportunities will be immediately offered to all existing military companies, under the direction of the proper authorities of the State, for enlistment to fill the demand of the Federal Government, and I hereby invite the patriotic citizens of the State to enroll themselves into companies of seventy-eight men each, and to advise the Executive of their readiness to be mustered into service immediately. Detailed instructions will be furnished on the acceptance of companies, and the commissioned officers of each regiment will nominate their own field officers.

In times of public danger bad men grow bold and reckless. The property of the citizen becomes unsafe, and both public and private rights liable to be jeopardized. I enjoin upon all administrative and peace officers within the State renewed vigilance in the maintenance and execution of the laws, and in guarding against excesses leading to disorder among the people.

Given under my hand and the Great Seal of the State of Wisconsin, this 16th day of April, A. D. 1861.

By the Governor,

ALEX. W. RANDALL.

L. P. HARVEY, *Secretary of State.*

⁴² The War Department telegraphed the Governor on April 15 that a call for one regiment would be mailed that evening. Wisconsin's quota under this call was one regiment of thirty-seven officers and 743 men, a total of 780; the number furnished was 817.—*Rebellion Records* (Washington, 1899), serial no. 122, p. 69. See also the Governor's message of April 22, 1861, succeeding.—Ed.

On April 22, 1861, the Governor thanked the people as follows, for their prompt response to his call:

To the Patriotic People of Wisconsin:

In six days from the issue of my proclamation of the 16th inst., the First Regiment called for by the President of the United States, for the defense of the Union is enrolled already for service. Five companies from Milwaukee, one from Kenosha, two from Madison, one from Horicon, and one from Beloit are assigned to the First Regiment, while nineteen more companies have tendered their services. It is to be regretted that Wisconsin is not permitted to increase largely her quota, but her loyal citizens must exercise patience till called for. I urge the formation of companies of able-bodied men to the number of seventy-seven each, in every locality where it can be done without expense for subsistence; men, who will pledge themselves to be minute men, standing ready at short notice to answer to other calls of the Government. When such companies are full, if infantry or riflemen, let them elect a Captain, Lieutenant and Ensign, and report to the Adjutant General for commissions and for orders. It is not necessary that men be taken from their peaceful avocations to be drilled for active service, though where companies are located in large towns, it is desirable that they be drilled as far as possible in the use of arms. Whenever they are called into service, all their expenses will be paid. Where companies have been enrolled and have reported, offering their services, they will be first called upon whenever a new demand is made upon the State by the President, which is likely to be very soon. I thank the good people of the State for their ready response to my proclamation, and for their patriotic devotion to the country.

ALEX. W. RANDALL.

MADISON, April 22d, A. D. 1861.

1861]

AN APPEAL TO WOMEN

At the same time, the Governor also made the following requests to the women of the Commonwealth for their co-operation in sanitary aid to the army:

EXECUTIVE OFFICE,

MADISON, April 22, 1861.

To the Patriotic Women of Wisconsin:

I know that you will cheerfully respond to my request that you contribute your aid in the present crisis, in the way of preparing lint and bandages for the use of the army. A much larger amount of such necessaries for an army, may be prepared, than may be required by the sons of Wisconsin, but in the long war likely to follow, there may be thousands who will require such kindness. Whatever is prepared can be forwarded to, or placed directly in the hands of James Holton, Esq., Milwaukee, who will attend to its proper disposition.

Your husbands and brothers and sons are called upon to aid in subduing rebellion, in punishing treason, in the maintenance of the Government and in the execution of the laws. It is your country and your Government as well as theirs that is now in danger, and you can give strength and courage and warm sympathies and cheering words to those who go to do battle for all that is dear to us here. Bitter as the parting may be to many, I am assured that you will bid them go bravely forward for God and Liberty, to "return with their shields, or on them."

I commend the soldiers to your kindness and encouragement and prayers with full confidence that when occasion calls, many, very many Florence Nightingales will be found in our goodly land.

Most Respectfully,

ALEX. W. RANDALL.

GOVERNOR RANDALL

[1861-

EXECUTIVE OFFICE,

MADISON, April 27th, 1861.

To the Ladies of Wisconsin:

The great demand throughout the country for blankets, will render it extremely difficult to furnish enough, immediately, for the health and comfort of the soldiers who are ordered into service. Any contributions of blankets and quilts, made for the use and benefit of the soldiers, until purchases can be made, will be most thankfully received. They can be forwarded to James Holton, Esq., of Milwaukee, or H. E. Paine, Esq., at Madison, Wis.

ALEX W. RANDALL.

REGIMENTAL ASSIGNMENTS

EXECUTIVE OFFICE,

MADISON, April 23, 1861.

The following Companies are assigned to the Second Regiment of Wisconsin active Militia to be called into the service of the United States on another requisition made by the President:

Fond du Lac Badgers.
Beloit Volunteer Rifles.
Oshkosh Company, Captain Bouck.
Belle City Rifles, Racine.
Janesville Volunteers, Captain Ely.
La Crosse Light Guard.
Miners' Guards, Mineral Point.
Company No. 1, Grant Co., Capt. McKee.
Randall Guards, Lieut. Randolph, Madison.
Portage Light Guards.

These companies will prepare for an immediate call to a rendezvous to be designated by me.

ALEX. W. RANDALL.

1861. Special Legislative Session, May 15-27

The Governor convened the Legislature in Special Session for May 15, in the following:

PROCLAMATION

EXECUTIVE OFFICE,

MADISON, May 9th, 1861.

The extraordinary condition of the country, growing out of the rebellion against the Government of the United States, makes it necessary that the Legislature of this State be convened in special session to provide more completely for making the power of the State useful to the Government, and to other loyal States.

I, therefore, in pursuance of the authority vested in me by the Constitution of the State of Wisconsin, do hereby convene the Legislature of this State, for a special session thereof to be held at Madison on Wednesday the 15th day of May, A. D. 1861, at twelve o'clock M.

In testimony whereof, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed this 9th day of May, A. D. 1861.

By the Governor,

ALEX. W. RANDALL.

L. P. HARVEY, *Secretary of State.*

On the day of assembling, the two Houses met in Joint Convention, and the Governor read thereto in person his

SPECIAL MESSAGE

as follows:

Senators and Representatives:

At the close of the last annual session of the Legislature, to meet a sudden emergency, an act was passed authorizing me to

respond to the call of the President of the United States, for "aid in maintaining the Union and the supremacy of the laws, or to suppress rebellion or insurrection, or to repel invasion within the United States," and I was authorized, and it was made my duty, to take such measures as in my judgment should provide in the speediest and most efficient manner, for responding to such call; and to this end I was authorized to accept the services of volunteers for active service, to be enrolled in companies of not less than seventy-five men each, rank and file, and in regiments of ten companies each. I was also authorized to provide for uniforming and equipping such companies as were not provided with uniforms and equipments.⁴³

The first call of the President for immediate active service, was for one regiment of men.

My proclamation, issued immediately after the passage of the act of the Legislature, was answered within less than ten days, by companies enough, each containing the requisite number of men, to make up at least five regiments, instead of one. I then issued another proclamation,⁴⁴ announcing the offers that had been made, and advising that thereafter companies might be enrolled to stand as minute men, ready to answer further calls, as they might be made, but without expense to the State, except as they were mustered into service. In less than one month from the date of my first proclamation, at least five thousand men, either as individuals or in enrolled companies, have offered their services for the war, and all appear anxious for active service in the field.

In providing for the First Regiment, embarrassments have resulted from the fact that there has never been an efficient military organization in this State—no system or discipline. The men who had seen active field service were very few, or were almost entirely unknown; and the order and manner of

⁴³ See *Wis. Gen. Laws*, 1861, chaps. 239, 307.—Ed.

⁴⁴ The proclamations referred to were those of April 16 and 22, 1861, respectively.—Ed.

equipping and uniforming and arming soldiers and officers for rugged war were mysteries, the solution of which could only be found by actual experiment.

So the expenses incurred in preparing the First Regiment have been greater to some extent than they otherwise would have been, or than they hereafter will be.

The spirit evoked by the rebellion against the government of the United States is such as has never before been manifested since its organization. The people understand that it is their government that is assailed, and everywhere throughout the North they are rising up to rebuke the treason so rife in some portions of the land.

The deepening and widening dangers that threaten our institutions, and the pressure of public opinion from all parts of the State, with the growing certainty that further calls would be made upon this State, forced me to form another camp, and to bring together another regiment of men, and to authorize a number of isolated companies which had volunteered, to remain together, and to learn so far as was possible without suitable arms, the discipline and drilling necessary for men going into actual war. It is a matter of public necessity and safety not only for the States but for the Government that an outlet be found for the spirit that is abroad among the liberty-loving people of the land. That spirit is driving them to action, and if the Government does not or will not permit *them to act for it, they will act for themselves*. It is better that the State or Federal Government should direct this current than to suffer it to run wildly. There is a moral element and a reasoning element in this uprising that cannot be controlled in the ordinary manner. There is a conviction of great wrongs to be redressed, and that the Government, which is in danger, is to be preserved by the willing hearts and strong hands of those to whom it belongs. This current of popular feeling must be directed and controlled, or there will come of it something more than a war to put down rebellion; it will become a war between border States, and those whose interests are connected with the

border States, and in such a war, for the time being, the Government might be lost sight of. If it was absolutely certain that the seventy-three thousand troops first called, would wipe out the rebellion in three weeks from to-day, it would still be the policy of the Government and for its best interests, in view of what ought to be the future of this great Nation, to call into the field, as fast as they could be armed, at least three hundred thousand men.

The majesty and power of this government, if it has either, should be manifested now, so that the world may see it, and so that for all future time in its history the idea of secession and rebellion, shall be an idea of the past. When the people see that their uprising has put down the rebellion, they will be satisfied, and not before.

The difficulties of the present crisis are growing greater and more extreme every day. Broad and more extended fields are constantly opening by the threatening attitude of new States, forced by treachery, or by armed mobs, dignified by the names of rebels, into secession. One State after another, willing or unwilling, has been or is now being placed in an attitude of hostility to Federal authority, until with one more seceding State, there will be fifteen hundred miles of contiguous territory standing in most wicked warlike antagonism.

It is a most startling consideration that the people of the United States should be at war with each other, and that the Government of the United States should be forced to the terrible necessity of maintaining its authority, against internal dissensions, by force of arms. The settled design to overthrow our system, so wisely designed, complicated yet simple, the completest for working out the greatest good of all men under it, is so strange, unaccountable, causeless, inexcusable, that war had actually begun, and an attack upon public property had actually been made, before the law-abiding people of the country could be brought to realize that danger existed. We had noticed for a long time apparent preparations for mischief, and had heard threats of a hostile disposition in one portion of

the country against another portion, but eighty years of growth and prosperity had so fastened upon the minds of the people the idea of permanency and strength, that it was impossible to conceive of a serious, deliberate intent to destroy the Union.

The feeble colonies of revolutionary days had grown into great States, many of which in population equaled, and in wealth exceeded the population and wealth of the whole thirteen at the close of our first great struggle. An increase in population from about three to thirty-three millions of men, women, and children, and an increase in wealth of thousands upon thousands of millions of dollars, should be our sufficient warrant, for assuming that the government under which we have lived, and under which our fathers lived, and under which the posterity of this great people ought to live in peace, was, and is of some value, and that it ought not for slight causes to be disturbed.

The election of a man to the Presidency of the United States, according to the usual mode, strictly in conformity with the Constitution of the United States, without force or violence, is the pretext upon which what is called secession is now attempted. Just as all Presidents but one⁴⁵ have been elected to the highest executive office on this Continent, so Abraham Lincoln was elected President of the United States. There is no pretence anywhere that the election was not legal and constitutional. His installation however, was the occasion of resistance to the constituted authorities, and State after State has been madly precipitated into a revolution. To make more severe the trials of the country in this exigency, some high in position as cabinet ministers, and as administrative officers, had been covertly and treacherously using the whole power intrusted to them, to destroy the force and efficiency of the machinery of the government. On the 4th of March last, the new presidential incumbent found the treasury of the nation empty, and its credit ex-

⁴⁵ Probably referring to the election of John Quincy Adams by the House of Representatives.—Ed.

hausted; its army scattered in small bands to extreme points, so that it could not be concentrated within any reasonable time; its ships dismantled and disabled, or in foreign and far distant ports, and its arms doubly secured by being deposited in the willing hands of traitors, and every diurnal revolution brought fresh anxieties, as the treachery and faithlessness of a multitude of civil, military and naval officers became manifest. The very magnitude of the crimes that have been committed against the Government, appalled the stoutest, and the stealing of moneys from the public treasury, the plunder of arms from the arsenals, and other public crimes, were so majestic and imposing in their extent, that by their side, the dignity and luster of the boldest conspiracies and robberies of which history makes record are dim and shadowy in their littleness and meanness.

It is easy to conceive, at such a time and, under such embarrassments as those, how much labor must have been performed to bring back the government even to the point it has now reached, and it is also clearly to be perceived how much the States themselves must be relied upon to furnish efficient aid to restore the country to health and strength and prosperity. The Federal Government being theoretically one of law and not of force, cannot act with that celerity incident to a despotic one, whose strength is in great armies, ready at the trumpet's call to engage in conflict. It must work slowly, but it will move with power. We must approve of whatever it has done and be prepared for further exhibitions of energy, such as the public exigencies may demand. But the States must be prepared to aid the Government by supplies of men, and if necessary by the loan of means. Each State can muster its quota of soldiers quicker than the Government can muster the quota of each State, and so each State can arm and uniform and equip its quota quicker than the Government can arm, equip and uniform them all.

There is necessity of giving immediate attention to the country directly contiguous to the line between the law-abiding and seceding States, and those that still may be forced into secession. The Union men of the seceding States, and particularly of the

border States must in some way be sustained. The fierceness of this wicked rebellion is to exhibit itself through the last named sections of country more than anywhere else, yet on the law and government side of the line of division there is less preparation for defence than almost anywhere else. From Pittsburg and Cincinnati to the mouth of the Ohio, on the Northern side of the river, the country is almost entirely defenceless against an armed enemy.

At the present time Cincinnati and numerous smaller towns on the river could be utterly destroyed and the contiguous country laid waste without the means of resistance. It is matter of absolute necessity not only for the North border states but for Northwestern states to be able to control the business and commerce of the Ohio river, and the upper Mississippi, in order to reach a vital part of this rebellion. They must be able to cut off from the seceding States, all supplies of breadstuffs, and also to stop the transit and transportation of arms or munitions of war. An enemy to our common country cannot be permitted to hold an important point like Cairo. The Mississippi and Ohio rivers must be kept at all times open to the legitimate and honest commerce and business of the Northwest. St. Louis must be strengthened in the hands of the Union men of Missouri, not only because it is just that it should be so, but because the interests of the free territories west and north-west of that city, demand it. The vast lumber and mineral interests of Wisconsin, independent of her commanding produce and stock trade, bind her fast to the North border and Northwestern states, and demand, like them, the free navigation of the Mississippi, and all its tributaries, from their highest navigable waters to their mouths.

The necessities I have named being granted, we must look to the means to do what ought to be done in the least possible time. It needs men, arms, and munitions of war. One hundred and sixty thousand men, if it were necessary, could be enrolled in a few weeks for such purposes, and among the swarming millions of border and Northwestern States, there is but one pulse beat-

ing to-day, and but one purpose to hold up the hands—not of Abraham Lincoln—but of the President of the United States; maintain the integrity of the Government, and to aid in executing the laws in every State alike. The Northwest needs a better military organization, and a military head, under Federal control, to which these States can look for orders, and to which they can communicate their necessities without tedious and mischievous delays.

I know full well that the Federal Government will act for the West and for the border States, just as it *seems* to see a necessity. We can see a necessity for action *now*, not only for the safety of the General Government, but for the safety of the Union men of the south border States, and of the northern border States, and also for our own interests in the way of our large trade and commerce upon the Mississippi and its tributaries. The common interests of all the Northwest, must have a common protection, and in crushing out this wicked rebellion, the Northwestern States must make common cause with the Federal Government.

The border and Northwestern States cannot wait to see their towns and cities, upon navigable streams, sacked and burned, and the contiguous country wasted, and then content themselves simply with retaliation. They must be supplied with the means of preventing disasters of the kind.

These States cannot be satisfied with small call after small call of *raw troops*, to be put into the field as soon as mustered, without discipline or drilling, or a knowledge of the use of arms. They would not be soldiers, but simply marks for an enemy to shoot at. Men must understand the use of arms to be efficient soldiers either in defending our States or in aid of the government. They cannot well learn the use of them until they get them.

There should be an authority to put more men into the field, and there must be arms furnished for the men. Soldiers ought to go into camp and learn the use of weapons and the duties of soldiers. If the government cannot at once furnish

arms, the States must do it, and wait upon the Government. The States should be preparing their aid both in furnishing men and providing arms, so that when mustered into service the army may be efficient.

Illinois has but a trifle over double the population of Wisconsin,⁴⁶ and the call for six regiments from Illinois, and only one from Wisconsin, is so disproportionate, as to excite extreme dissatisfaction. Companies enough for five regiments, almost, are enrolled and drilling without arms, and two regiments, partially armed with indifferent weapons, are in camp. We need, for the protection, and use, and benefit of our citizen soldiery, arms *now*, war or no war. It is as yet impossible to ascertain to what extent the States, particularly this State, will be called upon to furnish forces, or to what extent the forces called for must be armed, equipped, and uniformed for service. The people of the State, and of all the States, are anxious to know what and how much is expected of them, and are ready to respond. While the details of the policy of the administration should not be made public, information of the general purposes of the Government should be lodged somewhere in each loyal State, so that there can be an authoritative assurance of what is intended and expected. In the absence of such information, the judgment of this Legislature must determine for Wisconsin, what aid she can afford to extend to the Federal Government in the way of regiments of men, and in the way of arming, equipping and uniforming its own citizens, for military purposes, and how far it will make its military forces useful and efficient by putting them in the shape of regiments into camp to be drilled, inured to the hardships of the soldier's life, and made skillful in the use of arms, before being called upon to face experienced armies in battle.

In my judgment, at least six regiments of soldiers ought to be put into camp to learn soldiers' duties, in addition to the one

⁴⁶ The population of Wisconsin in 1860 numbered 775,881; that of Illinois, 1,711,951.—Ed.

first called for. They should be armed and uniformed and equipped by the State now, and when mustered into the service of the United States their arms and uniforms and equipments accounted for to the State by the National Government.⁴⁷ The men sent to war should be soldiers when they go, or there will be few of them living soldiers when it is time for them to return.

An appropriation of at least one million of dollars will, in my judgment, be necessary for the purpose of putting into the field a reserved force, and for providing to meet the demands of the Government as they are made.⁴⁸ An authority ought to be given to purchase for the use of the State, in addition to such arms as are required for the use of regiments going into the field, six rifled cannon.

And now, to the judgment of the Legislature I commit the subjects suggested, invoking a calm, firm, deliberate, unimpassioned, yet bold consideration and action.

In revolutionary days the men who fought our battles, the men who deliberated and who made or laid the foundation for making our institutions, put at hazard life and fortune and honor, counting all these of little value by the side of the great end and object to be attained—Civil and Religious Liberty. Money is a small price to pay for these, and he who will not to-day aid in maintaining this Government by every possible means, is no patriot, and has no right, either for his person or property, to claim the protection of the laws.

The value of the property of Wisconsin is two hundred millions of dollars at least. What man having two hundred dollars will refuse to spend two dollars out of that sum, that he may quietly, in his own right, enjoy the other one hundred and ninety-eight?

⁴⁷ Wis. *Gen. Laws*, extra session, 1861, chaps. 4, 11, provided for raising and organizing six regiments of infantry. *Ibid*, chaps. 6, 12, provided the necessary arms and equipment.—ED.

⁴⁸ *Ibid*, chap. 13, authorized a loan of \$1,000,000 "to repel invasion, suppress insurrection, and defend the State in time of war."—ED.

The time for deliberation must give way to the time for action. The Constitution of the United States must be sustained in all its first intent and wholeness. The right of the people of every state to go into every other state and engage in any lawful pursuit, without unlawful interference or molestation; the freedom of speech and of the press; the right of trial by jury; security from unjustifiable seizure of person or papers, and all constitutional privileges and immunities, must receive new guarantees of safety from tar and feathers, and halts and mobs. There can be no more compromises, no settlements, no treating with rebels, no concessions; nothing now but absolute submission to the power and jurisdiction and authority of the Government of the United States.

The people will never consent to any cessation of the war, forced so wickedly upon us, until the traitors are hung or driven into ignominious exile. This war began where Charleston *is*; it should end where Charleston *was*. The Supreme Ruler can but smile upon the efforts of the law loving, government loving, liberty loving people of this land, in resisting the disruption of this Union. These gathering armies are the instruments of His vengeance, to execute his just judgments; they are His flails wherewith on God's great Southern threshing floor, He will pound rebellion for its sins.

ALEX. W. RANDALL.

Madison, May 15, 1861.

LEAVE OF ABSENCE REQUESTED

EXECUTIVE OFFICE,

MADISON, May 17, 1861.

To the Honorable the Legislature:

To meet a contingency that may arise under the provisions of the last part of section 7, of article 5 of the Constitution of this State, I have to ask the adoption of the following joint reso-

lution, or some other expression of the Legislature equivalent thereto:

Resolved, That the consent of this Legislature is hereby given to the Governor of this State, to be out of this State in time of the present war, as in his discretion he may deem advisable, in connection with the military forces from this State.⁴⁹

ALEX. W. RANDALL.

MILITARY DISBURSEMENTS

EXECUTIVE OFFICE,

MADISON, May 17, 1861.

To the Honorable the Assembly:

I have received resolution No. 4 A., asking me to furnish the House with a detailed statement of the disbursements, consequent upon the reorganization of the Militia of the State, from the 17th day of April, 1861, to date:

I will immediately provide the disbursing officers with clerks, to make up and report the statement required. It may take some days as some of the accounts are not yet reported from Milwaukee, by Mr. Holton, who has been the contracting and disbursing officer there. As soon as possible the report will be prepared.

ALEX. W. RANDALL.

EXECUTIVE OFFICE,

MADISON, May 22d, 1861.

To the Honorable the Assembly:

Immediately on the receipt of a resolution passed by your body on the 16th inst., requesting me to lay before the Assembly a detailed statement "of the expenditures made, under my direction, of moneys appropriated by the bill passed at the close of your previous session, providing for the calling out of troops

⁴⁹ The request of the Governor was granted; *Ibid*, Jt. Res. no. 1.—Ed.

MILITARY DISBURSEMENTS

in answer to any requisition from the Federal Government, I required the agent of the state at Milwaukee, and the disbursing officer, Paymaster-General Simeon Mills, to prepare such detailed statement. It is only yesterday afternoon that I have obtained from Milwaukee the full statement, with vouchers, for the expenditures made there previous to and including May 7th, and it will be impossible to procure the remainder of the statement in detail, in time to be furnished to the Assembly during the probable duration of the session. I have therefore caused to be prepared a statement in general terms, drawn from the examination of the above mentioned vouchers, and from the books and vouchers in possession of the Paymaster-General, bringing the aggregate down to this date. The statement is as follows:

Amount drawn from Treasury to this date.....	\$92,980.26
[1] Amount strictly chargeable to the 1st regiment.....	15,623.84
[2] Amount chargeable to 2d regiment.....	14,330.78
[3] Amount expended for 3d and 4th regiments.....	1,191.64
[4] Amount charged to "general supplies".....	38,258.74
[5] Sundry bills paid in Milwaukee	24,030.00
[6] Expenses of fitting and furnishing camp at Madison.....	2,750.00
	<hr/>
	\$96,185.95
Cash in hands of Paymaster General.....	3,205.69
	<hr/>
	\$92,980.26

[1] This amount does not represent the whole amount paid out for the 1st Regiment, it being drawn from the vouchers returned from Milwaukee, of dates previous to May 8th. A large portion of the amount in item number 5 has gone directly to the outfit, subsistence, etc., of the 1st Regiment, which has been mustered into the service of the United States.

[2] This amount has been expended in paying bills for subsistence of enlisted men whose place of residence was outside of the towns where the several companies were located, and in the purchase of uniforms and other articles for their equipment,

and sundry miscellaneous bills properly chargeable to that Regiment.

[3] This amount has been paid for uniforms and subsistence bills for companies in the 3d Regiment.

[4] This item includes a large amount expended in the purchase of cloth and trimmings for uniforms, knapsacks, tents, blankets, etc. Some of these articles have been furnished to the 1st and 2d regiments and a portion of the items purchased under the next item [5] remain in store in Milwaukee, or in this city, having been transferred, from Milwaukee. As accurate a calculation as time and circumstances will allow, shows that there are in store materials for use in equipping the 2d and following regiments, amounting to about \$42,000. The rapid and increasing advance in the prices of all kinds of military goods, rendered it advisable, as an economical measure, in my judgment, to procure these goods in advance, to provide for regiments which I had substantial reasons to believe would be soon called into service.

[6] For the amount expended under this head, the camp at this place has been provided with whatever is necessary for its use as a rendezvous for other regiments, after the one now occupying it has been mustered into the U. S. service.

The request of the Assembly to furnish a *detailed statement* would require the employment of clerks, and consume more time than the legislature will probably be in session, the very large number of items, varying from 10 cents to \$10,000, and would require the attendance of the assistant Quartermaster General away from his duties in Milwaukee. The act of last winter, requiring only a report to the next Legislature is the reason why no report was prepared at the commencement of the present special session. If it is still desired that the detailed statement be prepared, its preparation shall be proceeded with at once. I will suggest the appointment of such committee as the Assembly may deem advisable, to examine carefully the vouchers for the expenditure of moneys, the materials pur-

chased and in use, and the large amount of materials on hand for the use of other regiments as they may be formed.⁵⁰

ALEX. W. RANDALL.

THE WAR ESTABLISHMENT

EXECUTIVE OFFICE,

MADISON, May 23, 1861.

To the Honorable the Legislature:

I regret the difficulty which seems to have arisen in regard to the designation of duties to be performed by the several officers, in connection with the war establishment.

If the Legislature will pass the bills before them so as to authorize the Secretary of State and State Treasurer, or either of them, to accept and approve the bonds of Quartermaster, Paymaster, and officers of the Commissary Department, and will authorize them or either of them to negotiate the sale of the bonds to be issued to pay the expenses of the contemplated military organization, it will be a great relief to me, in the way of lightening my duties and responsibilities, and save me to that extent from constant misrepresentations. Neither of those gentlemen need any assistance in such duties, and neither of them will need watching. I have determined that no personal considerations shall interfere with the discharge of my duties.⁵¹

Whenever three persons are designated in any of the bills before the Legislature, to do any act, a majority of those persons should be vested with the requisite authority.

⁵⁰ A committee was appointed to examine the vouchers, but it made no report; see however, report of Joint Investigating Committee in *Wis. Sen. Jour.*, 1862, II, p. 1017 ff., also p. 1141 ff.—ED.

⁵¹ *Wis. Gen. Laws*, ex. sess., 1861, chap. 13, sec. 1, provided that the Governor, Secretary of State, and State Treasurer should constitute a board of loan commissioners to negotiate loans not to exceed \$1,000,000, on the most favorable terms obtainable; see *post*, p. 83, note 59.—ED.

I have become satisfied that if specie alone is to be demanded on the sale of bonds, the loss to the State, at the present time, must be twenty per cent., or two hundred thousand dollars, upon the million of dollars of bonds authorized to be sold.⁵²

ALEX. W. RANDALL.

EXECUTIVE OFFICE,

MADISON, May 25, 1861.

To the Honorable the Legislature:

The act to provide for the purchase of arms,⁵³ will, from its peculiar provisions, require me to borrow the money to pay the expenses of the Commissioners in going out of the State to purchase arms, if it should be necessary to send Commissioners. It will be with extreme difficulty that I shall be able to accomplish what is required to be done under the acts passed by the Legislature; but I shall struggle to the best advantage in the discharge of my duties. If the Legislature insists upon it, I will endeavor to borrow the money.⁵⁴

ALEX. W. RANDALL.

EXECUTIVE OFFICE,

MADISON, May 25, 1861.

To the Honorable the Legislature:

A provision in the war bill approved this day prohibits the payment of any sum exceeding one hundred and twenty-five

⁵² *Ibid*, chap. 13, sec. 8, provided that sixty percent of the bonds should be received in coin, and forty percent in current bills. For the negotiation of these bonds see the report of the Secretary of State for 1861 in *Wis. Governor's Messages and Accompanying Documents* (Madison, 1862), pp. 227, 228; also the report of the Joint Investigating Committee in *Sen. Jour.*, 1862, ii, pp. 1008-1045, and p. 1141 ff.—Ed.

⁵³ *Wis. Gen. Laws*, ex. sess., 1861, chap. 6.—Ed.

⁵⁴ The expenses of the commissioners were provided for by *Ibid*, chap. 12.—Ed.

dollars per month to any officer until mustered into the service of the United States. All the regimental officers and all officers above the grade of regimental officers, I understand, are required by the rules of the War Department, to equip and uniform themselves, and all field officers to buy their own horses. I submit to the Legislature, whether the rules of the War Department, the practice of other states, and the honor of the state of Wisconsin, would not warrant a change in that law. As it now is the services of volunteers are to be rendered for a small sum, so far as the officers are concerned, and in addition to services rendered in patriotic efforts to sustain the Government, they will be compelled to pay for horses and uniforms partially out of their own pockets. Without regard to the appearance of such legislation abroad, in aid of volunteer officers, I submit that it will work manifest injustice to the officers themselves if the act is not amended.

ALEX. W. RANDALL.

1861. In Legislative Recess

ANOTHER CALL FOR TROOPS

On August 20, 1861, the Governor issued the following Proclamation:

EXECUTIVE OFFICE,
MADISON, August 20th, 1861.

To the Patriotic People of Wisconsin:

I have this day received from the Secretary of War, a request and authority to raise, in this State, *Five* additional regiments of Infantry Volunteers for three years, or the war, and *Five* Batteries of Artillery, over and above the 7th and 8th Regiments already accepted for service. The utmost promptitude is demanded in the organization of these forces, and I confidently rely upon the patriotism of the people of Wisconsin, who have so nobly responded to the calls thus far made upon them, and who have since the breaking out of the rebellion, persistently pressed their services upon the Government, to enable me to respond speedily to this new call.

The regiments of Infantry will be composed as follows:

Each regiment will consist of ten companies, and each company will be organized as follows:

<i>Minimum.</i>	<i>Maximum.</i>
1 Captain.	1 Captain.
1 First Lieutenant.	1 First Lieutenant.
1 Second Lieutenant.	1 Second Lieutenant.
1 First Sergeant.	1 First Sergeant.
4 Sergeants.	4 Sergeants.
8 Corporals.	8 Corporals.
2 Musicians.	2 Musicians.
1 Wagoner.	1 Wagoner.
64 Privates.	82 Privates.
<hr/>	<hr/>
83 Aggregate.	101 Aggregate.

CALL FOR TROOPS

Each Regiment will be organized as follows:

Minimum

830 Company officers and enlisted men.

- 1 Colonel.
- 1 Lieutenant Colonel.
- 1 Major.
- 1 Adjutant (a Lieutenant).
- 1 Regimental Quarter Master (a Lieut.).
- 1 Assistant Surgeon.
- 1 Sergeant Major.
- 1 Regimental Quarter Master Sergeant.
- 1 Regimental Commissary Sergeant.
- 1 Hospital Steward.
- 2 Principal Musicians.
- 24 Musicians for Band.

866 Aggregate.

Maximum

1,010 Company officers and enlisted men.

- 1 Colonel.
- 1 Lieutenant Colonel.
- 1 Major.
- 1 Adjutant (a Lieutenant).
- 1 Regimental Quarter Master (a Lieut.)
- 1 Assistant Surgeon.
- 1 Sergeant Major.
- 1 Regimental Quarter Master Sergeant.
- 1 Regimental Commissary Sergeant.
- 1 Hospital Steward.
- 2 Principal Musicians.
- 24 Musicians for Band.

1,046 Aggregate.

Of the Five Regiments of Infantry, one will be composed of Germans, to be encamped at Milwaukee immediately. Special orders for the organization of this regiment, will be issued in a few days.

In order to ensure the early enlistment and organization of the other four regiments, all persons who have heretofore received commissions to enroll companies for the war, and all other parties who are engaged in enlisting companies, are invited and requested to report forthwith the number enlisted in their several companies. Whenever companies are reported, by reliable men, to be enlisted to the number of 40 able bodied men for the war, and their service tendered, they will be accepted, and ordered to such rendezvous as may be designated, to be mustered into the service of the United States, and thereafter recruited till full.

In many localities there are numbers of men who desire to enter into the military service, but who have no connection with any organization. To such persons information will be readily given, on application to this office, enabling them to realize their wishes.

Company officers will be elected by the members of the several companies as soon as there are sixty men enlisted.

The Five Artillery Companies will be organized as follows, to wit: To each

	<i>Officers</i>	<i>Men</i>	<i>Horses</i>
Captain,	1		
Lieutenants,*	4		
Staff Sergeants,**		2	2
Sergeants,***		6	6
Corporals,****		12	
Artificers,		6	6
Buglers,		2	2
Drivers,		52	84
Cannoneers,		70	
Spare Horses,			10
	5	150	110

*Commanding Sections and Caissons.

**First Sergeant and Quartermaster Sergeant.

***Chiefs of Pieces.

****Gunnery and Chiefs of Caissons.

CALL FOR TROOPS

The Washington Artillery Co. of Milwaukee, Capt. E. F. Hertzberg, and the La Crosse Artillery, Capt. J. F. Foster, are accepted as two of the companies to be raised, and, under special orders, will recruit immediately to the required number of men. We have a large number of trained artillerymen in this State, many of whom have already tendered their services to me in aid of the Government. Persons who can bring testimonials as to their experience and ability to command batteries of artillery, are invited to communicate with this office forthwith.

The following Companies, heretofore reported full for the war, are authorized to be placed at board and quarters in their respective localities at not to exceed 30 cents per day per man, and will hold themselves in readiness to move to the appointed rendezvous by the first of September at the latest. Such of them as are ready with 65 men previous to that date, will advise this office of the fact forthwith, that arrangements may be made for their transportation and reception in camp:

Wolf River Rifles, New London, Lieut. Hyde.
 Eau Claire Badgers, Eau Claire, Capt. Perkins.
 Bad Ax Volunteers, De Soto, Capt. ——.
 Kingston Guards, Prairie du Sac, Capt. Dennet.
 Lancaster Union Guards, Lancaster, Capt. Callis.
 Sheboygan County Independents, Greenbush, Capt. ——.
 Fox Lake Volunteer Rifles, Fox Lake, Capt. Dawes.
 Badger State Guards, Fennimore, Capt. Finnicum.
 Rough and Ready Guards, Fitchburg, Capt. Young.
 Sugar River Rifles, Belleville, Capt. Estee.
 Island City Guards, Neenah, Capt. Wheeler.
 Waterloo Rifles, Waterloo, Capt. Perry.
 Dixon Guards, Portage, Capt. Chrystie.
 Washington Rifles, Milwaukee, Capt. Orff.
 Janesville Fire Zouaves, Janesville, Capt. Britton.
 La Crosse County Rifles, La Crosse, Capt. Baker.
 Crawford County Volunteers, Prairie du Chien, Capt. Green.

In testimony whereof, I have hereunto set my hand, and caused the Great Seal of the State to be affixed this 20th day of August, A. D. 1861.

By the Governor,

ALEX. W. RANDALL.

EDWARD ILSLEY, *Assistant Sec'y of State.*

WISCONSIN MEN FOR WISCONSIN REGIMENTS

The following Proclamation issued by the Governor on October 3, 1861, was intended to keep Wisconsin volunteers for Wisconsin regiments:

Proclamation

It has become necessary that some measures should be taken to prevent, so far as is possible, the enlistment in this State of recruits for companies and regiments in other states. The enlistment of the citizen soldier is a voluntary act; but when the disposition is to depart from the limits of his own state to join organizations in other states, it should be restrained by a consideration of the duty due to the name and reputation of the state of his residence. Until some restraint can be placed upon the wholesale recruiting in progress in Wisconsin for other states, we cannot know the number of soldiers which this State furnishes for the war.

It is my duty to warn all citizens of Wisconsin, that by enlistments in organizations outside of this State, they lose all right to participate in the benefits of our liberal Volunteer Aid Law,⁵⁵ and also the benefit of whatever care for her citizen sol-

⁵⁵ The Volunteer Aid Law provided for the payment of \$5, in addition to regular pay, to Wisconsin volunteers having families dependent upon them. The law was repeatedly amended, either limiting or enlarging its scope. Eventually its benefits were extended to Co. G, Berdan's Sharpshooters, and Van Deutsch's Cavalry, troops that had

THANKSGIVING

diers the State authorities can extend over their welfare; and I hereby make public notice, that henceforward no recruiting officer, for organizations out of this State, will be allowed to recruit soldiers for such foreign organizations, always excepting the duly authorized recruiting officers for the United States regular service.

In testimony whereof, I have hereunto set my hand, and caused the Great Seal of the State to be affixed, this 3d day of October, A. D. 1861.

By the Governor,

ALEX. W. RANDALL.

EDWARD ILSLEY, *Assistant Sec'y of State.*

THANKSGIVING DAY PROCLAMATION

Proclamation

Time has spent another of its years, and an honored custom calls again for its day of devout thanksgiving.

The year just past has been marvellous for its fruits of good and of evil.

A wise God, who makes, and rules, and uses and destroys governments and nations and peoples at His will, is trying the cords, that for more than three quarters of a century, have bound this people together. In the midst of the most abundant prosperity; while art and science and education and a true Religion were flourishing, and scattering their blessings all abroad; right when our Nation had grown richest and strongest and greatest, a wicked treason upraised its head and sought to destroy all that was venerable and sacred and wise and good among the American people.

been raised in Wisconsin but were not fighting under Wisconsin colors. The total amount paid to families of volunteers under the provisions of this law, from the beginning of the war to Sept. 30, 1865, amounted to \$2,545,873.28.—Ed.

With a firm reliance upon God's long-suffering and forbearance, and upon his just judgments the majestic power of the nation is now manifested, and it will crush out that treason, that it shall be known henceforth only in ignoble history.

The enemies of a true liberty will not be suffered to prevail.

"They have broken a solemn covenant, and the hand of a righteous anger shall smite them."

"The cities of the South shall be shut up, and none shall open them."

"Lift up your eyes and behold them that come from the North; where is the flock that was given thee—thy beautiful flock?"

"What wilt thou say when he shall punish thee? (for thou hast taught them to be captains and as chief over thee): shall not sorrows take thee as a woman in travail?"

"Hear, O Earth: Behold I will bring evil upon this people, even the fruit of their thoughts, because they have not harkened unto my words, nor to my law, but rejected it." "I will scatter them as the stubble that passeth away by the wind of the wilderness."

"To what purpose cometh there to me incense from Sheba, and the sweet cane from a far country? Your burnt offerings are not acceptable, nor your sacrifices sweet unto me."

"But this people hath a revolting and rebellious heart; they are revolvers and gone."

"They are all grievous revolvers, walking with slanders; they are brass and iron; they are all corruptors."

"Therefore thus saith the Lord: Behold, I will lay stumbling blocks before this people, and the fathers and the sons together shall fall upon them; the neighbor and his friend shall perish."

"Thus saith the Lord, Behold, a people cometh from the north country, and a great nation shall be raised from the sides of the earth." "They shall lay hold on bow and spear; their voice roareth like the sea; and they ride upon horses set in array as men for war."

Amid these great evils nature is steadfast, honest and true. She unlocks her granaries; she gives to the laborer his hire. The husbandman reaps his reward tenfold and an hundredfold. While riot and rage exhaust the wicked, the sun shines, the rains fall, the dews descend, and the glad earth yields its increase to feed, and nourish, and bless mankind.

The blessings of the Great Father are still unnumbered, and his mercies ever tender.

Solemnly, notwithstanding great national trials and afflictions, let the people give thanks. For the best and wisest Government the civilized world ever saw—a Government rocked but not overturned—let the people give thanks. The harvests are great, and there is no famine in the land; let the people give thanks. There has been no pestilence; in health and prosperity we have lived; let the people give thanks. While men are learning the arts of war, they are not forgetting the arts of peace. Trusting that this great nation may again become a united, loyal, Constitution-loving, law-loving, liberty-loving people, and that material prosperity, education and Christianity may prevail; in the temples, around the firesides, at the feasts and everywhere, remembering with kindness the afflicted, and with charity the poor, and above all remembering the wives and children of the brave men who, with their lives in their hands, have gone to fight our battles for us: let all the people, with thanksgiving, praise Him.

Thereunto I, Alexander W. Randall, Governor of the State of Wisconsin, do appoint Thursday, the 28th day of November next, as a day of Thanksgiving and Prayer and Praise to Almighty God; and I recommend to the good people of the State that they abstain, on that day, from their ordinary occupations, and, gathering in appropriate places of worship, that they unite in expressions of gratitude to God, and in invoking His aid to restore peace and concord to our distracted country.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State to be affixed, at Madison, this 28th

day of October, in the year of our Lord, one thousand eight hundred and sixty-one.

By the Governor,

ALEX. W. RANDALL.

L. P. HARVEY, *Secretary of State.*

NO ADDITIONAL REGIMENTS NEEDED

MADISON, Nov. 26, 1861.

Notice is hereby given to all persons who have been commissioned with authority to recruit companies for the volunteer service, with or without expense to the State, that by instructions from the War Department, the eighteen regiments of infantry called for from this State, will complete the troops of that arm of the service needed by Government for the present. Fourteen of these regiments are full. There remain only the following regiments of infantry authorized to be raised by the State authorities, to wit:

Fifteenth, (Col. Heg) Scandinavian, of which some 600 men are supposed to be enlisted.

Sixteenth, (Col. Allen) full except two companies, and those conditionally assigned.

Seventeenth, (Col. Doran) Irish, the condition of which is not at present known.

Eighteenth, (Col. Alban). No companies yet assigned.

Many fractions of companies have been accepted having been raised to forty men and placed at board and quarters but not yet reported full, and the object of this proclamation is to call the attention of all persons engaged in raising Companies to the necessity of immediate consolidation with other fractional companies in order that they may be reported full and assigned to regiments. No company will be assigned except upon positive evidence that it has at least eighty-three men actually sworn into the State service, and ready to be brought to Camp.

1861]

RECRUITING STOPPED

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State to be affixed at Madison, this 26th day of November, in the year of our Lord, one thousand eight hundred and sixty-one.

By the Governor,

BUTLER G. NOBLE,
[*Lieutenant-Governor*]

LOUIS P. HARVEY, *Secretary of State.*

1862. Fifteenth Annual Legislative Session, January 8-
April 7

EXPENDITURE OF WAR FUNDS

Former Governor Randall made the following report to the Legislature of his stewardship of the war funds during his administration:

EXECUTIVE OFFICE,

MADISON, January 14, 1862.

Hon. J. W. Beardsley, Speaker, House of Assembly:

I herewith transmit to the Legislature my account of expenditure of war funds, with my report, which please lay before the assembly.

Very Respectfully,

ALEX. W. RANDALL.

MADISON, WISCONSIN, Jan. 6, 1862.

To the Honorable the Legislature:

At the close of the last session of the Legislature an act was passed entitled "an act to provide for the defence of the State, and to aid in enforcing the laws and maintaining the authority of the Federal Government."⁵⁶

The act made it my duty, in case a call was made by the President of the United States upon this State, to aid in maintaining the Union and the supremacy of the laws, or to suppress rebellion or insurrection; or to repel invasion within the United States, to take such measures as, in my judgment, should provide in the speediest and most efficient manner for responding to such call. I was authorized to accept the services of volunteers for active service, to be enrolled in companies and in regiments, and to

⁵⁶ See Wis. Gen. Laws, 1861, chaps. 239, 307.—Ed.

commission officers for the same. I was also authorized to contract with responsible parties for uniforms for such of the volunteers as were not provided therewith, and for such other equipments as were necessary and proper for putting such companies in condition for active service.

The sum of two hundred thousand dollars was appropriated "for the purpose of carrying into effect the provisions of this act, and to defray the expense of transporting troops, and of procuring and transporting arms and munitions of war, to be drawn on my warrant as occasion might require." For the expenditure of this money, I was required to file vouchers in the office of the Secretary of State, and to make report to the (then) next Legislature.

I now make the report, and upon its presentation the vouchers will be found filed in the office of the Secretary of State.

The sum of two thousand five hundred dollars was, by the act above referred to, appropriated to the Governor of the State for his contingent expenses as Commander-in-Chief, to be drawn on his warrant, as occasion might require, at his discretion.

To reimburse the Treasury, bonds of one thousand dollars each, to the number of two hundred, were authorized to be issued by the Governor and sold by him, at not less than par value; the money arising from the sale of such bonds to be deposited with the State Treasurer, and to be used only for the purposes contemplated by the act. Only thirteen of those bonds have been sold, the balance remaining in the Treasury.⁵⁷ Upon the thirteen bonds sold was realized the sum of thirteen thousand and seven dollars and fifty cents, which sum was paid into the Treasury of the State.

⁵⁷ Twenty-six bonds were eventually disposed of, most of them in payment of claims against the State. The failure of the Governor to negotiate the remainder was due to the provision in the act forbidding their sale at less than par. In the later act, providing for a million-dollar bond issue, the loan commissioners were authorized to dispose of the bonds on the most favorable terms which in their judgment could be obtained.—Ed.

Of the sum of two hundred thousand dollars so appropriated, a balance of fourteen thousand two hundred and twelve dollars and seventy-five cents remains undrawn in the Treasury. The accompanying statement, marked "A", shows the amount of this fund drawn by me, and for what purposes, except that portion drawn on my warrants for the Paymaster General, Quartermaster General, and Commissary General, which did not pass through my hands, and which is accounted for by them respectively.

Of the sum of 40,506.40 drawn by me, and for the disbursement of which I am directly chargeable, the sum of seventeen thousand seven hundred and forty-nine dollars and forty cents was drawn on account of James Holton, Esq., Ass't. Quartermaster General in Milwaukee, and accounted for by

him	\$17,749.40
One thousand dollars advanced to contractors for subsistence of troops at Camp Randall and deducted on settlement	1,000.00
Cash paid draft for purchase of blankets	8,880.00
Cash paid Commissioners to purchase arms	600.00
Cash advanced to E. R. Wadsworth, Commissary General, and accounted for by him	200.00
	<hr/>
	\$28,429.40

The balance of twelve thousand and seventy-seven dollars is fully accounted for in the exhibit marked "A", above referred to, with the vouchers on file awaiting inspection.

The item of \$221.50 paid to J. W. Polleys for services and expenses, is more properly chargeable to the appropriation of the ten thousand dollars extraordinary expenditure fund, made at the extra session of the Legislature, although it makes no difference with the gross amount of the expenditures.

At the extra session of the Legislature in May last, in order to meet public exigencies, an act appropriating one million of dollars was passed, and bonds authorized to be issued for that

amount, and to be sold by the Governor, Secretary of State, and State Treasurer.⁵⁸ The money realized upon such sale to be paid into the State Treasury. There remains unsold of these bonds, about \$85,000, as I am informed by the State Treasurer.⁵⁹ The law provided that this money should be drawn upon the warrants of the Secretary of State in favor of the Paymaster upon monthly estimates made and certified by the Paymaster and Governor, and filed with the Secretary of State, of moneys due to the State troops, and other necessary expenses required to be paid for military purposes, under the provisions of the act, not including amounts necessary for the purchase of arms and munitions of war.

With the *disbursement* of this money, with the exception of ten thousand dollars specifically appropriated, I had nothing to do.

An act approved May 25, 1861, provides as follows: "The Governor is hereby authorized and empowered to employ such aids, clerks and messengers as the public interest may require, and allow them such reasonable compensation for their services and expenses as in his judgment they shall be entitled to receive and on the requisition of the Governor, the Secretary of State shall draw his warrant on the Treasury for the amount so required by the Governor, to be paid out of the War Fund, not to exceed in the aggregate ten thousand dollars."⁶⁰

The accompanying statement marked "B", shows to whom this money was paid and for what purposes. The receipts, certificates and vouchers are on file for examination, with the re-

⁵⁸ See *Wis. Gen. Laws*, ex. sess., 1861, chap. 13.—Ed.

⁵⁹ The negotiation of these bonds was investigated by a joint committee of the Legislature. Its report is a harsh criticism directed against Governor Randall and his associates on the loan commission. See *Wis. Sen. Jour.*, 1862, ii, p. 1005 ff; for the minority report of the committee see *Ibid*, p. 1141 ff.—Ed.

⁶⁰ See *Wis. Gen. Laws*, ex. sess., 1861, chap. 3.—Ed.

ports of agents to whom any considerable sums were entrusted, showing in detail the manner and objects of the expenditures.

I invite a careful and candid scrutiny of the disposition of this Fund, and desire that each of the persons employed be summoned before your committees of investigation, to testify as to the agencies in which they were employed, and the purposes of those agencies; as to the moneys entrusted to them, and what they did with such moneys. These agents are all or nearly all within reach, and will most readily respond to such a call. I ask then that their testimony be published with this report, with either the approval or the condemnation of the Legislature. I ask this as an act of justice to myself, because the disposition of some portion of this money has been condemned without a full understanding, and I desire the people of the State, with a full knowledge of all the facts, to pass judgment upon it.⁶¹ W. H. Watson, Esq., who has been my private Secretary, and who is the private Secretary of Gov. Harvey, will, at all times, give any information or explanation. Many of the men employed are among the most respectable and responsible men in the State, and I believe they have all been honest and faithful in the discharge of their trusts.

It is due to the Legislature and the people that I make some explanation—not excuses—for the manner in which the public business has been conducted by myself and by those in subordinate departments under my direction.

When this war broke out and the State was called upon by the President for aid, there were no military forces in the state organized and liable to be called upon for actual service. The few arms which had been distributed to the state by the Federal Government were scattered over the state. We had no military organization, and so far as was known to the authori-

⁶¹ The joint committee of the Legislature, appointed to examine into the negotiation of the million-dollar bond issue, investigated also the conduct of the State agents. Its report is very hostile; see *Wis. Sen. Jour.*, 1862, ii, p. 1022 ff, also p. 1153 ff.—Ed.

ties, no experienced military men in the state. For three successive years I had asked the Legislature to provide some kind of an organization, to the end that although not a military people, there might be some military education in the state. The Legislature judged this to be unnecessary, and it was not done. The state authorities were suddenly called upon to organize and uniform and equip large military forces for active service. The General Government had issued no specific instructions as to the manner in which this work was to be done. We had no system, and labored constantly under difficulties and embarrassments at a great distance from the seat of government. While supporting large bodies of men, to save time was to save money. My experience was like the experience of the executives of other states, and like them I was compelled to send messengers frequently to Washington. It was the surest, the quickest and only effectual mode of transacting any important business with the Departments. The experience of Treasurer Hastings and others will bear this witness. I judged this the best course to take and adopted it. What was effected by these messengers proved that I acted wisely. A part of the ten thousand dollars was appropriated for this purpose and so used.

The insufficient accommodations for transporting large bodies of men, and large military stores, except upon the direct lines of railroads, and the want of experience in the care of soldiers, both well and sick, induced me to adopt the plan of sending with our regiments agents, whose business it should be to see that our neighbors who had volunteered to fight for us, should not suffer for want of care, in case of accident or sickness. The precaution was a wise one, if it is wise or right to take care of sick and suffering men. While some of our regiments reached the seat of war without accident and without serious sickness, and so required no especial attention or expense, some of the soldiers in many of them were left on the way and but for the care and attendance of these agents would have died. The sick soldiers left at Elmira and Harrisburg and Baltimore, who were cooked for and washed for and attended upon day after

day and night after night by Sanders and Hurlbut and Hill and others, and the sick men brought home to their families and friends by Fairchild, received relief worth the whole amount expended and more. While all the agents may not have been well chosen, I conceived the course a wise one. It was for such purposes that other portions of the ten thousand dollars were used. This course has been adopted by many of the other States, and has received not only the commendation of the authorities of those states, but the commendation of the Secretary of War, who complimented Wisconsin for inaugurating the system, and for the interest manifested for the welfare of her soldiers. My only regret is, that I had so little means at my command to devote to such uses. In the movements of our regiments, large amounts of clothing and other State and Government property have been taken care of by these agents, which otherwise would have been lost or destroyed, in value far greater than the whole amount expended. The policy ought to be continued.

The Legislature, when the first call was made upon the States for aid, did not anticipate what has since followed. It was supposed that not more than six or eight Regiments would be required from the State, and made provision only for that, while nearly if not quite twenty thousand men have been mustered into the United States service. It is the universal testimony wherever the Wisconsin Regiments have gone, and along the routes over which they have passed, that no better troops can be found, and that none have been better uniformed or equipped, or provided for, than those from this State, and I believe that the closest examination will show that in the Paymaster's, and Quartermaster's and Commissary's Departments, every effort has been made to save the State expense and loss.

Many expenses have been incurred not authorized by army regulations, because for a long time we did not know what the army regulations were. Some expenses have been incurred and money paid by the Paymaster, Quartermaster and Commissary that I knew were not according to army regulations, under my direction, because I did not wish to see our soldiers, unused to

the hardships of camp life, and going from comfortable and pleasant homes, suffer or die according to strict military rule.

These soldiers help pay the expense as well as fight the battles, and I have directed a few newspapers to be sent to each company. To provide against necessity or accident, a few extra blankets, and a few extra pairs of shoes, and a few extra uniforms have been sent forward with each regiment. I have audited and ordered paid some small bills of officers, made under misunderstanding of army rules, and have paid some small bills for injuries done to the property of citizens by bands of soldiers, rather than have regiments delayed at the expense of hundreds of dollars, growing out of threatened controversies. Knowing that soldiers who drill eight hours in the day cannot well perform much other labor, and to enable them to perfect themselves as fast as possible in the discipline and duties of soldiers, I have relieved them as far as possible from other labors in camp, and endeavored to make them forget their privations by supplying their wants. If more means had been at my disposal, I should have expended more upon them.

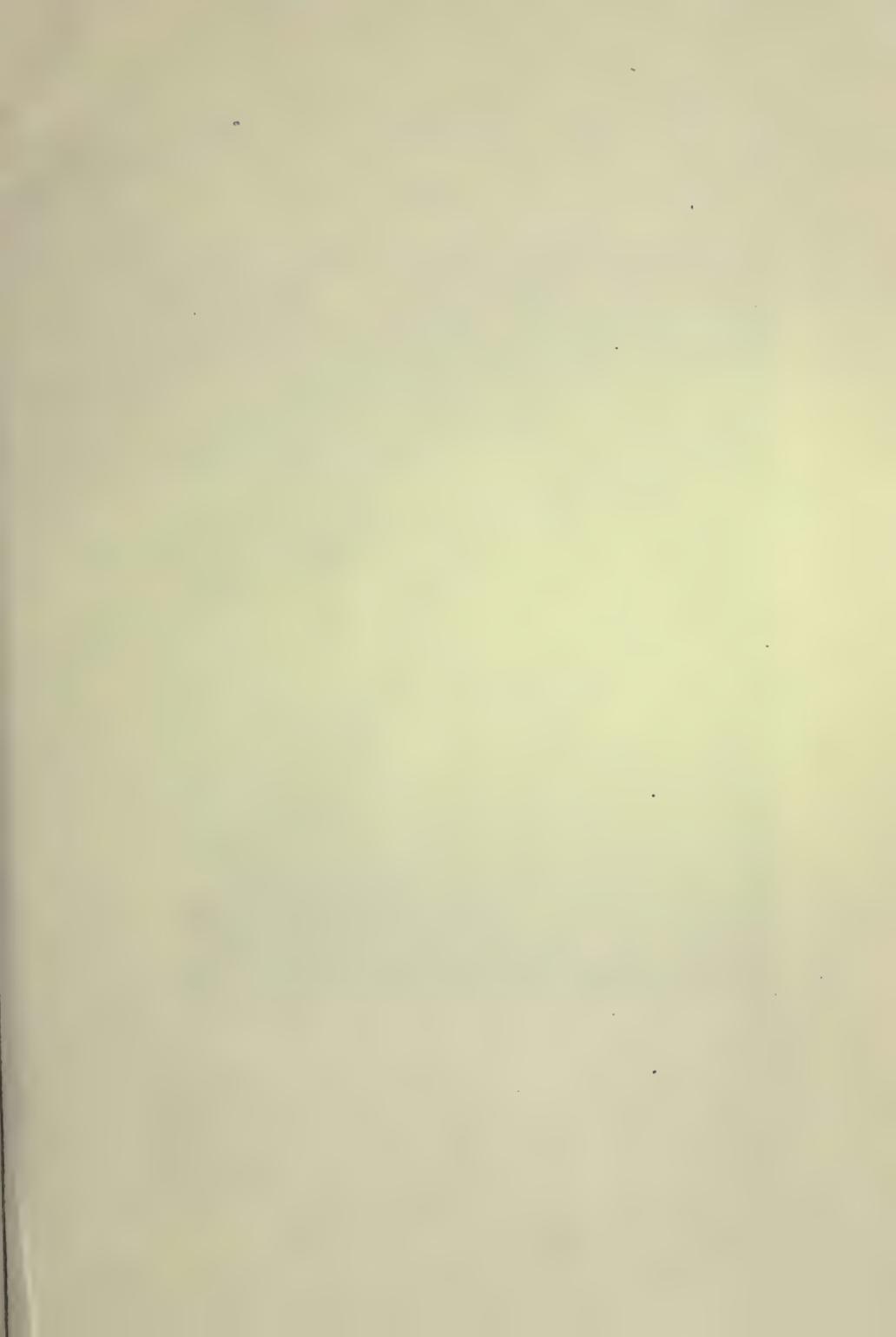
As required by law, I fixed the compensation of the Quartermaster General, Paymaster General, Inspector General, Adjutant General, Commissary General, their assistants and clerks. After seeing the great amount of labor they performed, and the pay adopted in other States, and upon consultation with the United States Assistant Quartermaster, I increased their compensation, keeping within the rule prescribed by the act, adopting the rule of paying men for well doing what their services were worth. These officers all desire that the Legislature should investigate their acts.

The policy of experimenting with soldiers to ascertain how little they can live upon, or how hard fare, and how extreme privations they can endure, and escape sickness or death, is the policy of all time, and its result has been with all armies and in all nations, that more men die in camp than are slain in battle. I believe this rebellion is to be atoned for in blood, and that the business of an army is to fight, and that, therefore, that course

which will most husband the strength and preserve the health of the soldier until the day of battle, is the wisest and best.

Respectfully,

ALEX. W. RANDALL.





Governor Louis P. Harvey
From a photograph taken during the War

1862. Louis Powell Harvey

Biographical Sketch

Louis Powell Harvey, the seventh Governor of Wisconsin, was born July 22, 1820, at East Haddam, Connecticut. In 1828 the family moved to Strongsville, Cuyahoga County, Ohio. Here Louis prepared himself for college, and earned money to support himself therein. In 1837 he entered Western Reserve College at Hudson, and remained there two years, when he was compelled by ill-health to leave. Subsequently he taught in an academy at Nicholasville, Kentucky, and in Woodward College, Cincinnati. He was a Whig speaker in Ohio, in the Harrison campaign of 1840.

Harvey came to Wisconsin in the fall of 1841 and settled at Southport (now Kenosha), where he took charge of the Southport Academy. In 1843 he added to his teaching the editorship of the Southport *American*, a Whig paper, and continued therewith until 1846. During this time he was prominent in local affairs and held various public offices, among them that of postmaster.

In 1847 he married Cordelia A. Perrine, a native of Barre, Orleans County, New York, and the same year moved to Clinton, Rock County, Wisconsin, where he opened a store. That autumn he was elected a delegate from Rock County to the Second Constitutional Convention. In the Convention he was especially active and aided in drafting the provisions of the Constitution which established the school system of the State.

Another change of residence was made in 1851, when he moved to Waterloo, now Shopiere, in Rock County. Here he continued in business, and in addition to keeping a store operated a flour mill.

At the election of 1853, Harvey was chosen State senator from the southern district of Rock County, being re-elected in 1855. During the years covered by his two terms when corruption was rampant in the Legislature, his honesty and integrity were never questioned. He now became active in the Republican party, and at different times was mentioned as candidate for Congressman, Governor, and United States Senator.

In 1859, Harvey was elected Secretary of State. He was always deeply interested in education, and as an ex-officio regent was an active friend of the University of Wisconsin. In 1861 he was nominated for Governor by both the Union and Republican conventions, and was elected by a large majority. Inaugurated on January 6, 1862, he performed the trying duties of his office with devotion and energy until his tragic death on April 19.

The Wisconsin troops at the Battle of Shiloh, April 6 and 7, suffered severely. As soon as this fact was known in Madison, the Governor sent out an urgent call for supplies for the relief of the wounded, and announced that he would himself take them to the hospitals and see that everything possible was done for the sufferers. He started on April 10. His mission was successful both in securing care and attention for the wounded Wisconsin soldiers, and in cheering them by his presence and sympathy.

His work ended, he prepared on April 19 to leave Savannah (ten miles below Pittsburgh Landing) for Cairo, on the steamer "January." She arrived too early in the evening, however, and the Governor and his party went on board the "Dunleith," which was lying there to wait for the "Minnehaha," expected the following morning. She came, however, late in the evening. The Governor and his party were called, and as she rounded to were standing on the deck of the "Dunleith." As the bow of the "Minnehaha" came near, the Governor moved, apparently to get out of the way, and making a misstep fell overboard between the two boats. Everyone, both friends and strangers, made the utmost efforts to save him; but the night was dark and

rainy, and the current strong, and he was quickly borne down stream, where no aid could reach him. His body was found some days later about sixty miles down the river, and was brought to Madison, where it was buried with imposing ceremonies.

After his death Mrs. Harvey, a woman of unusual energy and ability, devoted herself to work in the hospitals, as State agent, and exerted a national influence for needed army reforms. She subsequently married Rev. Arthur T. Chester of Buffalo, New York, and died February 27, 1895, at Clinton, Wisconsin. Her remains were buried in Madison.

1862. Fifteenth Annual Legislative Session, January 3-
April 7

The two Houses of the Legislature met in Joint Convention on January 10, and the Governor read thereto in person his

ANNUAL MESSAGE

of which we present only those portions having reference to the war and Wisconsin's participation therein:

Fellow Citizens of the Senate and Assembly:

The circumstances under which we meet can scarcely fail to impress especial awe of the responsibilities assumed with our respective trusts. Grave duties are to be discharged amid extraordinary difficulties, while unusual importance attaches to the manner of their discharge. The management of the interests confided to us will be watched by our constituents with eager solicitude.

Fortunately, the independent action of the people in the late election, permits to their representatives an unusual freedom to accept the guidance of personal convictions of duty upon all measures of public policy.

No previous Legislature has convened under equal incentives to a disinterested zeal in the public service. The occasion pleads with you in rebuke of all the meaner passions—admonishing to the exercise of a conscientious patriotism, becoming the representative of a Christian people, called, in God's providence, to pass through the furnace of a great trial of their virtue, and of the strength of their government.

* * * * *

WAR FUND.⁶²

Transactions in the War Fund created by chapters 239 and 307 of the acts passed by the last Legislature, at the regular session, and chapter 13 of the acts passed at the special session, are as follows:⁶³

RECEIPTS

From sale of bonds of the \$200,000 issue.....	\$13,007 50
From sale of bonds of the \$1,000,000 issue.....	646,590 00
From United States, 40 per cent of State's claim for expenses on first six Regiments.....	205,000 00
From United States for subsistence of 1st Regiment.....	3,531 00
From United States, Quarter-Master's bills, audited and paid Dec. 31st, 1861.....	88,320 23
From Monroe Co. Bank, one per cent on \$42,000 bonds....	420 00
	<hr/>
	\$957,368 79

DISBURSEMENTS

To A. W. Randall, Governor, on appropriations by chapter 307, regular session, and chapter 13, special session.....	\$200,668 39
To Simeon Mills, paymaster.....	650,748 51
For expenses of special session.....	8,256 79
For extra pay to volunteers and their families.....	34,480 17
To discharged volunteers	1,169 97
For printing and advertising.....	10,357 76
For postage, clerk hire, and gas bills.....	1,460 11
Balance on hand Jan. 1st, 1862.....	50,227 09
	<hr/>
Total disbursements and balance.....	\$957,368 79

⁶² Detailed accounts of the receipts and expenditures of the war and other funds may be found in the reports of the Secretary of State and State Treasurer; see *Wis. Mess. and Docs.*—Ed.

⁶³ *Wis. Gen. Laws*, 1861, chaps. 239, 307, authorized an appropriation of \$200,000 for equipping troops. *Id.*, ex. sess., 1861, chap. 13, authorized a loan of \$1,000,000 for war purposes.—Ed.

Vouchers have been filed in the Secretary of State's office by the Paymaster General of the State, for the expenditure of \$820,526.43; the accounts audited directly by the Secretary of State amount to \$55,724.80—the remaining \$30,890.47 includes: Military Contingent Fund, \$2,500; appropriation of \$10,000.00 for Extraordinary Expenses, and certain expenditures directly by the Governor, for which vouchers will be presented to the Legislature with the report shortly to be made by my predecessor.

Wisconsin furnished to the service of the General Government, under the call for volunteers for three months, one regiment—the First Wisconsin, Col. J. C. Starkweather. This regiment—numbering 810 men—left Milwaukee the 9th day of June last, and returned, and was mustered from the service, August 17th. A portion of this Regiment played a distinguished part in the engagement at Falling Waters, Virginia.⁶⁴

Under the call for volunteers for three years, or the war, Wisconsin has now in the field ten regiments, as follows:

				<i>Number of Officers,</i>
<i>No.</i>	<i>Colonel Commanding.</i>	<i>Left the State.</i>	<i>Destination.</i>	<i>Musicians & Privates.</i>
2nd.	S. Park Coon.	June 20.	Washington.	1062
3rd.	C. S. Hamilton.	July 12.	Harper's Ferry, Va.	979
4th.	Halbert E. Paine.	July 15.	Washington.	1053
5th.	Amasa Cobb.	July 24.	Washington.	1057
6th.	Lysander Cutler.	July 28.	Washington.	1083
7th.	Joseph Van Dor.	Sept. 21.	Washington.	1016
8th.	R. C. Murphy.	Oct. 12.	St. Louis, Mo.	966
10th.	A. R. Chapin.	Nov. 9.	Louisville, Ky.	908
*1st.	J. C. Starkweather.	Oct. 28.	Louisville, Ky.	947
11th.	C. L. Harris.	Nov. 20.	St. Louis, Mo.	1046
Total.....				10,117

There are now organized in camp and awaiting orders, the following regiments:

⁶⁴ July 2, 1861.—Ed.

* Reorganized.

9th, Frederick Salomon, Camp Sigel, Milwaukee.....	940
12th, Geo. E. Bryant, Camp Randall, Madison.....	1039
13th, M. Malony, Camp Tredway, Janesville.....	919
14th, D. E. Wood, Camp Wood, Fond du Lac.....	859
Total	3,757

The 15th, or Scandinavian Regiment, Col. H. C. Heg, 700 men, and the 16th, Col. Benj. Allen, 900 men, are also at Camp Randall, in near readiness for marching orders. The 17th (Irish) Regiment, Col. J. L. Doran, and the 18th, Col. James S. Alban, have their full number of companies in readiness, lacking one, and are notified to go into camp—the former at Madison, and the latter at Milwaukee. These companies are not all full, but will muster 1400 men. Seven companies of artillery, numbering together 1050 men, have long remained in Camp Utley, Racine, impatient of the delays of Government in calling them to move forward. Three additional companies of artillery are about going into camp, numbering 334 men. Besides these, the State has furnished an independent company of cavalry, now in Missouri, raised by Capt. Van Deutsch, 81 men; a company of 104 men for Berdan's sharpshooters; and an additional company for the 2d regiment, of about 80 men. Three regiments of cavalry—the 1st, Col. E. Daniels; the 2d, Col. C. C. Washburn; and the 3d, Col. W. A. Barstow, are being organized, and number, together, 2450 men. A 19th (Independent) regiment is being rapidly organized under direction of the Government, by Col. H. T. Sanders, Racine. Not calculating for this last, the State has furnished, and has organizing, 20,973, or adding for the 1st, in the three months service, 21,783 men.

The incomplete regiments are being rapidly filled, and when filled, as they shortly will be, to the average number with which our regiments have left the State, and adding the 19th infantry, of which no estimate has been included above, the number of volunteers from Wisconsin in the United States service will be full 24,800.

No State has furnished better material for soldiers than Wisconsin. Her regiments have been filled by men who worthily represent the intelligence and loyalty of her people. Universal testimony agrees that no troops have taken the field better provided in all respects; and it is believed that by no other State in the union has a like service been performed at a less expense.

The expenses of recruiting, organizing, uniforming, paying and forwarding these regiments, thus far, have been—

In Quartermaster General's Department.....	\$1,189,120 20
In Commissary General's Department.....	167,107 40
In Paymaster General's Department, on pay rolls of the regiments	213,827 02
	<hr/>
	\$1,570,054 62
Add for war expenses audited by Secretary of State.....	55,724 80
Expended by the Governor	30,890 47
	<hr/>
Total war expenses	\$1,656,659 98

This includes the liabilities of the Quartermaster General's office for uniforms, and everything furnished, or to be furnished, by that department, for eighteen regiments of infantry, one of artillery, and one of cavalry, with all articles supplied the 1st and 3d cavalry.

As nearly as can now be ascertained, the liabilities of the State stand as follows:

Total expenses, as above.....	\$1,656,659 98
Payments by State Paymaster General.....	\$820,526 43
Payments of acc'ts audited by Secretary of State	55,724 80
Payments by the Governor.....	30,890 47
Payments by U. S. Paymaster, direct on Quartermaster's contracts	387,765 78
Do. do. on Commissary's bills.....	18,743 78
	<hr/>
	1,313,651 26
	<hr/>
Present liabilities of the State.....	\$343,008 63

Some further allowance—not, as is believed, to exceed \$30,000—should be made for salaries due to members of the Governor's military staff, the Assistant Surgeons sent by the State with her regiments, and wages due to agents and employees in one service or another connected with our military operations.

The General Government having assumed all further responsibility of providing for our volunteers, within as without the State, the services of many persons now in the employ of the State can be dispensed with. Provision should at once be made of means to settle their claims of wages or salaries.

Provision should also be made to continue the payment of the aid pledged by chapter 8 of the acts of the special session, to families of volunteers; and all volunteers from the State should be held in equal regard, in whatever branch of the service they may have enlisted. A special tax or temporary loan may be necessary. Action on this matter should be taken at once, or much complaint and suffering may be the result. The statute also requires amending in details, to the end that the State be better protected against abuse of its provisions. Especially should heavy penalties be enacted against justices making false certificates.⁶⁵

GOVERNMENT TAX

By an act of Congress, passed on the 5th day of August last, a direct tax of twenty millions of dollars is annually laid upon the United States. To the State of Wisconsin there is apportioned of said tax the sum of \$519,688.67; which is 00.3312 upon the dollar of the present valuation of real property in the State. The law of Congress further provides that the tax "shall be assessed and laid on the value of all land and lots of ground, with their improvements and dwellings." It follows that, if

⁶⁵ Wis. Gen. Laws, 1862, chaps, 112, 374, established safeguards in the administration of the Volunteer Aid Law. No provision was made for procuring the necessary funds, however, and a great deal of suffering ensued. See Governor Harvey's message, Feb. 18, 1862, *post*.—Ed.

this tax is to be collected by the United States, personal property will escape altogether. It is provided that any state may assume to assess and pay its quota in its own way and manner, and a deduction of fifteen per centum will be made for expenses of assessment and collection. The advantages to be derived by the State from assuming and paying its quota of this tax are, the large per centage of discount offered, and the opportunity of providing that all the property of the State bear its just proportion of the burden. In a new state like ours, however, so large a portion of taxes remain unpaid upon delinquent lands, that the State can scarcely afford to pay this whole tax in money, and hold these lands for redemption.

I would recommend that the Governor be authorized to liquidate the tax by offset of claims of the State against the United States, to the amount for which allowance can be obtained on such claims, beyond provision for existing liabilities against the State. Otherwise, that the tax be left for collection by the United States.⁶⁶

SOLDIERS' ALLOTMENTS OF PAY

A law has recently been passed by Congress, and approved by the President, providing for the appointment, *by the President*, of not exceeding three persons for each State having volunteers in the United States service, who shall be authorized by their commissions, to visit the regiments from their respective States, and receive from the volunteers, "from time to time their respective allotments of pay to their families or friends." The second section of said act provides "that such commissioners shall receive no pay or emolument whatever, from the Treasury of the United States." The propriety of providing that appointments of so important a character, and of such a nature,

⁶⁶ The necessary authority was given to the Governor, and the tax, amounting originally to \$519,688.66—but reduced fifteen percent on account of having the vouchers in at the proper time—was liquidated by offset of the claims of the State against the United States.—ED.

shall be made by the President of the United States, while they are to be paid by the States for their services, may justly be questioned. Of the necessity of some provision, under proper safeguards, by which the volunteers may be enabled, at stated times, to send their earnings to their families, there can be no question; and means should be set aside for the expenses of such persons as may be commissioned to attend to this important duty.⁶⁷

* * * * *

OF TAXATION

* * * * *

Apprehensions have been expressed of the effect upon public sentiment, regarding the administration and the war, of an attempt to collect the real estate and income taxes—together amounting to possibly \$700,000—for which the General Government, in its need, calls upon this State. All such apprehensions are unjust. The loyal people of Wisconsin do not value property, or even life itself, weighed against the existence of the Government which has so long blessed and protected them in both. It may serve a good purpose, however, to show that the calls of Government will not add twenty-five per cent. to our accustomed burdens of taxation. It is surely wise and prudent to examine all the ordinary courses of expense for opportunities to save the means of meeting this levy of a PATRIOTIC TAX.⁶⁸

* * * * *

⁶⁷ Wis. Gen. Laws, 1862, chap. 190, provided that the allotment commissioners appointed by the President should perform such duties, not inconsistent with duties imposed on them by the act of Congress, as the Governor might direct, for which they should each receive from the State \$1000 per annum; also that the State Treasurer should receive and turn over to the families of volunteers such allotments as they might send for that purpose.—Ed.

⁶⁸ Here follow recommendations for retrenchment.—Ed.

MEASURES OF HOME POLICY

* * * * *

A memorial should be promptly presented to Congress from this Legislature, asking the establishment of a United States Armory, Arsenal and Naval depot within this State.⁶⁹ The city of Milwaukee possesses advantages in a capacious harbor; safety of locations for works, at points still touched by navigable waters; waterpower, and cheapness of material for building ships or manufacturing arms, superior to any other point on the lakes; while her facilities for distribution by lake and railroads are surpassed by none. If a location for the Armory back from the shore should be preferred, the line of Fox river presents a succession of waterpowers, where abundant power and any desired quantity of lands are offered the Government free of cost. The best iron ore in the world can be got from Lake Superior—wood for charcoal and timber for all purposes, are at hand in abundance, while river communication leads to the lake, and railroad connections unite with the whole railroad system of the Northwest.

* * * * *

CONCLUSION

I have deemed it my duty to thus hold your attention over the dull details of our State affairs, from the conviction that, having lavished our means in preparation, it becomes us to try and husband them as well, the better to enable us to meet and crush the greatest, and, before God, I believe, the most causeless and wicked rebellion the world has ever seen.

An Interest, whose boast it is that it has always controlled the government, is arrayed in arms to destroy that government, because, for the first time in at least a quarter of a century, it

⁶⁹ Wis. Gen. Laws, 1862, Memorial no. 3, prays that a naval depot be located at Milwaukee, and that a national armory be located on the lower Fox River.—ED.

failed to dictate the incumbent of the Presidency! A failure, too, which the complainants might easily have prevented by making the selection of their candidate among northern democratic statesmen. The rupture of the democratic party, with the consequent easy election of Mr. Lincoln, was the choice and deliberate act of those who pretend to find in that election excuse for rebellion. Mr. Lincoln and the republicans acquired with the Presidency no power to work injury upon southern interests—Congress and the Judiciary being both against them. The factionists withdrew from Congress, as if to invite some act of hostile legislation. That the republicans and Mr. Lincoln purposed no act of injustice to southern rights, is conclusively shown by the fact that, left a clear majority in Congress, and under the most aggravating provocation, no such act was passed.

The issue of force was accepted by perhaps a majority in the loyal states, almost apologizing for attempting a defense of the Constitution and the Union, as for an unwarranted liberty. Habits of deference to Southern complaining are so strong upon us as still frequently to betray our officers and troops into acts of servility that tingle our cheeks with the blush of shame. But the incidents of the past few months have been marvelous educators of public sentiment. There has come an almost universal recognition of the truth of history, that this rebellion is no sudden outbreak, excited by any of its pretended provocations; but that it is a long matured and carefully prepared conspiracy, to be met and mastered by the government. Surely a few lessons more will teach us all, if indeed we be not already taught, to understand what *treason* means—to regard these rebels with that horrid aversion in which the royalist holds the regicide. They are the attempted regicides of the best government under heaven, and every apologist for their crime, or defender of their cause, among us, should feel the hot hiss of public scorn burning a brand upon him.

The contest must come to be fought on the principle that the protection of the Union alone gives sacredness to soil or institutions—that no soil, nor person, nor any species of property, have

any sacredness or claim to regard outside the Constitution, or in rebellion against the laws. But in this contest who shall lead us? Fellow citizens, that choice is no longer left us. By the deliberate act of the American people at the late election, all the responsibilities of Government, which have come to include the management of this war, were devolved upon those now in authority. "Institutions which have their foundation in the popular will, can have no security except in the firmness and consistency of that will." This truth indicates our present duty. We should render our government strong through voluntary subordination, and by our willing support of its policy. In every emergency, the Administration should be made to feel the strength and consistency of that will by which the destiny of a great nation was confided to its direction. I do not deny sharing largely in the prevailing popular impatience; I do not underestimate the demoralizing influence of delay upon armies and public opinion; but I believe this administration means as honestly by the country—as honestly by the sacred cause of liberty—as any faction opposing it. It possesses, alone, the power to *act* for us; and we must, perforce, stand by it, or take the alternative of faction and ruin to our cause. History teems with examples of the malign influence of discontent, and the uneasy ambition to lead in times like these.

The result of this contest is not doubtful; and the end will be worth to the cause of Freedom and good government all the sacrifices and cost of the war. The war was not commenced—to may never be prosecuted—to destroy the institution of slavery. But this species of property bases the claim of its owners to be a ruling and privileged class. Slavery is moreover the interest which the plotters for a Southern Monarchy have played upon to alarm and unite their section, until that whole people have gone mad upon it. It obtrudes in the way of every effort to restore the supremacy of the laws, and bring peace to the country—it cannot be shielded from the blows of battle. Conservatism or policies cannot save it now from the doom which awaits it. Whether it finds its fate in the struggle, or dies ling-

erily of its wounds, is yet in the order of Providence, and not to be directed by our impatience.

Trusting that the views I have presented will not be without their influence upon your action—that your deliberations and determinations will all be marked by the absence of any exhibition of partisan feeling, and by patriotic devotion to the Union, I conclude with proffering the hearty co-operation of the Executive in every measure of beneficent legislation.

LOUIS P. HARVEY.

MADISON, January 10, 1862.

HEALTH OF THE REGIMENTS

EXECUTIVE DEPARTMENT,

MADISON, February 7, 1862.

Hon. Edward Salomon, President of the Senate:

SIR—On the 17th of December last, His Excellency, Alexander W. Randall, then Governor of this State, commissioned C. L. Sholes, Esq., of Milwaukee, as his agent to visit the several regiments from this State in or near the line of operations on the Potomac, and to obtain and report, for the use of the Executive and the Legislature, information of the health of the regiments; the condition of the Government Hospitals, and the degree of comfort supplied to the sick therein, etc., etc.

A report has been submitted to me by Mr. Sholes, the agent above named, which, together with the letter commissioning him as such agent, is herewith submitted for the consideration of the Legislature.⁷⁰

Very respectfully,

L. P. HARVEY.

⁷⁰ See *Wis. Sen. Jour.*, 1862, i, p. 197 ff.—ED.

CLAIMANTS OF EXTRA PAY

A source of much complaint among the troops at the front and their families at home, is touched upon in the following Special Message from the Governor, and its accompanying letters:

EXECUTIVE DEPARTMENT,
MADISON, February 18th, 1862.

To the Honorable the Legislature:

Over thirty-one hundred names now stand on the books of the Secretary of State, claimants of the extra pay provided by chapter 8 of the laws of the extra session, to volunteers having families dependent upon them for support.⁷¹ By letter from the State Treasurer, herewith transmitted, it appears that no payments have been made to such claimants since the last of January, and it is well known that immediately prior to that date, payment had been resumed but a few days, after a long suspension. The statement of the State Treasurer is that from seven to eight hundred unpaid warrants have accumulated against the treasury, which each call for from one to five months' pay due from the State.

It is impossible to convey to the Legislature any adequate conception of the complaint and suffering arising from this condition of things. I herewith transmit, for the information of the Legislature, copies of a few letters, such as every day reach the State officers—samples by no means extreme, however, in expression of suffering and a keen sense of unjust treatment by the State. In very many instances, the five dollars per month pledged by the State, is the sole dependence of a helpless family against cold and hunger.

The over thirty-one hundred claimants, already entered on the Secretary's books, are all from the first *thirteen* regiments. The nine thousand men now in camp in this State, belonging

⁷¹ See *ante*, p. 74, note 55.—Ed.

to the several regiments of infantry and cavalry and batteries of artillery, include from two to three thousand heads of dependent families. These men have been enlisted from one to five months, have received no pay from the government, and not one dollar from the State. The letters of complaint which are daily received by these men from their homes, are literally heart-rending. One officer writes, "the letters which my men daily compel me to read, give me a new conception of how much anger and agony can be expressed on paper."

I have peremptory and repeated orders to forward at once the 14th, 15th, and 16th regiments to St. Louis. The officers and men, I doubt not, will promptly obey orders to leave, but they will not go with the heart Wisconsin volunteers should bear to the field. Money cannot compensate the loss of courage, and hope and pride in their State, under which they will reluctantly lengthen the distance between themselves and their suffering households.

It would seem there should be no longer delay by the Legislature in providing the means to redeem the faith of the State, pledged to the relief of the families of her citizen soldiers. It is submitted that a great and unnecessary hardship is imposed upon your State officers by compelling them to stand daily in the reach of so much complaining, with no duty except to apologize for delay of your action.

Measures have for some time been pending in the Legislature which, in my judgment, are adequate for present relief. The enactment of the bill providing for the investment of the principal of the school fund in the treasury, in State bonds, would at once provide the means for continuing payments from one to two months. The decision of the Legislature upon the bank bill would settle present uncertainty regarding the sale of over two hundred thousand dollars of war bonds yet remaining unsold.

Besides these measures, the increase in revenue from railroad license provided by the act of the present Legislature; and the transfer of the accumulated proceeds of the one-tenth of a

mill (town library) tax to the general fund, places that fund in condition to loan the war fund from fifty to seventy-five thousand dollars without serious embarrassment. Then, a re-loan of the \$50,000 provided to meet the State bonds maturing April 1st, is doubtless practicable and should be made, if at all, for the relief of the war fund.⁷²

If the measures above suggested do not meet the approval of the Legislature, permit me to hope that their wisdom will, *within the present week*, devise and enact some effective means of relief.

L. P. HARVEY.

OFFICE OF STATE TREASURER,
MADISON, February 18, 1862.

To his Excellency, Gov. L. P. Harvey,

SIR:—There cannot be less than some seven or eight hundred applications for extra pay to the families of volunteers now on file in this office and in the office of the Secretary of State. No payments have been made to the families of volunteers since the last of January, the war fund has been exhausted since that time. These applications have been accumulating during the past three weeks, no reply having been made to the applicants, as we have been daily expecting action on the part of the Legislature that would replenish the fund, and thus enable us to remit the several sums due. It will not answer to let these matters remain as they now are much longer. The mails are coming loaded down with letters setting forth the wants and sufferings of the families of volunteers, and inquiring why the money is not sent, and when it may be expected. Unless speedy provision is made to replenish the war fund, these

⁷² Wis. Gen. Laws, 1862, chap. 229, passed by the Legislature on April 5, 1862, in response to the Governor's recommendation, provided for a temporary loan from the general fund of \$50,000 to be used in the war fund for the relief of families of volunteers.—ED.

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SOLDIERS' CLAIMS

letters must all be answered. And what answer can I make to them?

I hand you copies of several letters received, which may be regarded as fair samples of scores, if not hundreds, of others now on file. Very respectfully, your ob't. servant,

SAM'L D. HASTINGS,
State Treasurer.

February 11, 1862.

DEAR SIR—I now take my pen in hand to inform you that my blank has been sent in, but I have not had any answer from it yet. But I think if you knew my state, you would send me the money, or try to help me in some way. I will tell you: first, I have one babe just three months old, and no one to help me do anything, and out of wood; no shoes to my feet, and but very little to eat. Is not this hard, to have my husband taken away from me, and not one cent to help myself with? Must this be so? O this is hard times! Mr. Shaw promised me that he would see that I had my pay, but you see how much he cares for me. He has got my husband away from me, and now I may starve, for all he cares about it. So, if you can't send me my money, I wish you would send me word when you think I can get it, and I will try to pay the postage.

Now, don't read this and think she can wait; but try to help me. I would not have sent yet, if I could get any work, but I cannot now. Please do the best you can for me, and oblige

Yours truly,

MRS. CLARA BOWEN.

GENESEE, WAUKESHA Co., WIS.

WEST BEND, February 14, 1862.

Hon. James T. Lewis, Secretary of State, Madison:

SIR—On the 17th day of January I wrote you a letter, enclosing the necessary papers for drawing \$20 out of the Military Relief Fund for my sister-in-law—Mary J. Trakat. Her hus-

GOVERNOR HARVEY

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band, Julius Trakat, is enlisted and mustered into United States service, in Company C, 9th Regiment on Sept. 26th, 1861; and as his wife is in great want of some necessities of life and has no supporter, you would greatly oblige her by sending the \$20 as soon as convenient. Very respectfully, yours, etc.,

J. H. TRAKAT.

OXFORD, February 14, 1862.

Hon. J. T. Lewis:—

SIR—I write to enquire if the affidavit I sent you certifying that Andrew Miller is the identical person having charge of the family dependent on George Bell for support is sufficient. The money has not yet reached here, and the children are very much in want of clothing. All three of them are under nine years of age, and have nothing to help them. Their father writes that the 10th Regiment have received no pay since they left the State, making it impossible for him to send them any money.

I am knowing to the fact that Andrew Miller who signed the order and receipt is the person having charge of George Bell's family. The order calls for three months' pay. Please attend to it as soon as possible.

THOS. BLACK.

BELVIDERE, WIS., Jan. 29, 1862.

To the Secretary of State, Madison, Wis.

SIR—I respectfully ask you to give prompt attention to the enclosed certificate for aid to volunteers in my favor. I am very much in want of the money, having a large family to support. Very respectfully yours,

SOPHIE BREHL.

Post office address, Alma, Buffalo Co., Wis.

CAMP WOOD, KY., Feb'y 6th, 1862.

To —

SIR—My wife, at Milwaukee, has never received one cent of pay from the State. Now, sir, I demand that she should have what the laws of my State have so generously promised.

I was enlisted in October last at Milwaukee, in Co. "B," 1st Wis. Infantry. Now, sir, my wife is very needy, and I am unable to send her a cent, as our Regiment has not received one since Oct. 8. The requisite papers were sent to your office at the time of our departure from the State, certifying to the fact of my marriage. Still, by some cause, my wife has been left to *starve*, while I, like a fool, trusted to the honor of my State. Please do not let the case be longer aggravated. Her address is Mrs. Mary Shanran, Milwaukee Co., Greenfield P. O.

CLAIMS AGAINST THE UNITED STATES

EXECUTIVE DEPARTMENT,

MADISON, March 3d, 1862.

To the Honorable the Assembly:

I have received information from the Paymaster General, now at Washington, that a settlement of that part of the claim of the State against the United States for military expenditures for the first six regiments, can be immediately adjusted, and the sum found due the State paid over on the original vouchers, now in the office of the Secretary of State, which will be required to effect the settlement. The other claims of the State can be adjusted from time to time only upon like vouchers. I would respectfully recommend the passage of an act authorizing the transfer of the original vouchers necessary for that purpose. A draft of a bill to effect that object is herewith submitted.⁷³

⁷³ This bill became Wis. *Gen. Laws*, 1862, chap. 191.—Ed.

L. P. HARVEY.

A BILL AUTHORIZING THE TRANSFER OF VOUCHERS FOR MILITARY EXPENDITURES.

The People of the State of Wisconsin, represented in Senate and Assembly, do enact as follows:

Section 1. The Secretary of State is hereby authorized to deliver to the Governor, such of the original vouchers for military expenditures made by the State, as may be necessary for the settlement and adjustment of the claims of the State of Wisconsin against the United States. *Provided*, that before any of said vouchers shall be delivered under the provisions of this act, certified copies thereof shall be made by the Secretary of State and filed in his office, and such certified copies shall be received in all courts and places in the same manner and with the same effect as the original documents.

Sec. 2. This act shall take effect and be in force from and after its passage and publication.

A VETO MESSAGE

EXECUTIVE DEPARTMENT,
MADISON, March 8, 1862.

To the Honorable the Assembly:

An act entitled "an act authorizing the borrowing of money on the faith and credit of the State, to pay certain bonds heretofore issued," has been presented to me for approval.

In discussing the provisions of this act it will be necessary to allude briefly to the former legislation on this subject. In the years 1852 and 1853 the legislature, to meet extraordinary expenditures of those years, authorized the borrowing of money, in the aggregate amounting to one hundred thousand dollars, on the faith and credit of the State. Under that authority the money was borrowed and bonds for that amount issued. Upon the maturing of the bonds of 1852 in the year 1857, the legislature at its session of that year, authorized a loan of fifty thousand dollars to pay them, and the bonds of 1852 were thereupon taken up and replaced by others issued in 1857. In 1858

the bonds of 1853 became due and were paid and cancelled, and a new loan of fifty thousand dollars for extraordinary expenditures then about to be incurred, authorized—the loan effected and bonds to that amount issued. Thus the State debt now stands at the full aggregate permitted by section 6, article 8 of the constitution. In pursuance of the provisions of the act of 1857, authorizing the loan of that year, a tax was levied and collected during the last year, to pay the amount of money borrowed under that act.

The act before me provides that “for the purpose of paying the fifty thousand dollars of State bonds, which fall due on the first day of April, 1862, a loan of fifty thousand dollars is hereby authorized, and required to be made on the faith and credit of the State.” The power of the State to contract debts is limited by the Constitution to the following cases:

1st. Debts incurred for ordinary expenditures in the administration of the government, when a deficiency has occurred in the income of the current year; these can never become funded or permanent debts, but must be provided for and paid out of taxes to be levied for that purpose in the ensuing year. *Constitution, sec. 5, art. 8.*

2d. Debts for extraordinary expenditures, to an amount not exceeding one hundred thousand dollars. Every such expenditure must be authorized by law, for some purpose or purposes to be distinctly specified therein; every such law must provide for the levying an annual tax sufficient to pay the annual interest of such debt and the principal within *five* years from the passage of the law and must specially appropriate the proceeds of such taxes to the payment of such principal and interest; and such appropriation must not be repealed, nor the taxes postponed or diminished, until the principal and interest shall have been *wholly paid*. *Constitution, art. 8, sec. 6.*

3d. Debts for money borrowed to repel invasion, suppress insurrection and defend the State in time of war. *Constitution, art. 8, sec. 7.*

The loan proposed by this act is obviously intended to be made

under the power conferred by section 6 of article 8, above alluded to; and here I am called upon to enquire—Is the loan required, or rather is the purpose specified in the act for which the loan is required, an *extraordinary expenditure*, within the meaning of that section? The convention in framing and the people in adopting the Constitution, certainly intended that every loan made to meet extraordinary expenditures, under section 6, should be repaid within *five years* from its inception, and to make such payment sure, it is provided that both principal and interest shall be raised by taxation; and lest the Legislature shall attempt to avoid the payment by repeal or amendment of the law imposing such taxation, its repeal, postponement, or diminution is prohibited until the debt is fully paid. A failure to repay the loan from the avails of taxes levied, was neither contemplated or provided for. It seems clear, therefore, that while intending that the debt incurred by the loan should be certainly liquidated at its maturity, the Constitution excludes the idea that such debt could ever become an *extraordinary expenditure* within the meaning of the provision alluded to; and this objection derives additional force from the fact that a tax has already been actually levied and collected to pay the bonds mentioned in the act in question.

Another objection occurs to this method of paying the bonds of 1857. The aggregate debt of the State for “extraordinary expenditures,” as has already been adverted to, reaches the full limits prescribed by the constitution, yet if any portion of it is to be paid by money raised on the loan contemplated by this act, the bonds authorized by the act must be first issued and disposed of and the means realized. This cannot be done under the constitution. The bonds for the purpose cannot be constitutionally issued or disposed of, while the former loans reach the limit of one hundred thousand dollars; and it would seem equally clear that they cannot be legally negotiated, after the former bonds are paid, because the purpose of the loan will have been accomplished by their payment from other sources.

Hitherto, while the debt of the State, compared with its pop-

ulation and resources, has been so inconsiderable, and its bonds so much sought for home investment, the provisions of the acts authorizing the loans have attracted but little attention; although in 1858, the question as to what were "extraordinary expenditures" within the purview of the constitution was considered, and one of the objections to which I have called your attention, obviated in the act of that year. Now that the bonded liabilities of the State are so greatly increased, a due regard for the credit of the State and its bonds, requires that all laws providing for loans, should so scrupulously conform to the fundamental law, that no legal or constitutional objection can be reasonably entertained.

In concluding this communication, I may be permitted to add that there are existing liabilities of the State for extraordinary expenditures during the current year, for which a loan may be made, so as to obviate the objections to this act.⁷⁴ I return the act to the Assembly where it originated, without my approval.

L. P. HARVEY.

DEATH OF THE GOVERNOR

The following entry is found in the Executive Register, enclosed in double lines:

April 21, 1862.

Received this day the intelligence of the DEATH, by drowning in the Tennessee River, at Savannah, of HON. LOUIS P. HARVEY, Governor of this State.

The public offices closed, the bells tolled, and half hour guns fired from 12 M., till Sunset.

⁷⁴ The Governor's suggestion was accepted in *Ibid*, chap. 226.—ED.

1862-1864. Edward Salomon

Biographical Sketch

Edward Salomon, the eighth Governor of Wisconsin, was born at Stroebeck, near Halberstadt, Germany, August 11, 1828, the son of Christopher and Dorothea (Klussmann) Salomon. He was educated at Halberstadt and at the University at Berlin, which latter he attended in 1848-49.

Coming to America in 1849 he settled at Manitowoc, Wisconsin. His brothers, Charles and Frederick, both of whom won distinction as officers in the American Civil War, had preceded him by a brief interval, and his parents followed in 1856. While in Manitowoc he was a teacher, county surveyor, and deputy clerk of the circuit court.

From 1852 to 1855 he studied law in Milwaukee, and on the completion of his preparation was admitted to the bar. He rapidly won a position in his profession and was one of the leaders of the Milwaukee bar until he left Wisconsin. In 1858 he married Elise Nebel of Milwaukee.

Mr. Salomon became a regent of the University of Wisconsin in 1861, and continued on the board to the close of his residence in the State, acting as its president for several years. He was a steadfast friend of the institution, and to his energetic work is due in no small measure its survival during the trying financial period of the Civil War.

On coming to this country, Salomon allied himself with the Democratic party; but he broke with it on the slavery question and joined the Republicans. He was nominated for lieutenant-governor in 1861 by the Republican convention, and elected. Governor Harvey's tragic death in April, 1862—a little over three months after his inauguration—raised Salomon to the governorship. His position was difficult, for he had become Gov-



Governor Edward Salomon

From the portrait in Reed's "Bench and Bar of Wisconsin"
(Milwaukee, 1882), p. 120



error by accident, not by election, and was inexperienced in public affairs. Moreover, the problems of the war became increasingly involved. The hope at first prevalent, that the war would end in a few months had vanished; the people were now appalled and disheartened at the prospect of a long and terrible struggle. But the new executive soon proved himself quite equal to the duties of a war governor. The presidential calls for troops were following one another with startling frequency. Drafts were ordered to supply the needed number of soldiers. The Governor met these pressing demands with persevering energy and success. The draft riots in two of the counties of Wisconsin were quelled in a manner that showed administrative tact and firmness of a high order.

At the close of his term, Governor Salomon would have been glad to have had a direct nomination and re-election. He did not, however, take steps to that end as early as he should. His principle of appointing as officers of new regiments men of military experience in the war, instead of political leaders at home, made him enemies. He was, therefore, defeated in the convention, and retired to private life, save that he still retained his position as University regent. In 1868 he was brought forward as a candidate for United States Senator, but this attempt in his behalf failed.

Soon after this, Salomon left Milwaukee and settled in New York, where he continued his law practice, acting also as Prussian consul, and becoming an expert on immigration questions. He was active in the movement which overthrew the Tweed ring, and was one of the founders of the German Legal Aid Society, an organization whose object is to protect immigrants and the poor against legal chicanery.

Soon after 1880, Mrs. Salomon's health compelled her to live in Europe. He continued his practice in New York, but spent a part of each year with her, and finally in 1894 gave up his New York office and made his residence at Frankfurt-am-Main. Ten years later his wife died, and he himself passed away on April 20, 1909.

1862. In Legislative Recess

His Excellency, Edward Salomon, Lieut. Governor, on assuming the exercise of the powers and duties of the Executive Office, devolved upon him by the Constitution, issued the following⁷⁵

PROCLAMATION

Whereas, it has pleased Almighty God to take from the people of this State its Chief Magistrate, the Hon. Louis P. Harvey, who, on the 19th day of this month, lost his life in the waters of the Tennessee River, while executing a noble and self-chosen mission of philanthropy, in trying to recover from the recent battle field in Tennessee, the dead, and to alleviate the sufferings of the wounded soldiers of this State, therefore

I, Edward Salomon, Governor of the State of Wisconsin, on assuming the duties of the office devolved upon me by that sad event, do hereby in behalf of this State, tender to the bereaved Widow of its late beloved Chief Magistrate, the deep and sorrowful sympathy and condolence of its people.

And I do hereby recommend that for thirty days from this date, all public offices, court houses and other public buildings be clad in mourning, and that during that time the people of this State wear the usual badges of mourning.

And I do further appoint Thursday, the first day of May, A. D. 1862, as a day of public rest and cessation from business, and recommend to the people of this State, that, on that day, between the hours of 10 and 12 o'clock in the morning, they assemble in their respective towns, cities and villages, then and there to commemorate the death of the late Governor, the Hon. Louis P. Harvey, by such public demonstrations as may be appropriate to the occasion.

⁷⁵ This introductory sentence precedes the proclamation in the Executive Register.

RECRUITING RESUMED

In testimony whereof, I have hereunto signed my name, and caused the Great Seal of the State of Wisconsin to be affixed. Done at Madison, this twenty-second day of April, A. D. 1862.

EDWARD SALOMON, *Governor.*

AN APPEAL FOR VOLUNTEERS

The Governor issued the following Proclamation on May 24, 1862:

The President of the United States has called upon our State for another regiment of volunteers to join the army of the nation. The army of the rebellious States has been driven back on [sic] many points; their territory is surrounded; they have been beaten in many a hard fought battle; yet, while the end of this rebellion seems to be approaching, under the firm grasp of our government, every foot of ground is yet being contested as our forces advance, and guerrilla bands swarm over portions of the recovered territory. Hence, the President deems it necessary to increase the army. His appeal will not be in vain. The more speedily the additional force is raised, the sooner the rebellion will be suppressed.

Men of Wisconsin! I appeal to you to come forward and rally around the flag of our country, for its aid and support and for the aid and support of our brothers now in arms against the fierce and desperate battalions of the enemy. Wisconsin has nobly stood by the old flag; 24,000 of her sons have voluntarily gone forward in support of the Union and the Constitution. They call for aid, through the President—let them not be disappointed.

Recruiting officers will be appointed without delay for the 20th Regiment Wisconsin Volunteers, and persons desiring such appointments, or information concerning recruiting regulations, will apply to this Department.

Major General Halleck has also authority from the War Department to fill up his regiments. Recruiting officers will soon

be sent here from the Wisconsin regiments in the army of the Mississippi, and an opportunity will thus be given to join regiments already in the field. I trust that those regiments will be speedily filled, and their thinned ranks be completed and made effective.⁷⁶

Done at Madison this twenty-fourth day of May, in the year of our Lord one thousand eight hundred and sixty-two.

EDWARD SALOMON, *Governor of Wisconsin.*

⁷⁶ Wisconsin's war governors consistently followed the policy of filling up the depleted regiments in the field before organizing new regiments. This policy gave the State a smaller count in the number of regiments furnished, but secured the obvious advantages of mingling raw recruits with veterans. General Sherman says of this policy in his *Memoirs* (New York, 1875), ii, p. 388: "I remember that Wisconsin kept her regiments filled with recruits, whereas other States generally filled up their quotas by new regiments; and the result was that we estimated a Wisconsin regiment equal to an ordinary brigade."—Ed.

1862. Fifteenth Annual Legislative Session, June 3-17

On June 3, 1862, the Governor transmitted to the Legislature—still in its Fifteenth Annual Session, but reconvened on this day—the following

SPECIAL MESSAGE

To the Hon. the Senate and Assembly:

Since your adjournment in April last, our State has been thrown into deep mourning by the sad and sudden death of its late Chief Magistrate, the Hon. Louis P. Harvey, who, on the 19th day of April, 1862, lost his life at Savannah, in the Tennessee River. The last among the Governors elected by the people of this State, he is the first who has been removed by death from our midst. The circumstances leading to and surrounding the tragic and melancholy end of the honored and lamented deceased, are well known to the people, and are, with his memory, treasured up in their hearts. He died while in the exercise of the highest duties of philanthropy and humanity, that a noble impulse had imposed upon him. Wisconsin and the Union have not lost a truer son in this great struggle against the atrocious rebellion yet in arms against our Government and Constitution.

Without intending here to recapitulate the circumstances of the death of Gov. Harvey, which are so well known and remembered by all, I feel called upon to mention to you the names and acts of some among the many who are worthy of thanks and consideration for their exertions in recovering and bringing back to our State, the earthly remains of our late Chief Magistrate. But before these, let me first mention the name of Dr. R. B. Clark, of Racine, who, regardless of his own life, boldly, though vainly, threw himself into the dangerous stream

to save the life of Gov. Harvey. Though unsuccessful, the act was not the less noble.

The little party of men from Wisconsin who had voluntarily accompanied the Governor on his mission of mercy, remained for many days after the sad event, endeavoring to recover his remains. Among them the exertions of Hon. Edward H. Brodhead and Surgeon General E. B. Wolcott of Milwaukee, will be remembered. Present hopes for finding the body being extinguished, they offered a reward of \$1,000 for its recovery, an offer which I had no hesitation to sanction on the part of the State. On the 27th day of April the body was accidentally discovered and rescued from the water, and thanks to the exertions and humanity of several gentlemen, it was subsequently recovered from the rude grave into which it had been placed, and finally brought to Cairo, where it was delivered over to the Hon. Perry H. Smith of Chicago. The persons especially worthy of consideration and thanks in thus recovering the body and bringing it to our State, are Mr. Singleton of Tennessee, Captain William Walker of the steamer *Lady Pike*, Capt. Fossdick of the 29th Indiana Volunteers, Hon. Wm. P. Mellen of Cincinnati, and Hon. P. H. Smith of Chicago. The latter went expressly to Tennessee in order to recover the body, accompanied by J. S. Harvey, Esq., of Chicago, a brother of the deceased. While at Cairo these gentlemen learned of the finding of the body, received it there, had it properly incased, and brought it to Chicago, where it was delivered to the committee charged with receiving and escorting it home. Mr. P. H. Smith, as Vice President of the Chicago and Northwestern Railway, kindly and disinterestedly, the next day, furnished an extra train to the committee, to carry home the remains. Both the Chicago and Northwestern and the Milwaukee and Prairie du Chien Railway Companies sent this extra train free of charge over their roads. The Mayor, authorities and citizens of Chicago also highly honored the remains of Gov. Harvey while passing through their city, and Captain Rourke of the 11th Wisconsin Battery tendered and furnished an imposing escort on that sol-

on occasion. I herewith transmit to you a copy of a letter of Mr. Wm. P. Mellen, Government agent for the establishment of Post Offices and Custom Houses, who was himself active in the recovery of the body, and who kindly furnished me reliable information concerning the attending circumstances, and the persons connected therewith.

No one seems to be entitled to claim, or has claimed the reward offered; but some acknowledgment of humane and disinterested services would be eminently proper on the part of the State; and I recommend to you, therefore, the adoption of such measures as may seem best adapted to show the appreciation of those services by a grateful State.

Another sorrowful event, since your adjournment, has deprived the State of the services of a member of one of your honorable bodies. I refer to the death of Hon. Charles Quentin, Senator from the 5th Senatorial District, who died unexpectedly on the 9th of May last.

It is sad to me, indeed, that I have to announce to you the death of two so good, eminent and noble men. They have preceded us to "that undiscovered country, from whose bourne no traveler returns", but they have left such monuments behind them as will preserve their names and memory among us.

Among the Bills passed prior to your adjournment, and presented to Gov. Harvey for approval, are the following, which have not been signed by him, to wit:

Section 10, of article V, of the Constitution, provides that "if any bill shall not be returned by the Governor within three days (Sundays excepted) after it shall have been presented to him, the same shall be a law, unless the Legislature shall, by their adjournment, prevent its return, in which case it shall not be a law."

After mature reflection, I have come to the conclusion that, under this provision, the bills above mentioned have failed to become laws, and that I have no power to act upon them. "Three days" must mean three natural days, as the exception of Sundays negatives any other construction, and the spirit of the sec-

tion would seem clearly to cover every adjournment for more than three days. The construction also seems to be the reason for rule No. 22 of your joint rules, which prohibits an adjournment of either House for more than three days without the consent of the other. If it had not been that, in one or two instances in the history of our State, a different construction appears to have been placed upon that clause of the Constitution, I should not have had any serious doubt about its true meaning. But it seems to me that the construction I have adopted is the only safe one, as no legislative precedent would be of much weight if the question should arise before the judicial tribunal, and since an opportunity exists to re-enact the laws thus defeated.

Among the bills above mentioned, is one in relation to the salary and pay of military officers, and the consolidation and winding up of the military departments. I deem it proper, therefore, to lay before you the present condition of those offices, and the changes recently made therein:

The Commissary General has been relieved from active duty, and his salary has ceased. The books and papers of his office have been transferred to the office of the Quartermaster General, and the duties yet remaining have been devolved upon that officer.

The salary of the Adjutant General has been fixed at \$1,600 per annum (including the statutory salary), to take effect from January 6th, 1862, according to a verbal understanding between Governor Harvey and that officer. He is allowed to employ one clerk, and the State Armorer continues to be employed under his direction.

The salary of the Quartermaster General has been reduced to \$1,200 per annum, and his force of employees has been reduced to two clerks, whom he is permitted to employ until his accounts shall have been placed in proper condition for settlement with the General Government, which, as I am assured by that officer, will occupy but a short time, and by the 1st of

July it is hoped that one clerk will be sufficient for that department.

The salary of the Military Secretary has been reduced to \$400 per annum, since the 6th of February last.

It being difficult to determine in advance to what extent the services of the Surgeon General would be needed, an order has been made that his compensation shall be fixed by a future order, and to cover the time since the 6th day of January last.

The salary of the Paymaster General has been reduced to \$1,200 per annum; he has no clerk or assistant.

The office of Adjutant General and that of the Military Secretary, will continue to involve considerable labor, owing to the large military force in the field from our State, and the recruiting service. The services of a Quartermaster General will also, probably, have to be retained, but those of the Paymaster General can soon be dispensed with, if proper provisions are made by law for the winding up of his Department. I would recommend that a law be passed authorizing the discontinuance, at a proper time, of the active duties of the Paymaster General, Quartermaster General and Commissary General, and that their duties, so far as they are auditing duties, be devolved upon the Secretary of State, and so far as they are disbursing duties, upon the State Treasurer. The books, papers and records of those offices should then be deposited in the office of the Secretary of State.⁷⁷

It has been a source of very great embarrassment to the Executive Department that no provisions had been made for the contingencies which have arisen since your adjournment, concerning the sick and wounded soldiers from our State. Wisconsin has sent into the field 24,000 men, and a new regiment is now being organized. As our army has advanced, a great many of our brave soldiers have become sick, and many have been wounded upon the battle field. Especially has this been the

⁷⁷ This recommendation was accepted in *Wis. Gen. Laws, 1862, chap. 364.—ED.*

case in the Army of the Mississippi. After the battle at Pittsburg Landing my lamented predecessor went to the battle field to aid and assist the wounded. What he had so nobly commenced, I did not hesitate to carry out, so far as having those soldiers transported to their homes who had by him been sent up the Mississippi River. Subsequently, when reliable and continued accounts reached me of the helpless condition of our sick soldiers along the Tennessee River, of the inadequate relief granted by the United States authorities; when a battle was hourly expected and, when I was actually and credibly informed that a great battle near Corinth had commenced, I sent another commission under the charge of the Commissary General, E. R. Wadsworth, and the Surgeon General, Dr. E. B. Wolcott, to Pittsburg Landing; and although no battle occurred then, the commission, consisting of gentlemen who volunteered their services, saved the lives of many brave Wisconsin soldiers who were lying sick from the effects of the climate, and who would have died had they not been removed. Since then, all State aid has been excluded by the military authorities, until after a battle. But in that event aid ought again to be granted to those who fall wounded upon the field.

I trust that you will sanction what has been done, and will speedily make provision for future emergencies. The great and noble State of Wisconsin ought not to let her brave sons, who fight the battles of the Union, die for want of attention. The people, the poor, sick, and wounded soldiers, look to the Executive for aid in such emergencies; but his hands are tied unless you will place the necessary means at his disposal. The expenses of such expeditions are necessarily large, notwithstanding the gratuitous services of physicians and nurses.

I transmit to you herewith, for your information, copies of the reports, in detail, of the two expeditions, sent to Keokuk and to Pittsburg Landing, and also the report, by the Surgeon General, of the operations of the last mentioned expedition.

Aside from such expeditions, in cases of emergency there are constantly claims made upon me in individual cases. It is but

very recently that the General Government has made provision for the transportation of such sick and wounded soldiers as have money due them from the Government. Those who have no pay due them will not be furnished with transportation, but must shift for themselves. In the cities of New York, Cincinnati, St. Louis, and other places, there are constantly arriving some of our sick and wounded soldiers, anxiously expecting to find some agency from our State that will aid them to get to their homes. Something should be done to relieve these poor, suffering men; many a life may be saved, and many a heart made glad. I am confident that the proud state of Wisconsin will not remain behind her sister states in that respect. Accompanying this I lay before you copies of a few of the many communications I have received concerning the necessity of appointing State agents to look after the sick and wounded soldiers from Wisconsin.

Observation and reflection on my part, in regard to the labor devolved upon our Supreme Court for the past two or three years, have induced me to urge upon you the necessity of taking at this session, initiatory steps towards amending our Constitution, in order to provide for an increase of the number of Judges of that Court for the future. For the three terms of court held in the years 1856 and 1857, there were in the average argued and decided, sixty calendar causes and twelve motions at each term. Since then the business of the court has increased rapidly, and since the June term, 1859, there have been at each term, in the average, argued and decided in that court, 130 calendar causes and fourteen motions. Thus, the labor of the Judges for the last three years has been more than double what it was in 1856 and 1857.

Since the June term, 1859, the Judges of the Supreme Court have been in session, simply hearing arguments for one hundred and thirty-seven days, in the average, in each year, sitting seven hours a day. But the hearing of arguments of causes brought before them, is the smallest portion of their labors, studying and deciding the cases, and writing the opinions, is by far the great-

est part. This labor is, I am well convinced, too much for three Judges, and I would therefore urgently recommend that the number of Judges of the Supreme Court be increased by two, so that the labor of the court may be divided by five. When the Constitution was made, this State had a population of about 150,000 inhabitants, while now it is not far short of 800,000. In justice to the state, the Judges of that court, and the interests confided to them, the change I have recommended seems to be imperatively called for, and I hope it will meet with your approbation and immediate action.

The President of the United States has recently called upon our State for another Regiment of Infantry, which is in process of organization. An act passed at the present session, limits the extra pay which the State gives to the families of volunteers to regiments then in process of formation, which would exclude the 20th Regiment from the benefits of the State bounty. It would be but justice that all volunteers from our State should be placed upon an equal footing, and that the State should not discriminate in its generosity. I would recommend, therefore, that the benefits of chapter 8, of the General Laws of the Extra Session of 1861, as modified by chapter 112, of the present session, be extended to the 20th Regiment.⁷⁸

It is believed that this will be the last Regiment that the general Government will require from our State, and that, with the present efficient army, and the additions that will be made to it under the last call, Government will be able to suppress the armed rebellion.⁷⁹ Gradually, but steadily, we see the proportions of it wane, as the army of the Union advances. We may meet with occasional reverses, for there is yet a large and desperate army contending against ours, but we all feel that

⁷⁸ *Ibid.* chap. 374, extended the benefits of the Volunteer Aid Law to the Twentieth Infantry.—Ed.

⁷⁹ Fifty-three infantry regiments were eventually called for from Wisconsin, before the close of the war.—Ed.

1862]

DEATH OF HARVEY

God will grant final victory to our just cause. May the day of that victory soon appear.

EDWARD SALOMON.

MADISON, June 3, 1862.

LETTER ACCOMPANYING THE GOVERNOR'S MESSAGE

CINCINNATI, May 15, 1862.

Hon. Edward Salomon, Governor of Wisconsin, Madison,

DEAR SIR—Your letter of the 10th inst. is received, in which you wish me to give you a full account of the matter of recovering the body of the lamented Governor Harvey. I will comply with your wishes, giving all such details as I judge shall be interesting to his friends.

As the steamer *Lady Pike* was passing "Britt's Landing" on the left bank of the Tennessee river, a few miles below Savannah, Wednesday, April 30th, we were hailed by Mr. Britt, and were informed that the body of Gov. Harvey had been found, and was interred about two miles below. Mr. Britt was taken on board, and directed us to the spot. The particulars attending the finding, and the burial of the body, and subsequent action in regard to it are as follows:

On the Sunday previous, 27th April, some children playing on the bank of the river discovered the body floating at the shore, and induced a negro man near by to pull it out.

The children and the negro cut out all the pockets of his clothes, and distributed the contents among themselves, the negro retaining the watch, which he gave to a negro woman in the neighborhood. The body was then put back in the river, but an eddy kept it near the shore. A white man, whose name I have forgotten, living near the spot, learned what had been done, had the body taken out again and buried as it was, on the bank. After the papers which had been taken from his pockets had been dried, they were found to belong to Gov. Harvey. It soon became a neighborhood talk, and the next

day came to the knowledge of a Mr. Singleton, living about two miles from the river. He immediately started through the neighborhood to recover the money, papers, watch and other articles taken from the body that would be valuable as relics, and I think recovered all. We sent out for him. He came to us and brought everything with him. These you have. He did all he could to rectify what had been done wrong the previous day.

The body was disinterred, undressed, washed, wrapped in blankets by Capt. Fosdick of the 29th Indiana Volunteers, and placed in a box made for the purpose on the boat, and taken to Pittsburg Landing on the *Lady Pike*. At Savannah we obtained materials for another larger box, with lime to fill the space between the two boxes, as the best disinfectant at our command.

At Pittsburg Landing, a portion of the Wisconsin Regiment that had been detailed to search for the body claimed that it should be taken from the boat and committed to their care. The Captain of the *Lady Pike* (which was the first boat to leave there) desired to be permitted to take the body to Paducah, where we all understood Gov. Harvey's brother to be waiting to hear of and recover it. The officers of the regiment insisted on taking it off the boat, and procured an order to do it just as the boat was leaving, it was put on board another boat and taken to Cairo.

I regretted this difference between the officers of the regiment and the captain of the boat. The boat was in the employment, and pay of the Government, and hence neither the captain nor owners suffered any pecuniary loss by the detention of the boat in recovering the body. But the captain felt that he had behaved humanely, and desired that his boat might be *the* boat through which the remains of Gov. Harvey were restored to his friends. He felt hurt by the treatment of these friends of the deceased.

You asked my views as to remuneration, etc. I think some small token of appreciation to Capt. Wm. Walker of the *Lady*

Pike would be judicious and proper, not as a money value, but as a *keepsake*.

Mr. Singleton, whose Christian name I have forgotten, is a respectable and honest farmer, in moderate circumstances, living about two miles from Britt's Landing. I know very little about him, but should think that some small present, having a money value, and yet not money, would be most acceptable to him.

There is no post-office in his vicinity; anything sent to him, in care of Mr. Britt, at Britt's Landing, would probably reach him; or sent to the care of W. N. Cherry, at Savannah. He is one of our truest friends in that section, and would be pleased to do you a kindness.

A kindly letter to Mr. Britt would gratify him; perhaps some trifling remembrance of his humane efforts to restore the body might be appropriate.

Capt. Fosdick, of the 29th Indiana Regt. Vol. did good service. The body was in such a state of decomposition that but few persons *could* have undressed, and handled, and washed it. He did it as tenderly as if his own kinsman was receiving his last offices of affection. He is a physician. You can judge what evidence of appreciation will be best.

As to the \$1,000 reward: I don't think *any one* claims *any* reward. Clearly, no one is entitled to it. The finding was by parties who had never heard of the offer, who had spent no time for the purpose, and was entirely accidental.

The conduct of the *finders* was anything but commendable. The parties who were subsequently instrumental in its restoration to friends cannot certainly think of claiming *any reward*. The presents above indicated will, I think, be entirely satisfactory.

With sentiments of condolence with the friends of this noble-hearted man, who is now beyond the further service of friends or country on earth, I am, very respectfully, Your obedient servant,

WM. P. MELLEN.

MILITARY CLAIMS

The two following Special Messages refer to claims against the State for military services:

EXECUTIVE DEPARTMENT,
MADISON, June 9, 1862.

To the Honorable the Legislature:

Claims, amounting to some four or five thousand dollars are in the files of this office and the several military offices, for the subsistence of volunteers, principally of the 2d Cavalry Regiment, Col. Washburn commanding. The officers engaged in raising the companies so subsisted, were, of course, commissioned by the Executive, but there is scarcely a case where any authority was given to place men at board at the expense of the State, since that regiment was raised by independent authority from the War Department; and all bills should be paid by the United States mustering officer, as were the bills for the 1st and 3d Cavalry, likewise raised under special authority.

The United States mustering officer, Capt. J. M. Trowbridge, however, declines to audit and pay the subsistence bills, on the grounds that they are, in form, made out against the State of Wisconsin.

I herewith transmit a copy of a communication recently received from Capt. Trowbridge on this subject. I cannot but think that there existed at the date of the letter from Assistant Adjutant General Ruggles, an entire misapprehension on his part of the character of these bills, since they can, by no proper construction, be deemed "claims against the State of Wisconsin." The action of the United States mustering officer also extended back several months anterior to May 16th, 1862, as to his refusal to pay the bills, and they are of precisely the same nature as those audited and paid here at Madison by Capt. Lamott, the U. S. mustering officer on duty in this locality.

However this may be, the parties who furnished the subsistence are clearly entitled to their pay, and should have been

paid long since. If there were adequate funds in the Treasury for war purposes, I should not hesitate to direct the payment of these bills, in the certainty that the State would be re-imbursed by Government; but in the existing condition of the War Fund, I have deemed it my duty, in justice to the claimants, to lay the subject before the Legislature.⁸⁰

EDWARD SALOMON, *Governor.*

EXECUTIVE DEPARTMENT,

MADISON, June 11, 1862.

To the Honorable the Legislature:

I hereby lay before you the memorial of Patrick Sullivan, claiming payment for his services as a recruiting officer of the 19th Regiment Wisconsin Volunteers. His claims, as well as those of several other persons similarly situated, could not be recognised by me as proper claims against the State, as that regiment was not called for by the State authorities, but was originally a purely independent regiment.

I also have the honor to lay before you a copy of certain resolutions adopted by the General Assembly of Maryland, and transmitted to me by the Governor of that State, with the request to submit those resolutions to your attention.⁸¹

EDWARD SALOMON, *Governor.*

⁸⁰ No action appears to have been taken.—Ed.

⁸¹ This resolution, dated Feb. 22, 1862, calls upon the Northern states to cease agitating the slavery question. Its spirit was in accord with Lincoln's policy at the beginning of the war, of conciliating the slave-holding interests in loyal border states.—Ed.

A VETO MESSAGE

EXECUTIVE DEPARTMENT,

MADISON, June 17, 1862.

To the Honorable the Senate:

I herewith return to you No. 399, S, entitled "an act to provide for the enrollment and organization of the militia of the State of Wisconsin," for your reconsideration. My objections to the bill are manifold. I will specify some of them.

The bill divides the militia into "enrolled militia" and "active militia." The first twelve sections treat exclusively of "the enrolled militia." This enrollment of the militia seems to be of no particular service except to furnish information as to the number of men in the State liable to military duty. This "enrolled militia" is not to be organized or officered unless called into active service. The mode of doing this, provided by section 6, by "written notice or orally," is objectionable on account of its delay and impracticability. Section 7 provides that a person ordered out and neglecting to appear shall be taken to be a soldier absent without leave, unless he pays twenty-five dollars; but what punishment; if any, a soldier absent without leave shall receive, is no where provided for in the bill. The same objection exists to section 72.

By section 8 the "Enrolled Militia," when called into active service of the State, or of the United States, is to be paid *by the State*. Under this section the State would have to pay the militia though they might be in the service of the United States. The reference of "section four," occurring in the third line of that section, is a mistake.

Section 10, while making numerous exemptions from military duty, omits to exempt the State officers, members of the legislature, and practicing physicians.

Some parts of the bill, and especially section 12, seems to pre-suppose the existence of officers, yet no provision is made

for their appointment until after this militia is called into active service.

The system of organizing a volunteer, "active militia," proposed by this bill, is liable to many objections.

The circuitous manner of organizing a company, provided by sections 14, 15, 16 and 17, is much less practicable and speedy than our present mode of organizing uniformed companies.

By section 15 an officer is to be detailed to inspect certain persons, but no provision is made for paying that officer, and no guaranty existing that the persons he is called upon to inspect will enlist.

Under section 14, the State is to be divided into eight military districts, and by sec. 19, the volunteer companies in each district shall constitute a battalion, two battalions a regiment, etc. Thus if there should be but one company in one district, that would form a battalion, and three or four in another district would also make up a battalion. This would evidently lead to very unequal and incongruous divisions.

Among the military staff-officers of the Governor the bill omits a Commissary General and a Paymaster General, two very important officers in time of war, as the experience of the past year has shown.

I have failed to discover any good reason for section 39.

By section 43, and other provisions of the bill, the office of the Adjutant General is made one of considerable labor and responsibility; yet his salary is only fixed at \$500 *per annum*, and \$400 that of his clerk. Should this bill become a law it would be impossible to find a competent person willing to discharge the duties of that already onerous office, for such a salary.

Sections 44, 51, 54, 59, 60, 61, 62 and 72 provide for fines for the use of the company; while the Constitution prescribes that all fines shall inure to the benefit of the school fund. The same objections may be made to the moneys mentioned in section 7.

The effect of the proviso of section 14 is destroyed by a cleri-

cal but fatal mistake. The words "a less number," should read "the full number."

The provision in section 72, that every soldier, when ordered out, shall take with him provisions for not less than three days, seems to me objectionable. This should be left to the order of commanding officers.

The power conferred on commanders of brigades and regiments by section 69, is, in my view, a dangerous and unnecessary one, an improper exercise of which may subject the State to large and unnecessary expenses. It seems to me that this power ought to be left to the Commander-in-Chief.

There is no provision in the bill for furnishing transportation to the active militia when called out.

The sections in relation to courts martial and courts of inquiry are also objectionable. The superior, not the senior officer should preside. No provision is made for furnishing a copy of charges to field officers. The Major General seems not to be liable to be brought before any court martial, as by section 82 the presiding officer shall always be of a rank superior to that of the officer on trial. This system of courts martial and courts of inquiry, if carried into extensive operation, might subject the State to large and often unnecessary expenses. It seems to me that this subject might properly be left to such regulations as the Commander-in-Chief might make, conforming as nearly as possible to the rules and regulations of the United States Army.

While strongly impressed with the necessity of having, in the future, a better and more effective system of militia in our State, I am also well convinced that the bill under consideration would not give us such a better system.

Another reason for withholding my signature to this bill, is that, as appears by the printed journal of the Assembly, it was not passed by calling the yeas and nays in that House. This should have been done, as section 114 makes the necessary appropriation of money, without which the provisions of the bill could not be carried into effect.

EDWARD SALOMON, *Governor.*

1862. Special Legislative Session, September 10-26

The Governor having, by Proclamation, convened a Special Session of the Legislature to meet on September 10, to transact "business of great public importance," he transmitted to each House by his Private Secretary, the following

SPECIAL MESSAGE

EXECUTIVE OFFICE,

MADISON, Sept. 10, 1862.

To the Honorable the Senate and Assembly:

FELLOW CITIZENS—Under the power granted by the Constitution of our State, I have convened you at this time in order to lay before you several matters of great public importance which, in my opinion, require immediate action on your part. In this time of public commotion and danger it behooves us all, and especially those who are placed at the head of the Commonwealth, to examine carefully and closely our situation, and, if possible, to guard against dangers that may suddenly arise, and, finding us unprepared, bring upon us endless troubles and misery. In this respect we have learned much within the last year. Had the full extent and power of the Southern rebellion been understood by the loyal people—had their full strength been sooner called into activity—we should not now have to lament the recent reverses of our arms, and again see our Capital beleaguered and in danger.⁸² When, prior to your adjournment, the President of the United States had called for additional seventy-five thousand men to strengthen our national army, we all fondly hoped that that would be the last call for troops, and rested in perfect security, relying upon the army then in the

⁸² The decisive reverses of the Union forces at Cedar Mountain and Second Bull Run, together with the disaster at Harpers Ferry and the entrance of Lee into Maryland, came in rapid succession during August and early September.—ED.

field and the latent power of the North. We were sadly mistaken. Six hundred thousand more men have since then been called for, and while every exertion is made to send them to the rescue, our army is compelled to retreat before an enemy superior in numbers. Week after week necessarily passes in the herculean task of organization, and the new troops are hurried to the field without having had time to learn the most necessary military drill and discipline. What valuable time has not been lost because most of the States were utterly unprepared to meet the call of the nation? This may not be the last call for troops. The nation should not again be found sleeping while this gigantic struggle lasts; and it rests with the people of the several loyal States to prepare themselves for future emergencies.

Again: it is evident that, to meet further calls, it is necessary to rely upon a system of drafting or conscription, and whatever may have been the popular prejudice against this system, it will soon be generally conceded that it is the true and best mode of speedily calling out the military power of the country. But in order to make this system a just, equitable and effective one, legislation is necessary. When the call of the President was made for the 300,000 drafted militia, no law existed, or does now exist in our State, for drafting, and hence I had to rely upon regulations of the War Department to answer the call.⁸³ The enrollment of the militia had for years been neglected in our State, and although I had long before called upon the assessors to make the enrollment as required, I found that, in the absence of proper regulations for the purpose, such enrollment would be utterly incomplete and inefficient. Prompt action was necessary, and hence, I instructed the Sheriffs of the counties to make the enrollment, which is probably now completed throughout the State.

The apportionment of the number of men required from each town, city, ward, or county, should have been based upon the

⁸³ For the draft regulations of the War Department see *Rebellion Records*, gen. index, under "drafts."—Ed.

number of men liable to military duty therein, but in the absence of any enrollment, I could only make such apportionment according to the number of inhabitants. Volunteering being permitted to a given date only by the General Government to apply to the drafted militia, it became necessary to assign at least to each county its quota of men immediately, and that could only be done according to the number of inhabitants; and even now it will not be practicable to make another apportionment, as that would require returns of the enrolled militia from the entire State, which have not yet reached us, and further delay than is absolutely necessary would not be warranted by the critical condition of our country. Whatever number, therefore, may be required to fill our quota for the past calls of the Government, will have to be drafted under regulations already made.

It seems also hardly proper, and certainly is contrary to the regulations dictated by long experience of other countries, where conscription has always and does now exist, that all able bodied men between the ages of 18 and 45 years should be called upon to draw lots without any regard to other circumstances. In my view, men between 18 and 35 years of age should first be called out and that class exhausted before men between 35 and 45 should be compelled to go. A distinction might also properly be made between married and unmarried men; exemptions should be made as in all civilized countries, in certain cases where of the same family several are already in the service and one has remained at home as the supporter of the family.

In case of a further demand for troops, State regulations, under the sanction of the legislative power, should exist for these and other points.

A few weeks ago the public was startled and shocked by the news of an Indian raid and massacre in one of our neighboring States.⁸⁴ This attack of the savages in Minnesota, was followed

⁸⁴ See Frederic L. Paxson, *The Last American Frontier* (New York, 1910), p. 234.—Ed.

immediately by calls upon me from our own frontier in the northern and northwestern part of the State for arms, ammunition and men. So far as lay in my power, I immediately and promptly answered those calls by sending all our State arms and all the ammunition at my disposal, into the regions threatened with danger; but in the absence of any military organization under sanction of law, I had to trust these arms to some reliable men in the different localities. There are thousands of Indians in our State hovering upon the frontier settlements. Evidence has been furnished to me that leaves little doubt in my mind that all the northern tribes of Indians, including those in our own State, have been tampered with by Southern emissaries in the employ of the rebels, to induce them to form a league and to commence warfare upon the borders of the loyal States. The recent outbreak in Minnesota, I am well satisfied, must be ascribed to rebel influence.

The fearful consequences of an unexpected attack of these savages upon our peaceful communities can hardly be imagined; but the recent panic in some of the most densely populated parts of our State, must be a solemn warning to us to be prepared. After the regiments now in organization in our State shall have left, the savage warriors within our borders, if incited to similar atrocities as the Sioux tribe in Minnesota, could plunder and murder our peaceful citizens by thousands, if we do not arm and prepare ourselves. We cannot rely upon protection by the strong arm of the General Government in such an emergency; its help would be too tardy. When the Minnesota massacre occurred, and the citizens of our frontier counties sent in requests and delegations to me, I immediately applied to the Secretary of War, Mr. Stanton, by telegraph, for arms and ammunition. After repeated dispatches stating our condition, and asking for ammunition, and after many days' elapse an answer came from that officer saying that he did not know that there were Indians in Wisconsin! The time and attention of the Secretary of War is evidently and naturally so much engrossed with the movements of our great army, that prompt

action can hardly be expected in case of any disturbances on our frontier. After more than two weeks from the time of the Massacre, Minnesota was yet without sufficient arms, and applied to us for aid. I trust and hope that no such disturbances will arise in our State,⁸⁵ but the surest mode of avoiding danger is to be prepared for it. We should become familiar with the thought that in the present condition of our country we must become a warlike people; every community should be prepared to defend itself.

To be able then promptly to answer future calls of the General Government for troops; to be able to send into the field men who know at least the rudiments of drill and how to use a gun; to be able to defend our own firesides against attacks and invasion, our State should have an effective organization of the militia, and a sufficient supply of arms and ammunition, and should have it now. Our present laws are insufficient for this purpose; they were not made for such times or emergencies; our supply of arms is too small, and for ammunition we have to rely on the Government at Washington.

Perhaps circumstances will not permit you to enact at the present time, an entirely new and well digested militia system, with all its details. I would therefore recommend that by some few and general enactments amending the present militia law, provision be made for the immediate organization, the necessary drill, and the calling into active service in case of necessity of the militia of our state; that provision be made for drafting militia in case of need to serve out of the state, and for the purchase of the necessary arms and ammunition. This would answer for our present emergencies until the next regular session of the legislature. A military board or commission might, however, be created with instructions to prepare a complete militia system, to be laid before the next Legislature. For present organization the recent enrollment made by the sheriffs would probably be sufficient, and it might be adopted as a basis.

⁸⁵ Wisconsin Indians were comparatively quiet during the war.—Ed.

Another subject to which I desire to call your attention at the present time is the enactment of a law which shall give the soldiers from this state now in the army the right to vote at the next general election. After our quota shall have been filled we shall have about 48,000 men in the army of the Union. Among these, it is safe to presume there are at least 40,000 voters, who certainly have as deep, if not a deeper interest in the welfare of the state and Union, and in the policy that shall guide their counsels in their representative halls as those who have remained at home. The views of these brave and patriotic men should be heard through the ballot box, and should have proper weight in shaping the destiny of our imperilled country. Who votes must bear arms, was the just decision of the Secretary of War; who bears arms should not be disfranchised, but be permitted to vote, should be the policy of the country. There is nothing, I believe, in our Constitution which would prohibit the enactment of such a law. On the contrary, Section 4 of Article 3, provides that "No person shall be deemed to have lost his residence in this State by reason of his absence on business of the United States or of this State." This at least indicates that the spirit of our Constitution is against disfranchisement of our soldiers; justice seems to demand that they should be rewarded in a different manner for their patriotism than by a loss of one of the most important rights of citizenship, especially in the present crisis, and it rests therefore with you to say whether our election laws shall be so amended as to permit the taking of the soldier's vote. It is believed that a law could, without much difficulty, be framed for this purpose, so that the soldiers may vote for the most important public officers at least; for State officers and for their respective representatives in Congress, and the State Legislature.⁸⁶

⁸⁶ Wis. Gen. Laws, ex. sess., 1862, chap. 11, enabled Wisconsin soldiers in the army to exercise their right of suffrage. The military vote for President and Governor in the election of 1864 is given in *Legislative Manual* (Madison, 1865), pp. 172, 185.—Ed.

VOLUNTEER AID FUND

The three field officers, or in their absence the three ranking officers of each regiment, and three highest commissioned officers, or those acting in their places, of each battery of artillery or each company or squadron of infantry or cavalry on detached service, might be made the inspectors of the election, with power to appoint the proper person clerk of the election so that the vote may be taken on the day fixed by the Constitution.

I consider such a law a matter of simple justice, as well as of great importance, and trust therefore that it will meet with your approbation.

Another subject that should receive your attention is the condition of our Volunteer Aid Fund.

The payments made from that fund from January 1st to the present time are \$211,556.26
 averaging nearly \$30,000 month.

The payments will average at least two months in arrear. Including arrearages to meet the demands upon the Volunteer Aid Fund, say to the middle of next February, will require money enough for eight months' payments, which, at \$30,000 per month will amount to.. \$240,000.00

To meet this there is now in the Fund subject to draft for this purpose about 90,000.00

Leaving a deficiency of.....\$150,000 00

Should the aid be continued throughout the next year it will require at least \$360,000, without extending it to any of the regiments after the 20th.

This deficiency of \$150,000 arises mainly from the fact that since the appropriation was made by you for this purpose last spring, the volunteer aid has been extended to the 20th regiment, and that it was supposed that after final settlement with the United States of our war claims, and after payment of our war debts, there would remain a surplus of about \$100,000 to

go into the Volunteer Aid Fund. This calculation was probably correct, but although our vouchers have long since been transmitted to the Treasury Department at Washington, we have not yet been able to obtain a final settlement of our accounts, and after another advance of \$110,000 made by the General Government, which has been used in part payment of our war debts, any further advance has been refused until final settlement. It is very difficult to conjecture when the Departments at Washington will be ready for that final settlement.

Unless you should therefore deem it desirable to change the law in relation to the volunteer aid, provision should be made now to include in our State tax the \$150,000, in order to carry payments from that Fund to the middle of February next, and an additional \$360,000 to cover next year's payments. I cannot advise a further issue of State bonds for this purpose, as the commissioners for the negotiation of the last \$200,000 found it not without difficulty to dispose of them at par, and as it seems much more advisable to raise the necessary money for this purpose now by tax, than to sell our bonds below par.⁸⁷

Up to the time that I discontinued the active duties and pay of Paymaster-General, the employees in our military offices had received pay-rolls and other vouchers from the Paymaster-General for their salaries, but when the duties of that officer were discontinued, it was found that no provision existed by which the Secretary of State could audit the claims for salary of these clerks. I have since that time, been compelled to pay these employees from a few thousand dollars that remained subject to my draft of the \$200,000 fund created for general war purposes, by chapters 239 and 307, of the Laws of 1861. This money, however, is nearly all exhausted, while the force of clerks in the Executive office, and in that of the Adjutant

⁸⁷ Wis. *Gen. Laws*, ex. sess., 1862, chap. 4, extended the benefits of the Volunteer Aid Law to all regiments raised or still to be raised within the State, and levied a special tax of \$275,000 for the use of the fund.—Ed.

General, has necessarily to be, and continues to be, pretty large, under the present and prospective great pressure of business. Provision should therefore be made for the payment of these employes.⁸⁸

You have assembled here at a dark hour in the history of our country, the recent reverses of our arms cast a gloom upon every loyal countenance; the Union army in the East has struggled for over a year, our troops have fought nobly—and many a loyal and brave soul has expired upon the battle field. We deemed ourselves victorious but a short time ago; suddenly all is changed, our army obliged to retreat, our National Capital again in danger, the enemy's army in Maryland. All this, however, should not make us despond, but only kindle anew the fire of patriotism in our hearts and arouse us to new exertions and new energy.

The fortunes of war are not always on the same side. We have been too confident in the slumbering power of the North; conscious of our strength we have not called it into action soon enough. But the people of the loyal States have with wonderful alacrity responded to the recent calls of the Government for 600,000 more men. They are now being hurried to the endangered points, and while the traitorous South has exhausted its resources of men, we can send, if necessary, another 600,000 soldiers to overwhelm and crush the rebellion. Let the *People* of the loyal States remain united and true to our flag, our government and our constitution, and we shall not be obliged to see a dishonorable peace and dismemberment of the Union!

EDWARD SALOMON, *Governor.*

⁸⁸ *Ibid.*, chap. 5, authorized the Secretary of State to audit the salary claims of these clerks.—ED.

AN APPEAL TO THE LEGISLATURE

EXECUTIVE OFFICE,

MADISON, Sept. 25, 1862.

To the Hon. the Legislature:

A bill has been passed during your present session extending the benefits of the volunteer aid law to the families of all soldiers in the field now, or in regiments now being organized or hereafter to be raised for the United States service in this state.⁸⁹ I regret to say that I do not find among the bills which have passed the legislature, that adequate means have been provided to meet the very largely increased expenditure thus contemplated. It is estimated that nearly or quite \$2,000 per day will be required to meet the requisitions of the laws already passed, including the extension to the new regiments which you have provided for. The tax of \$275,000 which has been directed to be levied will not be sufficient to meet the necessities of the case until another tax can be levied and collected; and if it were sufficient in amount, will not be paid in and available until considerable time has elapsed, in which there will be no money in the treasury to pay the claims arising under the laws referred to. There must inevitably be two months or more, during which these claims cannot be paid.

The legislature, by passing these volunteer or bounty laws, has told the families of our soldiers—in effect, pledged to them the faith of the state—that they might expect the promised aid promptly, on proper application and verification of their claim, and those families are induced to place reliance upon the promise. Small as the amount is, it is in very many cases the sole reliance of the family for many of the necessaries of life. If the legislature, in its wisdom, shall deem it not advisable to continue the bounty, it would without doubt be a very great hardship to the families of the soldiers; but it would,

⁸⁹ *Ibid*, chap. 4.—Ed.

in my judgment, be better than to hold out the promise and encourage the hope of obtaining the bounty, and still to neglect to furnish the means of paying it. In the former case there would at least be no hopes raised to be disappointed on application to the proper officers of the state, and those officers would not, as they have been on former occasions, be burdened with the heavy task of an enormous correspondence occupied in refusing applications, and making apologies.

I trust that the legislature will not adjourn without making the necessary provision of law to enable the state officers to meet promptly all claims of the families of the gallant men who are absent, periling their lives in their country's cause.⁹⁰

JAMES T. LEWIS, *Acting Governor*.

⁹⁰ The matter was referred to a joint committee, which recommended a tax levy of \$150,000 and a bond issue for an additional \$150,000. The Legislature, however, adjourned without further action.—Ed.

1862. In Legislative Recess

The Governor issued the following

THANKSGIVING DAY PROCLAMATION

To the people of Wisconsin:

Amidst the manifold vicissitudes and calamities that have befallen and surrounded us, threatening the life of our nation, and the lives of so many of its heroic and noble sons, it peculiarly becomes us to turn with grateful hearts to the Supreme Being for the many blessings we have enjoyed, and the afflictions we have been spared.

The horrors and devastations of war, so fiercely raging around us, have not touched the border of our State; excepting the brave men who have rallied around our country's flag in this time of peril; our citizens have been permitted to pursue their peaceful avocations; our harvest, though not as abundant as Providence sometimes has pleased to grant us, has yet well compensated the labor bestowed upon it, and well filled our houses and barns; the savage tribes upon our border settlements, so threatening at one time to our peace, have been quieted, and kept under surveillance.⁹¹

The great cause of our nation, it is true, has not triumphed yet over its enemies, but neither has it yet failed; the enemy has been driven from the soil of the loyal States; our army has been reinforced by hundreds of thousands of brave, patriotic and noble men ready to do battle, and, if necessary to die for the integrity of the Union; our resources and energies are unimpaired; we have reason to be hopeful for the future, and therefore thankful for the past.

The loyalty, honor, and patriotism of the State of Wiscon-

⁹¹ Cf *ante*, p. 137, note 84.—Ed.

DRAFT RIOTS

sin has been nobly sustained by her brave sons upon every field of battle where they have been called upon to vindicate our national flag. The just pride which we feel in the bravery of our noble soldiers should fill our hearts with gratitude to Almighty God, who has sustained them in their hour of trial.

For these and other uncounted blessings which the infinite goodness of God has vouchsafed to us during the past year, we should thank Him from the depth of our hearts. And therefore, and in accordance with a time honored custom, I do hereby appoint THURSDAY, THE 27TH DAY OF NOVEMBER, 1862, AS A DAY OF THANKSGIVING AND REST, and recommend to the people of this State on that day to abstain from secular labor, and to assemble at their usual places of worship to show their grateful hearts to the beneficent Ruler of the Universe, and to pray for a speedy suppression of the rebellion, and for peace to our distracted country.

In testimony whereof, I have hereunto subscribed by name, and caused the Great Seal of State to be affixed this 31st day of October, A. D. 1862.

EDWARD SALOMON, *Governor.*

 DRAFT RIOTS REBUKED

In November, 1862, the Governor addressed the following Proclamations to the people of Ozaukee and Milwaukee counties, wherein there had been armed resistance to the draft:

To the People of Ozaukee County:

Information has reached me of a disgraceful and violent disturbance of the public peace and forcible resistance to the draft, accompanied with personal violence to the Commissioner for drafting, and other persons, and destruction of private and

public property in your county.⁹² I have taken steps to have the perpetrators and abettors of these crimes promptly arrested. They, as well as every person interfering with or resisting the draft, will be arrested and punished according to the Proclamation of the President of the United States, of September 25th, 1862.⁹³

It is one of the inherent and necessary powers of every government to call upon its citizens, or subjects, to take up arms in its defence. This power exists, beyond question, in the Government of the United States. An act of Congress has Authorized the President to call out the Militia, and the draft ordered in this state, as in all other loyal states, is made in pursuance of that act of Congress. Resistance by you to the Government of the United States, or of this State, is both wrong and vain, and can only lead to calamity and misfortune to those who attempt it. The draft will be executed in your County as well as in every other county in the State, where it has been ordered.

I have sent a sufficient Military power into your County under the command of the special Provost-Marshal of the State, appointed by the President of the United States for such and other purposes, in order to arrest those who are guilty of the recent violent resistance to the draft, and to see that the draft is properly enforced in your County, and I now call on you to Make no further resistance to the lawfully constituted authorities, but to submit to the laws of the country.

Given under my hand and the Great Seal of the State, at Madison, this 11th day of November, in the year of our Lord One Thousand eight hundred and sixty-two.

EDWARD SALOMON.

⁹² The details of the Ozaukee riot are published in E. B. Quiner, *Military History of Wisconsin* (Chicago, 1866), p. 145.—Ed.

⁹³ This proclamation may be found in J. G. Nicolay and J. Hay, *Works of Abraham Lincoln* (New York, 1905), ii, p. 239.—Ed.

To the People of Milwaukee County:

Information has reached me of threats and public demonstrations made against the execution of the draft for militia in your county.

By the Constitution of the United States, the supreme law of the land, it is provided that, "Congress shall have power to provide for calling forth the militia to execute the laws of the Union, suppress insurrection, and repel invasion." In pursuance of this provision, Congress has authorized the President of the United States to call forth the militia, or a portion of the militia of the States, to suppress insurrection, and the President has accordingly called forth a part of the militia of each state, and for that purpose ordered the present draft. By the orders of the President this draft was to be made in all the states on the third day of September last past, but owing to the want of an enrollment of the militia in our State as well as in many others, it was subsequently ordered that the draft should be made by the Governors in the several states as soon as possible after the first day appointed.

This draft is therefore made in pursuance of the Constitution and laws of the United States, and must be obeyed. Resistance to it is resistance to the laws of the United States. It has already been executed in most of our loyal sister States, and *must be executed in this State.*

The President as the Commander-in-chief of the army of the United States, and of the militia of the several States when called into actual service, has further, by his proclamation of September 24th, 1862, ordered that all persons resisting militia drafts shall be subject to courts-martial, liable to trial and punishment by courts-martial and military commission.

Resistance to this draft is a violation of law that will bring swift, severe and condign punishment to those who should attempt it. As chief executive officer of this State, it is my duty to execute this draft. A sufficient military force has been employed to protect the officers who have been trusted with the execution of this law in your county, to enforce obedience

to it, and promptly to suppress any tumultuous or riotous proceedings.

I trust it will not become necessary to employ force in order to enforce the law and maintain peace in your community, but should it become necessary I shall not shrink from the responsibilities which the laws impose upon me. Your county and its several towns and wards have been justly and fairly treated in the apportionment of the number of men required, and leniency was even shown you by extension of time in order that volunteers or substitutes might be provided. If bloodshed should occur, the responsibilities must fall upon the heads of those who resist the laws. My duty is to see them enforced. The disgraceful scenes that recently occurred in a neighboring county shall not be re-enacted in your community!⁹⁴

I have thus lengthily addressed you, in order that those who may have rashly contemplated resistance to the majesty of the law, may, upon reflection, abandon it, and also to assure you that resistance will be in vain; misfortune, misery and punishment alone can follow such resistance. A government that has a million of armed men in the field to enforce the laws in the revolted states, can and will speedily and promptly enforce them here.

Wherever resistance to this draft has been attempted in any other State, it has been promptly checked, and the draft has been enforced. Let those amongst you who have thought of resistance, think of the consequences that would overtake them and their families, and if love of our country and regard for its laws are insufficient to check their madness, let love for their families and regard for their own safety and welfare check them. Once more I call upon you quietly to submit to the laws of our country and its legally constituted authorities.⁹⁵

⁹⁴ The draft riots in Ozaukee County.—ED.

⁹⁵ No disturbances occurred in Milwaukee County. Cf. Quiner, *Military Hist. Wis.*, p. 147 ff.—ED.

1862]

DRAFT RIOTS

In testimony whereof I have hereunto subscribed my name and caused the Great Seal of the State to be affixed, at Madison, this 17th day of November, A. D. 1862.

EDWARD SALOMON, *Governor.*

1863. Sixteenth Annual Legislative Session, January 14-
April 2

The two Houses of the Legislature met in Joint Convention on January 15, and the Governor read thereto in person his

ANNUAL MESSAGE

in which he made the following allusions to the war and the State's participation therein:

Fellow citizens of the Senate and Assembly:

The meeting of the Legislature, to which the people have, under certain constitutional restrictions, transferred the sovereign legislative power of the State, is at all times an event of peculiar interest and importance, for its acts often have a direct influence, either for good or evil, upon the present and future welfare of the people. The condition of our national affairs with the past and passing events, and their bearing upon the prosperity and happiness of the people of this State, invest your meeting with still greater importance. Coming directly and fresh from the people as their representatives, to assist in carrying on the government of the State by making all necessary and needful laws, you will be more familiar with the wishes and sentiments of those whom you represent, and many subjects of grave importance will undoubtedly present themselves for action, requiring our best efforts to do justice to the trust reposed in us by our common constituents.

GENERAL CONDITION, COMMERCE, AGRICULTURE, MANUFACTURES

Our State has, during the past year, with the single exception of a serious disturbance, in one of the counties,⁹⁶ enjoyed peace in its borders, and been free from the horrors of war

⁹⁶ See *ante*, p. 148, note 92.—Ed.

surrounding us and interrupting the quiet of many of our sister States.

Our commerce, which, in common with that of all other States, has suffered much for years from the effects of the financial and commercial crisis of 1857, has, during the past year, even under the disadvantages of the war, been prosperous, and is now conducted on a safer basis than it was before 1857, when the spirit of speculation and an unsound and too extensive system of credit led to the financial ruin of many. The opening of the Mississippi, in which, with other States, we have a direct interest even beyond that which the nation in general feels in the free passage of that great national thoroughfare, would give new and additional life to our commerce. It is to be hoped that the great efforts which are now made by our western army will speedily accomplish the work that has so long been interrupted, and will, by freeing the Mississippi from the obstructions of the enemy and bringing it under our control, deal a decisive blow to the rebellion and procure direct relief to the great loyal West.⁹⁷

* * * * *

ENLARGEMENT OF ERIE CANAL AND FOX AND WISCONSIN RIVER IMPROVEMENT

In this connection I desire to call your attention to the efforts which are now being made to procure an enlargement of the Erie canal by the National Government, which measure I understand is now before Congress, as one of military necessity.⁹⁸

⁹⁷ The capture of Island No. Ten and New Orleans, in April, 1862, and the reduction of Fort Pillow and Memphis in June, left the Confederates in control of the Mississippi only at Vicksburg and its environs. The opening of the river was completed in July of 1863 with the capitulation of Vicksburg and Port Hudson. Cf. John Fiske, *The Mississippi Valley in the Civil War* (Boston, 1900).—Ed.

⁹⁸ Consult 37th Cong., 3d sess., *Congressional Globe* (Washington, 1863).—Ed.

I cannot more pointedly show the importance of such an enlargement to our agricultural interests and commerce, than by quoting a few passages from a letter addressed by the President of the Illinois Central Railroad Company to the President of the State Agricultural Society of Illinois on that subject, of which a copy was sent to me: "The cultivation of the most fertile land in the world is almost rendered unprofitable through the unnecessary expense of handling and transferring our crops to tide-water. We are confined to a narrow water course. The Erie canal sufficed when the Northwest sent fifty millions of bushels of grain, but is utterly inadequate in taking off our present surplus of upwards of one hundred and fifty millions of bushels. It is almost idle to extend the internal improvements of the Northwest or to urge the farmers to produce more, while every acre cultivated adds to the volume of business which already chokes the narrow channels of the Erie canal and three trunk lines of railway. A broad water course from Lake Erie to the Hudson, through which our lake vessels can float without breaking bulk, will cheapen the cost of transportation to the point at which we can supply the European markets profitably under all circumstances." This letter, which contains many valuable suggestions, I will lay before any committee you may appoint on this subject.

The enlargement of the Fox and Wisconsin River Improvement, so as to make it of a capacity suitable for the passage of gun boats, will also, I learn, occupy the attention of our national legislature. Its importance to our State can scarcely be overrated. The Improvement is now, as is claimed by the company charged with its building, nearly completed in the manner required by the laws of this State and the stipulations of that company, and is at present the only direct navigable water communication between the Mississippi and the great western lakes.⁹⁹

⁹⁹ See J. B. Sanborn, "The Story of the Fox-Wisconsin Rivers Improvement," in Wis. Hist. Soc. *Proceedings*, 1899 (Madison, 1900), pp. 186-194.—Ed.

I would respectfully suggest that you memorialize Congress upon these two important national improvements, and call the attention of our Representatives in Congress thereto.¹

* * * * *

WAR FUND

The following is a summary of the transactions of the War Fund during the calendar year:

Balance on hand Dec. 31st, 1861.....	\$50,227 09
Receipts	757,700 98
Total amount	\$809,928 07
Disbursements	760,929 72
Balance in treasury Dec. 31st, 1862.....	\$46,998 35

The receipts in this fund are made up mainly of money received on sales of State bonds and advances made by the United States upon the claims of the State for war expenditure. The amount of these claims sent to the Secretary of the Treasury for examination and adjustment, is up to the present time \$125,349 57.

Of this amount there has been refunded to the state and passed to the War Fund	\$577,800 72
Applied in payment of the direct tax due from the state....	441,735 37
Total amount refunded.....	\$1,019,546 09
Leaving due the state the sum of.....	105,803 48

¹ In response to this recommendation, a memorial and a joint resolution were presented to Congress—the first urging the improvement for military reasons, the second for economic reasons; see *Wis. Gen. Laws*, 1863, Mem. no. 1, and *Ibid.*, Jt. Res. no. 5. A bill providing for the enlargement of the Erie Canal and the improvement of the Fox and Wisconsin rivers was shortly after presented to the Senate by Senator Doolittle of Wisconsin; a similar bill was introduced in the House by Congressman Allison of Iowa. Congress, however, took no action.—Ed.

It is a source of great gratification to me that, in addition to the settlement of the direct tax due from the State and amounting originally to the sum of \$519,688 66, but reduced 15 per cent, on account of having our vouchers filed in proper time, I was enabled to obtain an advance sufficient from the General Government upon our unsettled claims to enable the State to discharge all its outstanding indebtedness on account of war expenses of last year. Under the great pressure of business and the vast transactions of the U. S. treasury department, the examination and settlement of these State claims progress but very slowly, and great embarrassment would have resulted to the State and its creditors, had these liberal advances not obviated the difficulties. No further advance can however now be counted upon, as the margin left for accounts that may not be allowed is already a very small one, and as the financial embarrassments of the General Government would also prevent further advances.

The sources of income, then, to meet the expenditures of this fund during the present year will be confined to the tax of \$275,000 provided at the extra session of last year, and such other provisions as may be made by you to meet the demands upon this fund. These demands will be large, and in addition to the necessary expenses of our military department, of state surgeons for cavalry and artillery, and of taking care of our sick and wounded soldiers, will mainly consist of the extra pay of \$5 per month allowed to the soldiers, who have families dependent upon them. It is estimated that this will require \$60,000 per month. The special tax of \$275,000 will probably be exhausted in the month of March or April. The State of Wisconsin cannot permit the families of her brave soldiers to suffer for want of this additional pay—it should not be discontinued; but I know of no way in which the money necessary for this purpose can be procured except by an additional loan. This subject will undoubtedly receive your most care-

ful consideration, and you will adopt such measures as your wisdom may dictate.²

I will close this short financial review by stating that on the 31st day of December, 1862, there was in the treasury as the whole amount of balance on hand, in all the different funds, the sum of \$291,424 65.

* * * * *

STATE UNIVERSITY

The condition of the State University in an educational point of view, during the past year has been very satisfactory. Although a large number of the students have exchanged the musket and sword for their books and studies, and are serving our country in the ranks of the army, the number of students during the summer term was not much less than last year, and the number now in attendance I learn is larger than at any previous winter term. The University has able Professors, and as an institution of learning is a credit to the State.³

* * * * *

I feel it also my duty to urge upon you again the propriety of engrafting upon the University a professorship of military engineering and tactics, that our young men may have an opportunity of studying military science, a study unfortunately too long neglected in the Northern States, and the necessity of which has become so apparent during our present national struggle.⁴

* * * * *

² Wis. Gen. Laws, 1863, chap. 139, provided for a special tax of \$200,000 to be used for the relief of families of volunteers.—Ed.

³ The total enrollment of the State University for the scholastic year 1861-62 was 129, of whom twenty-six entered the army. Military drill was maintained by the students for two-thirds of the year. See University of Wisconsin, *Report of Regents* (Madison, 1862), app. C.—Ed.

⁴ Military instruction was provided for in the State University by Wis. Gen. Laws, 1866, chap. 114.—Ed.

NUMBER OF TROOPS RAISED FOR THE WAR, &C.

Aside from the first regiment for three months, Wisconsin had on the first of January, 1862, organized, equipped and sent to the field in response to calls made from the General Government, ten regiments of infantry, one company of cavalry and one company of sharp shooters, and there were then remaining in the State, organized or in process of organization and nearly completed, nine regiments of infantry, three regiments of cavalry, and ten batteries of artillery, which were all completed, and with two additional batteries, sent to the field during last winter and spring. Under orders from the War Department all recruiting for new as well as old regiments had ceased during last spring, when it became apparent that the gigantic efforts of the enemy, and losses and diminution of our own forces made an increase of the national army necessary. On the 2d day of May, 1862, a call was made for 75,000 men, for which one regiment was required from our State, the organization of which was immediately commenced. Owing however to the previously mistaken policy of stopping all recruiting, which had the effect of turning the attention of those who shortly before were willing and anxious to volunteer in their country's defence, to other pursuits, and of engendering the belief that the necessities of the government would not require an increase of the army to overthrow the rebellion, the organization of this regiment proceeded very slowly. On the second day of July, 1862, another call was made by the President for 300,000 additional volunteers, and I was notified that Wisconsin was required to furnish five regiments of infantry as a part of its quota under this call. In order to insure the speedy organization of these troops, I divided the State into five regimental districts as nearly equal as possible in the number of inhabitants, requesting the organization of one regiment in each district, and all possible efforts were made again to arouse the patriotism of the people to the new and pressing

demands of the country. New York and other States commenced a system of offering State bounties to facilitate the raising of troops, and arrangements were made by me to procure a similar bounty in this State by private contributions and loans to be made upon the faith that the legislature would subsequently authorize the repayment of the money so raised. Before, however, the necessary preliminary arrangements for the collection and proper application of the funds for this intended State bounty were completed, on the 4th day of August, 1862, the President of the United States required an additional force of 300,000 drafted militia to be furnished immediately, and ordered that if any of the States should not have furnished their quota of volunteers under the previous call by the fifteenth of August, a draft should be made to fill the deficiency. The short time thus allowed for volunteering made the plan of procuring and offering a State bounty wholly impracticable, and it had to be abandoned, nor was there any necessity then to resort to such measures, as by the urgent, large and swiftly succeeding calls of the government, the well-known condition of our army in the field, and the stringent measures adopted to secure its immediate increase, the patriotism of the people was kindled anew in such a measure that war became the business of the whole people; commercial, agricultural and other ordinary pursuits almost ceased for a time; crops were left ungathered in the fields, and although the time was the most unfavorable one in our State, when the largest part of the people were engaged with the harvest and could ill afford to spare the laborers that were to be so suddenly and in so large a number transferred from the harvest to the battle field, yet with unprecedented zeal, disregarding all other ties and engagements, did the people of the State rally to the nation's call for help. When the call for 300,000 drafted militia was announced to me by the Secretary of War, I was advised that for any excess of troops previously furnished by the State credit should be given, and subsequently that the number of drafted militia required from Wisconsin was 11,904. Upon my repeated inquiries

whether the five regiments of infantry demanded under the call of 300,000 volunteers constituted our entire quota under that call, no answer was returned by the Secretary of War. As the time for furnishing volunteers for both calls was limited to the fifteenth of August, and as the people of the several counties in the State were mostly anxious to furnish the required number for the 600,000 men by volunteers, and thus be exempt from draft, or at least reduce the number of those to be drafted, it became necessary to assign to each county its quota of men, which was accordingly done, upon the supposition, induced by the several orders of the Secretary of War, that our entire quota was 5,000 under the call of 300,000 volunteers, and 11,904 under the call for 300,000 drafted militia, accounting for the discrepancy between the two numbers by the excess of about 4,000 men, which I believed the State had previously furnished. Subsequently to the assignment of the respective quotas to the counties, an order was made by the War Department that the old regiments, which had been much decimated, must also be filled, and that if not filled by the first of September a *special draft* would be ordered for the deficiency, and afterwards I was informed that the number required to fill our old regiments was 5,904. From the nature and language of the order, I construed this to be an additional call to the 600,000 men, but the peculiar coincidence in numbers led to repeated inquiries on my part as to the true quota of the State under all calls, and to correspondence with the War Department, which disclosed the fact that the department considered our quota under each of the two last calls to be 11,904, i. e. 23,808; that the number required for old regiments, if furnished, might be credited upon this number; but also that, owing undoubtedly to incomplete returns at the office of the Adjutant General in Washington, we had received credit only for 21,000 men previously furnished, while according to our own records we had sent to the field 24,800 men, and had thus failed to receive credit for 3,800. Deducting these from the 23,808 would leave our real quota 20,008 men instead of 16,808, as-

sumed as the true number in making the apportionment among the counties. Inasmuch as this error arose by erroneous and insufficient information received from the War Department—owing undoubtedly to the great pressure of business in that department, and perhaps also to omissions or mistakes in telegraphic communications—and because it would have been unjust in my opinion, to have increased the quotas of the counties after they had once been assigned and acted upon (for this information was not received until after the time for volunteering, except for old regiments, had expired), I did not feel at liberty to make any change in the quotas as once assigned, and so informed the department.

After the call for drafted militia, the 20th regiment was speedily filled, and up to the 22d day of August, to which day volunteering had been extended, the number of volunteers reported, warranted the organization of thirteen new regiments, numbering from 21 to 33 inclusive. Two of these regiments were, however, deficient in number but I succeeded in obtaining a special order from the War Department authorizing the recruiting for these two regiments to complete them, the government paying advance bounty and advance pay. Of these the 31st has since been completed, and is mustered into the U. S. service, ready to be sent to the field, and the 27th lacks but few men and will also soon be mustered.

It is to be regretted that the policy of the General Government did not permit them to extend volunteering beyond the 22d day of August, except for old regiments, as otherwise the State would probably have furnished the required number of men in volunteers. I very urgently and repeatedly asked for such an extension, assigning fully the reasons and especially the fact that a large number of persons were at that time engaged in harvesting, our State being mainly agricultural, and our harvest late. The principal reason of the refusal probably was the hope that the old regiments might thus be filled.

THE DRAFT

Prior to the execution of the draft, it became necessary to enroll the militia. The enrollment required to be made by the assessors under our State laws,⁵ had never been properly made, and could not be relied upon for the purposes of the draft. Hence I caused an enrollment to be made under orders from the War Department, by appointing the Sheriffs enrolling officers, requiring the lists to be publicly exposed for correction for three days in every town and ward of a city or village. I have thus secured a reasonably accurate enrollment; and in those towns and wards only where the people did not take sufficient interest in the matter to examine and see to the correctness of the rolls when exposed, or in a few localities where the deputies appointed by the Sheriffs did not do their duty and omitted to expose the rolls for examination, is the enrollment very defective. This enrollment shows 127,894 men liable to military duty, of which 28,012 were exempt by the commissioners for disability and other causes under existing laws and regulations. Judging, however, from the experience in the late draft, it is safe to presume that one-fourth part of those left on the rolls are entitled to exemption, they having failed to apply to the Commissioners in proper time. The number above given does not include the volunteers now in the army, except a few thousands who have since volunteered. As soon as the enrollment was completed, the draft was ordered in all the counties that had failed to fill their quota by volunteers, and was executed on or immediately after the 10th day of November, except in the county of Manitowoc, where the Commissioner for drafting was absent, and where, upon being satisfied that gross injustice would be done to the people of that county by the improper action of the examining surgeon, I caused a re-examination of the enrolled militia to be made.

⁵ See *Wis. Rev. Statutes*, 1858, chap. 31, sec. 6, and *Gen. Laws*, 1863, chap. 242, sec. 8.—Ed.

This is now completed, and the draft will soon be perfected in that county. Excluding Manitowoc county, there have been drafted 4,455 men.

Of these were discharged on account of errors in the quotas....	299
Reported in camps of rendezvous	2,341
Subsequently discharged for disability and other causes of exemption, about	1,000
Leaving	1,285

Of which 491 have volunteered for old regiments and in the 27th and 31st. The balance have been organized in companies and assigned to the 34th regiment. Those who have not reported are considered as deserters, and their names have been furnished to the U. S. Special Provost Marshal, on whom devolves the duty of arresting them, as well as other deserters from the army.

This result shows that there are intrinsic errors in the regulations under which this draft had to be made. Conscription is in my judgment the best, the true and proper manner of calling into the field the military power of a country; but in order to be effective, it should be governed by just, wise and proper regulations. Under the present law⁶ and orders of the War Department the man who is already beyond the prime of his life, whose constitution has been impaired by privations and hard labor, who has a large family dependent upon him for their daily bread, who by his industry and daily labor adds to the material wealth of the country, is as liable to be called out as the young man in the vigor of life, with no one dependent upon him for support. We should profit by the laws of other nations and let history teach us by the examples it furnishes. Napoleon's famous armies, raised by conscription, were made up of young men. At the extra session in September last, I called the attention of the Legislature to the necessity of mak-

⁶ Act of Congress, March 3, 1863.—Ed.

ing State laws and regulations upon the subject of drafting. They were not then acted upon, but experience must have since convinced many how necessary such laws will become should we be required to furnish more troops. I then recommended that at least two classes should be made, the first to consist of those between 18 and 35 years of age, and the second of those between 35 and 45 years old, the second not to be called upon until the first should have been exhausted. Perhaps even three classes might properly be made, in order to insure first the services of those in the field whose labor at home might be most easily spared. Proper rules for exemption in cases of great hardship should also exist. Had such regulations been in force at the last draft, much of its apparent harshness, much of the suffering it now creates, and much of the opposition to it, would not have appeared. The manner of deciding upon exemptions from military service should also be changed. Commissioners might be appointed to go from county to county to execute the draft, consisting of surgeons to examine the persons after they are drafted, and one or more commissioners to pass upon the claims of exemption. If a person drafted should be rejected, another might be drawn in his stead immediately. This would insure the required number, while it would probably obviate many of the complaints made on the ground that different rules of exemption had been adopted by the many different commissioners and surgeons. Strict regulations should also be made to prevent an evasion of the draft by persons liable to it leaving the State immediately prior or subsequently to the draft. A system of passports for a short time would seem to be necessary. All such regulations, enacted by the direct representatives of the people in their State Legislature, would command more ready obedience and acquiescence. I most urgently recommend that you take this matter under your consideration and enact such laws upon the subject as in your wisdom may be just, effective, and as little oppressive as circumstances will permit. I hope and trust that the army now

gallantly facing the enemy, or ready to leave for the field of conflict, may be sufficient in numbers to end the war, but the past has taught us that we are often deceived in our hopes, and that we should be prepared for future emergencies.⁷

It becomes my painful duty here to mention that serious disturbances took place in one of the counties in this State at the time of the execution of the draft therein.⁸ The proceedings of the draft were interrupted by a large and numerous body of armed men, who destroyed the militia rolls and ballot boxes, drove away and maltreated the commissioner of drafting, demolished his house, injured many other peaceable and law abiding citizens and destroyed the property of many persons who were obnoxious to them. On being advised of these disgraceful proceedings, which bore the character of open rebellion, I took prompt measures to restore peace and enforce the draft. A large number of persons, most of them taken with arms in their hands, were arrested by and turned over to the United States military authorities that they might be dealt with as ordered by the proclamation of the President of the United States of September 25th, ordering that all persons resisting militia drafts should be tried by courts martial or military commission; and I urged immediately and repeatedly upon the President the necessity of giving them a speedy trial, as provided by his proclamation.⁹ I have entertained no doubt

⁷ A complete system of draft regulations was provided for by Wis. *Gen. Laws*, 1863, chap. 242; cf. also Act of Congress, March 3, 1863, sec. 3.—ED.

⁸ See *ante*, p. 148, note 92.—ED.

⁹ About 130 of the rioters were tried and convicted by the provost court. They were placed under guard at Camp Randall, but after an imprisonment of a few months, were informally released by the Federal government.

Two interesting legal cases grew out of the Ozaukee arrests. The first, which was destined to attract national attention, was *In re*

of the power of the President to subject to trial by courts martial men who, as in this case, are charged with openly resisting the proceedings of the draft. They were actually in rebellion against the government of the United States; they were forcibly resisting regulations lawfully and constitutionally made by the President as commander-in-chief of the army, and of the militia of the United States, called into active service to suppress insurrection, and their proceedings were insurrectionary in their character. Should I have erred in this, it has been in common with many wiser and true men, and under circumstances of necessity demanding prompt and immediate action on my part, to restore quiet, and save greater calamities

Kemp, 16 Wis., p. 628. Kemp, one of the alleged rioters, while imprisoned at Camp Randall, sued out (Dec. 4, 1862) a writ of *habeas corpus* in the Wisconsin Supreme Court. It was disregarded by Gen. W. L. Elliot, the commanding officer, on the ground that President Lincoln had authorized the suspension of the writ in cases of public necessity. The matter came up for decision in the Wisconsin Supreme Court on Jan. 13, 1863, where it was held that only Congress had the power to suspend the writ of *habeas corpus* in places where war did not exist. Such a decision called for immediate attention, coming as it did from a court avowedly friendly to the administration and at a time when Northern Democrats were making political capital out of the *habeas corpus* controversy in preparation for the coming presidential election. Congress, therefore, two months later, passed a law authorizing the President to suspend the writ of *habeas corpus* at any time during the war when he should consider such a measure necessary. See J. B. Winslow, *Story of a Great Court* (Chicago, 1912), p. 184 ff.

The second case (*Druecker vs. Salomon*, 21 Wis., p. 382) arose in 1867, after the war. Druecker, who had been held at Camp Randall for about three months, brought suit against Governor Salomon for false imprisonment. It was an appeal from one of the lower State courts, in which the decision had gone against Druecker. The Supreme Court sustained the decision of the lower court.—Ed.

and disturbances. By bad and designing men the enforcement of the draft in that county had been made so odious, the spirit of resistance had been raised to such an alarming extent, that the civil authorities had not and could not have the slightest control over the armed mob. Of the power of the civil law, there was no fear in the minds of these men; no indictment by a grand jury could, under the terror in which they would hold public opinion, probably be found against them for the riot, destruction of property and injury to persons; much less that a petit jury could be found to convict any of them. This also shows the necessity of State laws upon the subject of drafting, so that the authority of the Executive in enforcing conscription may not be questioned, and that those who should attempt resistance may be punished under the laws of the State.

The execution of the draft was no enviable duty, but it was one from which I could not shrink without violating my duty to the State, the Government and the Constitution and laws of the United States. The Constitution of the United States gives Congress the power to provide for calling forth the militia to execute the laws of the Union, suppress insurrection and repel invasion. Congress accordingly authorized the President to call forth the militia, or a part of it, for nine months, and to make all "necessary rules and regulations" "for enrolling the militia," and "otherwise putting the act into execution."¹⁰ And the President did call it out, made the necessary rules, and required Wisconsin to furnish its number. Laws are made to be executed, not to be avoided and disregarded. I have simply done my duty to the best of my ability, leaving it to the candid judgment of the people to uphold me in its execution against the aspersions of those who, having first discouraged voluntary enlistments, claim that I am responsible for the hardships arising, in many instances, from this conscription.

¹⁰ See Act of Congress, July 17, 1862.—Ed.

Including the regiments yet in the State, Wisconsin has furnished to the U. S. Government, during the present war, one regiment of infantry for three months, (810 men), thirty-three regiments of infantry, three regiments of cavalry, thirteen batteries of artillery, one company of cavalry, and one company of sharpshooters, enlisted for three years or during the war. Total

Recruits for old regiments	38,511
Drafted militia in camps.....	2,155
Militia not yet reported, including those considered as desert- ers, and those to be drafted in Manitowoc county.....	795
	2,279
Aggregate	43,740

Our quota under all the calls, giving us credit for the excess furnished before the call of July 2d, is 44,661, showing that, in order to fill our quota, the State will have to furnish yet 921 men, which should be by enlistments for old regiments, which it is hoped will be furnished in that way. It is, however, proper to mention that the enrollment made by the sheriffs shows that we have furnished 41,529 men, which, in addition to the results of the draft, would be 433 more than our quota. This discrepancy arises to some extent, undoubtedly, from repetitions of names on the sheriffs' enrollments; but it is also not unlikely that our regiments in the field have failed to make complete returns to the Adjutant General's office of the number of new recruits they have received, and that the deficiency is actually much less than above stated. Considering the large number of foreigners in our State not liable to military duty, Wisconsin has certainly done its full share of furnishing troops in this war, although it may yet be short a few hundred men.

As appears from reports made to the Adjutant General's office, the total loss of our troops in the field by deaths, discharges and desertions, was on the first of December, 7,875; the largest part of this loss arises, undoubtedly, from discharges and desertions. The report of the Adjutant General will fur-

nish you particular information on these and other points in connection with our military affairs.

In the organization of new regiments I adopted the plan of promoting meritorious and experienced officers of older regiments, thus rewarding merit and giving the new regiments experienced field officers. I regret that by a peremptory order of the War Department, which I with many other Governors in vain remonstrated against, refusing to discharge officers in the field for the purpose of accepting promotion in new regiments, has prevented me from continuing this practice with the later regiments, thus making it necessary to place inexperienced men in command of the new troops. I also adopted the plan of promoting meritorious non-commissioned officers and privates of old Regiments, by giving them positions as commissioned officers in companies of new regiments. Much to my regret an order from the War Department prevented the carrying of this practice into the drafted militia, on the ground that the time of service being different, men from the volunteer regiments could not be discharged to accept commissions in a 9 months' regiment. Being well convinced that the promotions in both cases would not seriously interfere with the organization of the old regiments from which these meritorious men are to be taken, I respectfully recommend that you memorialize the President of the United States, requesting him to change those orders, I having failed to convince the government of the propriety of such change.¹¹

I would also recommend that you lay the claims of promotion of our brave and gallant commanders of regiments before the President. I have repeatedly addressed him upon the subject, urging the promotion of some of our meritorious Colonels. While it is true that promotion in the field should be made for merit and capacity, it is also true that the bravery of Wisconsin troops is well and universally known and acknowledged, and

¹¹ This recommendation was not followed.—Ed.

that she has sent as able colonels and officers to the field as have gone from other states, and their claims to promotion should therefore be recognized.

Wisconsin has reason to be proud of her noble sons. She has stood firmly and unwaveringly by the flag of the Union. The bravery of her troops is not excelled by any other State. The "Iron Brigade" has secured a distinguished place in the history of this war. East, West and South, upon many of the bloody fields of battle, have Wisconsin's brave sons won for themselves the name of heroes. True and unflinchingly have they fought for the Union and looked death in the face in a thousand different forms; without a murmur have they fallen shattered and mangled upon the cold and gory field; without a murmur have they borne the privations incident to a soldier's life; many, alas! have lingered and died in hospital, vainly longing to breathe their last breath in the air of their adopted State. Many a fireside has been made desolate; the orphan children, the widowed mothers, the mourning fathers, mothers, brothers and sisters—who can count them? Let us not forget those who have died for our country's, for our sake; let us remember those who bravely uphold the honor and reputation of our State, ready to die if need be. Let us give them the tribute which is due them from a grateful State! I recommend that a resolution be adopted by you embodying your sentiments on this subject, and that provision be made to retain in the archives of the State a true record of the part Wisconsin's loyal sons have taken in the suppression of this great and abhorred rebellion.

ORGANIZATION OF MILITIA

At the special session last year I also called the attention of the Legislature to the necessity of amending our militia law so as to give the State an effective militia system. The reasons which I then urged still continue to exist. With war surrounding us, we should be prepared for future emergencies. The fears which were then entertained of Indian difficulties on our frontier have

not entirely subsided.¹² Without an organization of the militia, without the necessary arms and ammunition, we are really defenceless. Perhaps arms and ammunition could be obtained in sufficient quantities from the General Government; but the organization of the militia seems to me to be absolutely demanded by the condition of our country. This organization should be as simple as possible in order to be effective. I respectfully refer you to some observations on this subject in the report of the Adjutant General, which meet with my approval.¹³

By a personal application to the Secretary of War, and an explanation of the condition of our frontier settlements, I was enabled in the fall to obtain 2,000 stand of arms for the State from the United States in order to arm our militia, and also some ammunition. Under existing laws these arms could properly only be distributed where uniformed companies had been formed in the State. Wherever applications were made to me for arms, I advised the applicants to form such companies under the Statute, and so far as possible the requisitions of these companies have been complied with. But in the more thinly populated parts of the State, where the necessity for arms is most pressing, the formation of uniformed companies is hardly practicable.

RELIEF FUND, HOSPITALS, &c.

At the adjourned session in June last the Legislature made an appropriation of \$20,000 for the purpose of defraying expenses theretofore and since incurred in the cure of sick and wounded soldiers.¹⁴

¹² The Sioux uprising in Minnesota, in 1862, threw the settlers on the northern and northwestern frontier of Wisconsin into a panic of fear, which did not subside for several years. See R. G. Thwaites, *Wisconsin* (Boston, 1908), p. 354; W. W. Folwell, *Minnesota* (Boston, 1908), chaps. 11, 12.—Ed.

¹³ See *Wis. Mess. and Docs.*, 1863, pp. 879-884.—Ed.

¹⁴ See *Wis. Gen. Laws*, 1862, chap. 370.—Ed.

Of this fund there has been expended up to the present time the sum of \$10,828.94, leaving \$9,171.06 yet undrawn. A detailed report of these expenditures and of their nature, and the purposes for which the money was used, and the general results obtained, will soon be laid before you. During the sickly season of last summer several expeditions, consisting of physicians and nurses, were sent south to bring sick and wounded soldiers from our State to their homes or to northern hospitals; and such expeditions were subsequently on several occasions dispatched to battle fields after severe battles in which troops from our State had taken part. These expeditions have all been under the charge of the Surgeon General, and have been of the greatest usefulness to the brave wounded soldiers, adding much to their comfort and immediate help; and great credit is due to the Surgeon General and the philanthropic gentlemen who, always without compensation, accompanied him, for the manner in which they always discharged their missions. Often have I heard of the touching scenes that took place on the arrival of these parties, when the gallant unfortunate men could not repress their tears on seeing that the State followed them upon the battle field, tendering them the aid and comfort which they so well deserved and were in need of.

At the beginning of the war and up to last summer, sick and wounded men were generally permitted to go home to recruit their health, and were granted limited furloughs for that purpose. This system led to much abuse, and to the diminution of the army to such an extent, that the Government adopted the rule, to which it has since rigidly adhered, of refusing all furloughs, keeping the sick and wounded soldiers in Government hospitals, and authorizing their discharge if unfit for further service. Last fall, with Governors of many other States, I presented a request to the President to change this system to some extent, by establishing hospitals in the several States and removing as much as possible the sick to the respective hospitals in their own States, where they would be nearer their

friends, and where, to a limited extent at least, the system of furloughing such as could go to comfortable homes could safely be carried out. Prior to this I had repeatedly and urgently applied for the establishment of a hospital at some proper place in our State, with a view of having our sick and wounded removed thereto. The reason why these requests have not been granted is the one, I presume, which induced the Government originally to cease the system of furloughing. I am not prepared to deny that the present system is on the whole the best, and one dictated by necessity; and I will here take occasion, from my own observation and from all the reports I have received from reliable sources, to bear witness to the really excellent manner in which the government hospitals are generally kept. It is true complaints have often been made, and in many instances undoubtedly justly made, of improper treatment of men in hospitals, but in many cases where such complaints reached me, and where I always caused investigation to be made, I have been subsequently convinced that the complaints were without foundation, and emanated from some worthless source.

Immediately after the appropriation, I sent several competent gentlemen to the principal hospitals to act as agents on the part of the State in looking after and aiding our sick and wounded soldiers. But few such agents, not exceeding four at any one time, have ever been sent, and their labor has in all instances been most usefully bestowed. In the cities of New York and Philadelphia I have made use of agencies already established by other States, and in the city of Washington the Wisconsin Aid Society has rendered most valuable and gratuitous services. A soldier lying in a hospital sick and wounded has many wants that the regular hospital attendants cannot well supply. The agents can see to these wants, procure descriptive lists, place sick men in communication with their relatives, see that those who are entitled to discharges obtain such, and see that abuses in hospitals are promptly brought to the attention of superior offi-

cers and remedied. Much complaint, and, I regret to say, just complaint, has been made upon the matter of discharges. Men wholly unfit for service have often been obliged to remain in hospitals for want of their discharges, an unreasonable length of time; many have died who, but for the negligence of some officer in not promptly forwarding the papers, might have recovered if permitted to go home, or at least might have expired in the arms of their friends. In this matter the State agents have worked incessantly, and have often made complaint to the proper authorities, not always, however, with success. Some delay is unavoidable, but a large part of it unreasonable, and some change to the better in the present system of discharges seems absolutely demanded. I recommend that you memorialize the President upon this subject, as also upon the subject of establishing a hospital in this State, to which a large portion of our sick and wounded might be brought.¹⁵ I also respectfully recommend that before you adjourn the necessary appropriation be made to enable me to continue to give aid to our sick and wounded soldiers.¹⁶

I cannot close this subject without paying a proper tribute to the many noble aid societies, consisting mostly of women, in our State, who have incessantly labored to supply the wants of the sick and wounded soldiers, or without mentioning the many obligations under which the State is to the Chicago and St. Louis Sanitary Commissions, they having always supplied our wants, and often, without being asked, tendered their assistance.

MILITARY CONTINGENT FUND

Although the expenses of organizing and equipping new regiments have during the past year been borne directly by the

¹⁵ The Legislature responded to this recommendation with *Id.*, 1863, Mem. no. 5.—Ed.

¹⁶ *Ibid.*, chap. 196, appropriated \$15,000 for the care of the sick and wounded soldiers of Wisconsin.—Ed.

United States, it yet often happens that the Executive is called upon and expected to make some disbursements in connection with the organization of the troops, which would constitute a proper claim against the General Government, but for which no provision has been made. I have often been embarrassed in matters of this kind, not considering the civil contingent fund as the proper source from which to draw for this purpose. A reasonable sum should be placed at the disposal of the Executive for this purpose, to be accounted for in the proper manner; the expenditure of this money to be brought in account against the General Government as a legitimate claim for raising troops for its defense.¹⁷

ALLOTMENT SYSTEM

The Allotment Commissioners, appointed by the President of the United States under an act of Congress, but whose expenses are borne by the State under a law of the last Legislature,¹⁸ entered upon their duties early last spring in taking the allotment of our soldiers in the field, to enable them safely and regularly to transmit so much of their pay to their families and friends at home as they might set apart for that purpose. This allotment system, excellent and beneficial as it would undoubtedly be and as it was designed to be, has met with many obstacles on the part of pay officers, whose labors were thereby somewhat increased, so as to interfere very materially with the progress of the work on the part of the Commissioners, and with a proper execution of it. The efforts of the Commissioners, aided materially by the voluntary assistance of the State Treasurer, have been incessant to insure the proper working of the system, and under recent stringent orders from the United States military departments, it is believed that the difficulties

¹⁷ *Ibid.*, chap. 14, appropriated \$3,000 to the Governor to be used as a military contingent fund.—ED.

¹⁸ See *ante*, p. 99, note 67.—ED.

have been removed and that henceforth our soldiers and their families will have the uninterrupted benefit of it.

The report of the Allotment Commissioners, which will be laid before you, will show you the result of their labors and the difficulties they had to meet and overcome. Up to the 15th day of December last, 12,637 men had allotted to their families the sum of \$1,783,705.92 per annum. The regiments from our State being very much scattered in the service, the allotment of quite a number of them has not yet been made, while from the Twentieth upward it was secured for all regiments before they left the State.

STATE MILITARY DEPARTMENTS

Under a law of last year the Commissary Gen. has been early relieved from actual duty, his duties being devolved by me upon the Quarter Master General.¹⁹ This officer has almost entirely wound up the matters connected with his department, there only remaining a few months labor to place the accounts and books of that officer in proper condition.

The office of Surgeon General has been continued, and the services of that officer have been most important and will continue so to be as long as our army remains in the field.

The labor and work in the Adjutant General's office have been much increased during the past year.

The expenses of all these offices constitute a proper claim against the General Government, and will undoubtedly be allowed, since they have certainly been kept within very low and reasonable bounds.

The reports of the Adjutant General and Quartermaster General will be submitted to you as soon as printed. That of the Surgeon General has not yet been received, that officer being absent on an expedition to the battle field at Murfreesboro. As soon as received, it will be laid before you.

¹⁹ Consult Wis. Gen. Laws, 1863, chap. 364.—ED.

THE CONDITION OF OUR COUNTRY

It is now almost two years since the rebellion of the Southern States, instigated by the ambition of bad and unscrupulous men, broke out in open war against the Government of the United States. This war has assumed gigantic proportions and has cost vast sacrifices of blood, life and treasure. But, for the loyal people of the North and the General Government there were but two ways open, either cowardly to yield to the outrage committed upon the nation by the traitors in arms, and dishonorably to submit to a dismemberment of the Union and a destruction of the Government and Constitution, or to bring out the military power of the loyal States to suppress the rebellion and enforce the law. The Government and the people with one accord chose the latter alternative, the only one that could be honorably chosen. The contest is still raging; a new and large army has been sent to the field, and although the nation has been disappointed in the success thus far made, we must not forget that we were over sanguine, nor must we forget what has actually been accomplished. The fortunes of war are not always on the same side, but if, with our resources and confidence in the righteousness of our cause, we remain united in the support of the Government in the struggle for its existence, I trust that all the sacrifices in blood and treasure will not have been vainly made, and that we shall yet see the Union and the authority of the Government of the United States re-established.

Divide et impera, is an old adage that the enemies of the country, and the sympathizers with rebellion in the North, have well learned. If all true, loyal men of the North will stand united and will not allow party strife and prejudices to darken their better judgment, the few traitorous men that may be among us will be powerless. The South builds its last hope upon a divided North.

In judging the acts of the Administration in the conduct of this war, we should be forebearing. On no man was ever, on

this continent, so fearful a responsibility thrown as rests on the President of the United States. No candid man doubts his earnest desire to save the Government, the Union, and the Constitution, but he is human, and may err, as we are all liable to err. Much fault is found in certain quarters with his recent proclamation of emancipation,²⁰ and much is said of conciliatory measures. Either the prosecution of this war and the suppression of the rebellion is just and right, or it is unjust and wrong. If just, all means allowed by the usages of war of the civilized world should be resorted to for its successful termination; humanity even and justice to our brave army demand this, they demand that there should be a *vigorous prosecution of the war*. The emancipation proclamation is strictly a war-measure, designed to lead to a speedy and successful termination of the war by depriving the enemy of one of its chief means of support. In times of peace the President would under the Constitution clearly not have had the power to interfere with slavery in any of the States, but when the South made open war upon the Government and Constitution, they renounced all right to claim their protection. If it is lawful for the President to order thousands of traitors in arms to be killed by the enginery of war, to besiege and destroy their property, shall it not be lawful for him to declare those free who are held in bondage by them and who are employed by their masters in sustaining the rebellion? But the plea is that this policy will exasperate the rebels and destroy the hope of their peaceful return to the Union and submission to its laws. Have they ever shown the slightest disposition to such return? Have they not wantonly waged this war because they despised the Constitution and the Union? Have they not always had the op-

²⁰ The Emancipation Proclamation was issued Sept. 22, 1862, to go into effect Jan. 1, 1863, unless the seceded states yielded before that time. On the latter date a proclamation was issued, declaring it to be now in operation, and designating the states or parts of states to which it should apply. See *post*, p. 240, note 64.—Ed.

portunity to lay down their traitorous arms, submit to the laws and save all their rights under the Constitution? The people of the loyal States in great overwhelming majority would gladly welcome them back *under the Constitution as it is*, if they would submit to its authority. Is it not preposterous to speak of *conciliatory measures* against traitors who with murderous hands are assailing the nation's life and against whom we have sent in the field a million of armed men? This proclamation of emancipation I cannot regard otherwise than as a just and wise measure. Men may justly differ in their judgment about it, but if there should be those who, on account of this policy, desire to embarrass the Administration in the further prosecution of the war, they cannot be true friends to the Union and Constitution, for they are more anxious for a traitor's right to hold his fellow man in bondage than that the Union be saved. May the Supreme Ruler of the Universe so guide the actions of the people of this once happy and now so distracted country that the republic be saved and not shattered upon the rocks of disunion and dissension.

EDWARD SALOMON.

MADISON, January 14, 1863.

INFORMATION REFUSED

EXECUTIVE DEPARTMENT,

MADISON, January 21st, 1863.

To the Honorable the Assembly:

In answer to your resolution No. 13, of January 20th, 1863,²¹ I have the honor respectfully to submit that, so far as I am aware, no arrest has been made in this State of any person charged with disloyalty to the Government of the United States (excepting the arrest of persons charged with openly resist-

²¹ The resolution called upon the Governor for information in regard to charges against citizens of the State, for disloyalty.—Ed.

ing the draft).²² It would in my judgment be injurious and detrimental to public interests to furnish the information sought by that resolution.

EDWARD SALOMON.

CONDITION OF CAMP RANDALL

EXECUTIVE OFFICE,

MADISON, Jan. 27, 1863.

To the Honorable the Senate and Assembly:

Learning by your proceedings that the condition of Camp Randall has been and is the subject of investigation, I beg leave to submit to you the following statement:²³

Camp Randall is occupied at present by the 25th and 30th Regiments of Wisconsin Volunteers, both long since completed and mustered into the United States service, the camp being in command of Col. Dill of the 30th Regiment. Although the State authorities have no direct control over these regiments, yet upon being apprized of the existence of any abuses and deficiencies, I have always deemed it my duty to call the attention of the proper United States authorities to them, that they might be remedied, expecting that, if there is any just cause of complaint not remedied on application to the proper United States authorities, I would be informed by the officers.

Until the 15th inst., no complaint of any kind had reached me concerning the quarters, subsistence or hospital accommodations at Camp Randall. On that day a gentleman who had visited the camp informed me that he found the bread, coffee and meat furnished to the soldiers bad, whereupon I immediately addressed Col. Dill, requesting him to investigate the matter and report to me. Col. Dill reported to me the next day orally stating that it was true the bread was sour, and

²² See *ante*, p. 148, note 92.—ED.

²³ The joint committee of the Legislature, which was appointed to investigate the condition of soldiers at Camp Randall, made a very unfavorable report. See *Wis. Sen. Jour.*, 1863, p. 69 ff.—ED.

that he had called upon the contractor repeatedly to furnish better bread; that the latter had changed bakeries very often, without, however, effecting a material change in the quality of bread; that he had finally called upon the medical director of the department for inspection of the bread, and that that gentleman had pronounced the bread good, and that he then thought of taking the flour instead of bread. The other rations he stated were good.

Believing from the remarks reported to have been made in the Legislature, that I might not have been fully informed by Col. Dill of the condition of the camp, I again addressed him on the 1st inst., requesting him to report to me as to subsistence, accommodation, hospital treatment and quarters of the men in camp, and received from him in reply, a letter, of which I enclose a copy marked "A".

I also addressed Brig. Gen. Elliott upon the subject, and received from him a communication, of which I enclose a copy marked "B".

The Board of Officers referred to in his letter, have finished their examination and made a report, with a copy of which marked "C", I have been furnished by Gen. Elliott, and which I also enclose.

In justice to the officers at Camp Randall, I have deemed it my duty to lay this matter before you for your consideration.

EDWARD SALOMON.

SANITARY RELIEF

EXECUTIVE OFFICE,

February 4th, 1863.

To the Honorable the Senate and Assembly:

I hereby submit to you my report of the amounts expended to February 1st, 1863, of the Relief Fund created by chapter 371, of the General Laws of 1862.²⁴

²⁴ Printed in *Ibid*, p. 205.—Ed.

In my message of January 14th, I have given a general outline of the manner in which this money has been expended. For a more particular account of the items of expenditure by the sanitary agents appointed by me, I beg leave to refer you to their reports and accounts on file in this office.

The results obtained by these agencies have been very beneficial and satisfactory. Regular and accurate information has constantly been furnished by them to the people of the State of the sick and wounded soldiers in the several hospitals; the agents have attended to the wants of the sick, that could not otherwise be supplied; they have seen that abuses in hospitals were brought to the attention of the proper authorities and remedied; they have endeavored to obtain and accelerate the discharges of such as were unfit for service; besides their official reports of which I caused the substance to be published, making, as I am informed, not less than sixty columns in the "Daily Journal" of this city, they have furnished constant information to the press and to private persons.²⁵ Applications have been and are almost daily made to me by the relatives of sick soldiers concerning their condition, and soliciting interference on their behalf, which, without these agents, I should not be able to answer or properly attend to.

Hereto annexed you will find a brief statement of the names of the agents appointed by me, the time during and the manner in which they have been employed.

The results accomplished by the several sanitary expeditions sent to fields of battle under charge of the Surgeon General will undoubtedly be contained in the report of that officer, which has not yet been received, but which will soon be laid before you, and I therefore refrain from making any further observations on that subject.

EDWARD SALOMON.

²⁵ See files of the *Madison State Journal*, 1863.—Ed.

THE DRAFT

EXECUTIVE OFFICE,

MADISON, February 5, 1863.

To the Honorable the Assembly:

In compliance with your resolution, No. 39, of January 31, I herewith lay before you all correspondence, by telegraph and otherwise, between the War Department and myself upon the subject embraced in that resolution.²⁶ This correspondence will inform you what efforts have been made by me to prevent the necessity of a draft in this State, and to induce the War Department to accept from this State nine months' volunteers.

It is proper for me to state in this connection, upon the authority of a dispatch received from the War Department recently in answer to a direct question upon that subject, that the General Government has never authorized the raising of nine months' volunteers in any State. Upon the authority of newspapers it seems that in some of the larger cities (Philadelphia, New York and Boston) nine months' volunteers were organized to avoid the draft. How this was accomplished, I am not informed; but there must have been some State laws there to authorize such organizations, and State means or other funds to defray the expenses thereof. Two things are always necessary to enable me to raise troops of any kind. 1st, an authority from the General Government or a State law; and 2d, the necessary means to defray the expenses of the organization. I had no authority from the General Government to organize nine months' volunteers (nor any kind of volunteers after August 22d, except for old regiments and to fill the 31st and 27th regiments). There is no State law authorizing such organization, and there were no means at my disposal to defray the expenses of raising such troops. Where nine months' vol-

²⁶ The resolution called upon the Governor for information relating to the draft.—Ed.

unteers have been raised in other States under laws and facilities not existing here, I presume the General Government has, after they were organized and tendered, accepted them as, or in place of, drafted militia. Beyond the fact, however, that the Government refused to give me authority to raise nine months' volunteers, and that it has not given such authority to any other State, I have no definite or reliable information as to what may have been done by other States. Having failed to obtain authority to continue recruiting, except for old regiments, after the 22d of August, I deemed it my duty to carry out the draft, as it has been carried out in most, if not all of the other States that failed to furnish their quota up to August 22d, and as I was bound to do under the Constitution of the United States, the enactments of Congress, and the orders and regulations of the President, made in pursuance thereof.

EDWARD SALOMON.

EXECUTIVE OFFICE,

MADISON, Feb. 6, 1863.

To the Honorable the Senate and Assembly:

The accompanying memorial of Wm. A. Pors, Esq., late Draft Commissioner of Ozaukee county, has been transmitted to me by that gentleman, with a request to lay the same before you. He asks that he be indemnified for the loss sustained by him by the forcible resistance to the draft in that county. My opinion is that the United States should indemnify Mr. Pors as well as the others who suffered with him in loss of property by that resistance and wanton outrage; but on laying the matter before the Representatives in Congress from this State, Mr. Pors has been advised that a special bill to indemnify him and his co-sufferers could not be passed at present, and that a general bill of indemnification would probably not be passed for several years. Under the circumstances, I deem it proper that the State should indemnify Mr. Pors, looking to the United

States for re-embursement hereafter. Mr. Pors has acted the part of a courageous, faithful public officer, and in the attempt to do his duty he has lost almost all that he possessed.²⁷

As a safeguard against future occurrences of this kind, and in order to give a remedy to persons who may innocently suffer at the hands of a mob, I would also recommend that a law be passed making towns, cities or counties responsible for damages caused by a mob.²⁸ Such a law, I learn, is in existence in several other States, and has probably a healthy and restraining influence, making it the direct pecuniary interest of every tax payer to discourage and resist such outrages in his community, while it gives the innocent sufferer a remedy for his losses.

EDWARD SALOMON.

Proclamation to the People of the State of Wisconsin:

Whereas, In addition to the draft of twenty per cent of the first class of the enrolled national forces heretofore called for, the President of the United States, by his proclamation of the 17th instant, has made a call for 300,000 volunteers.

And, *whereas*, Duty and patriotism demand that the draft should be cheerfully submitted to and the new call promptly answered by the people of Wisconsin as they have always been ready to comply, and have more than complied with all previous calls heretofore made upon them in support of our national integrity and for the maintenance and vindication of the Union, the Constitution and the Laws:

NOW THEREFORE, and in order that the people of Wisconsin

²⁷ The home of Draft Commissioner Pors, in Port Washington, was badly damaged by the mob in the Ozaukee draft riot. The Legislature appropriated \$3,000 to indemnify him, and provided for securing reimbursement from the Federal Government.—Ed.

²⁸ Such a law was enacted in Wis. *Gen. Laws*, 1863, chap 211.—Ed.

may be more fully and definitely advised concerning the proportion of men required from this State under those two calls, the mode of distributing the same, and other points connected therewith, I, EDWARD SALOMON, Governor of the State of Wisconsin, do hereby give the following information of regulations adopted by the Government of the United States, and of other matters connected with said two calls, so far as I am advised of the same:

1st Concerning the draft now pending; the execution of which will commence on the 9th day of November next;

The number of men of the first class enrolled in the six Congressional Districts, including twenty towns or sub-districts not yet reported, but estimated at 1,000 will be 68,845 (which will vary but very little from the exact number when fully ascertained); 20 per cent of which would make the quota of Wisconsin 13,769. Our State has furnished an excess of troops over all previous calls, reducing it all to the standard of three years' men, of between four and five thousand, all of which will be credited to the State, each Congressional District receiving credit for the excess furnished by it; so that the number to be furnished under this draft by the State will be reduced to 8,000 or 9,000. It is not deemed practicable by the Officers of the General Government to bring the system of giving credit to troops heretofore furnished down to towns or wards, but the number of men required from a Congressional District will be distributed among its towns and wards in proportion to the number of men of the first class enrolled in each town or ward.

All men enlisting before the draft in the 35th Regiment Wis. Vols., or in any of the companies of artillery now in process of organization, as well as all those who have heretofore enlisted in any old regiment or company in the field, will be properly credited on this draft.

2d Concerning the new call of 300,000 Volunteers. Upon the estimated enrollment of 68,845 men of the first class, the

CALL FOR VOLUNTEERS

quota for Wisconsin under this call would be 9,724, which will vary but slightly from the exact number when definitely ascertained. This number will be assigned to districts according to the number of men enrolled therein of the first class; and upon the same principle it can be ascertained by the people of any town or ward what their respective quotas will be; for the number of men required from any particular town or ward in the same proportion to the number of men enrolled of the first class in such town or ward that 9,724 bears to 68,845.

This call is intended particularly to fill old regiments in the field, and the Government will therefore pay to any new recruit for any regiment in the field one month's pay in advance, and a bounty and premium of \$302, as follows:

1st At the general rendezvous, and before leaving the same to join his regiment or company, the recruit accepted under this authority, will be paid one month's pay in advance.....	\$13 00
First instalment of bounty.....	\$60 00
Premium	2 00
Total pay before leaving rendezvous.....	\$75 00
To be paid in cash, or checks for transmittal, in whole or in part, as the recruit may desire.	
2d At the first regular pay day, or two months after muster in, an additional instalment of bounty will be paid.....	\$40 00
Making pay and bounty then received.....	66 00
3d At the first regular pay day after six months' service, in addition to his pay, he shall be paid an additional instalment of bounty	40 00
4th At the first regular pay day after the end of the first year's service, in addition to his pay, an additional instalment of bounty will be paid.....	40 00
5th At the first regular pay day after eighteen months' service, in addition to his pay, an additional instalment of bounty will be paid	40 00
6th At the first regular pay day after two years' service, in addition to his pay, an additional instalment of bounty will be paid	40 00

7th At the expiration of three years' service, or to any soldier who may be honorably discharged after two years' service, the remainder of the bounty will be paid..... 40 00

If the Government shall not require these troops for the full period of three years, and they shall be mustered honorably out of the service before the expiration of their term of enlistment, they shall receive, upon being mustered out, the whole amount of bounty remaining unpaid, the same as if the full term had been served. The legal heirs of recruits who die in service shall be entitled to receive the whole bounty remaining unpaid at the time of the soldier's death.

Veterans receive one month's pay in advance, and a bounty and premium of \$402, in instalments as heretofore published, and may enlist in any old or new regiment.

Persons *not* veterans, enlisting in any of the new organizations in this State, to wit: the 35th Infantry, or any of the new artillery companies, will receive one month's pay in advance, and the ordinary bounty of \$100, as heretofore published.

Besides the 35th regiment and the artillery companies now in process of organization, no new organizations will be formed, but recruiting will be confined to old regiments.

By furnishing the number of men required from any town or ward, by volunteering before the 5th day of January, such town or ward will be exempt from the draft mentioned in the proclamation of the President, and which is to be made to fill the deficiency then existing in the State.

It is also probable that any deficiency arising on the present draft, or existing on any previous call, in any of the States, will be made up by the draft on the 5th of January next.

Enlistments for old regiments may be made through the Assistant Provost Marshals, and through recruiting Officers detailed for that purpose from the field. The whole subject of the draft, recruiting and enlistments are under the control of the Provost Marshal General and his Assistants.

CALL FOR VOLUNTEERS

As the people of Wisconsin have evinced their patriotism heretofore upon every occasion where the nation has made a call for men in the present great national struggle, I trust that they will not fail to fill their quota of volunteers under this call, by the appointed day.

The rebellion has received many a severe blow during the past two years; it has been crippled and narrowed down; all its hopes of aid from without have failed; the last able-bodied white man in its power, has been driven into its ranks; it can make but one last desperate effort with its armies now in the field. Under these circumstances, shall our National Government—shall our brave men in the field—call in vain for reinforcements by volunteering? I trust not! We cannot and must not stop half way, but must sustain our brave brothers in the field and struggle on until this rebellion is suppressed. If this new call for volunteers, intended to fill the ranks of the decimated old Veteran Regiments is answered promptly, it will give more real strength to our army than any previous call has ever done, because the strength and value of the new levy will not be crippled and wasted by inexperienced officers, but will be made to tell its full weight and power under experienced leaders.

In testimony whereof I have hereunto set my hand and caused the Great Seal of the State to be affixed, this 24th day of October A. D. 1863.

EDWARD SALOMON.

MILITARY CONTINGENT FUND

EXECUTIVE OFFICE,

MADISON, February 5th, 1863.

To the Honorable the Senate and Assembly:

Hereto annexed you will find an account of the expenditures incurred by Governor Harvey and myself, under chapters 239 and 307, of the General Laws of 1861. The vouchers for these

expenditures have been filed in the office of the Secretary of State. This was the only fund to which recourse could be had to defray necessary incidental expenses connected with the raising of troops and their organization. Nearly every item of the account is a just demand against the United States, and will be refunded to the State; but in as much as the final settlement with government must necessarily be delayed for a considerable time and as this fund is nearly exhausted, a moderate appropriation for a military contingent fund should be made, in justice to the citizens of the State who are called upon to perform various services, for which there would otherwise be no present means of payment.²⁹

EDWARD SALOMON.

CIVIL ACTIONS AGAINST SOLDIERS

EXECUTIVE OFFICE,

MADISON, March 2d, 1863.

To the Honorable the Senate and Assembly:

Among the bills recently laid before me for approval, was one entitled "An Act relative to the commencement and prosecution of civil actions against persons in the military service of the country."³⁰ This is substantially a re-enactment of the law exempting persons in the military service from civil process, and providing for a stay of proceedings in actions already pending, limiting the time of such exemption and stay, however, to three years, and thus avoiding the objection made to the former law, and for which, as I understand, it was declared unconstitutional by the Supreme Court. In its general scope and purpose this law meets with my approval; but in addition

²⁹ See *ante*, p. 175, note 17.—ED.

³⁰ This bill became *Wis. Gen. Laws*, 1863, chap. 32. The recommendations of the Governor for amendments do not appear to have been accepted.—ED.

to the cases excepted from the operation of the law by section 4, I beg leave to call your attention to a class of cases which in my judgment should also be excepted. It often occurs that a mortgagor sells and conveys the mortgaged premises subject to the mortgage which he has executed, and thus parts with all his interest in the property. Still in an action of foreclosure, he would be the principal defendant, and if in army, the action could not be commenced, or if commenced, would be stayed. It seems to me that the law should not apply to such a case, but that the foreclosure should be permitted to proceed, where the mortgagor has parted with his interest in the property and where the action does not seek to make him personally liable for the payment of the deficiency arising on the sale, but is confined to a foreclosure of the right of redemption in the mortgaged premises. The real owner of the property would in such a case be the principal party in interest adverse to the plaintiff, while he would appear simply as a *subsequent purchaser* in the suit, and if he was in the service it might perhaps be proper to grant a stay of proceedings on his account. I would respectfully suggest that, while the law should not be made to apply to a mortgagor who has parted with his interest in the property in an action which does not seek a personal remedy against him for the debt, it might very properly be left to the courts to grant a stay of proceedings in such cases where the real party in interest, on the part of the defence, the *bona fide* owner of the property, is in the military service of the country.

As the class of cases I have mentioned is only an additional exception to the general principle embodied in the law, and which meets with my approval, I have preferred to lay the same before you in this manner rather than to return the law without my signature, and would respectfully recommend that by an additional act this further exception be made from the operation of the law.

EDWARD SALOMON.

SUFFERING FAMILIES

EXECUTIVE OFFICE,

MADISON, March 14th, 1863.

To the Hon. the Senate and Assembly:

My attention has recently been called to a class of sufferers to whom the State should extend a helping hand. I refer to the widows and families of those of our brave soldiers who died in the service of our country, and whose families were, before they entered the army, dependent upon their labor for support. In such case, the family, after the soldier's death, receives neither State pay nor U. S. pay; both cease when his life expires in his country's cause. It is true, they are entitled to pension, and in some cases now to bounty; but it takes a long time before they can obtain either, owing to the large number of applications; and then the pension is only paid twice a year. In the meantime these bereaved ones must live. I cannot more pointedly lay the case before you than by giving you the following extract from a letter addressed to me on that subject by some of these innocent sufferers:

“This state has made several calls for men to serve their country in this time of trouble, which calls have been cheerfully responded to by many whose families were entirely dependent upon their labor for support. Many of those brave men have died in their country's service, and their once happy homes are made desolate; once plenty crowned their board, but now the picture is reversed. Their once happy dwelling is filled with want and wretchedness, woe and sorrow. For now many of us are left with three and four small children entirely destitute, without a home or anything to pay rent with, or even to purchase the most common necessaries of life. Now what shall we do? Shall we and our little ones starve? or shall we suffer the humiliating position of paupers on the town, thus disgracing the posterity of Wisconsin's noble dead? No, never. What, then? Shall we stoop to degradation and crime? May God forbid!

Yet one of these evils must surely come upon us, unless we find some relief. As the last resort, we appeal to you. We have been promised both bounty and pension, but can get neither. Again we are told by those in whom we place confidence as officers of our government, that we *may* get it ere long, and we may not get it for years. Now what is to become of us? We cannot live on faith, hope or promises, unless we have something more substantial to back them. Why cannot our honorable legislature extend the volunteer aid fund to us also?"

To relieve these suffering families of our brave unfortunate soldiers, until they can receive the pension from the General Government, I recommend that the State aid of five dollars per month be by law continued to them for six months after the death, in the service, of those on whose labor they were dependent for support, provided the payment of the pensions shall not have commenced during that time.³¹

EDWARD SALOMON.

³¹ *Ibid.*, chap. 264, provided for six months' continuance of extra pay to the families of volunteers who had died in service; such payment to cease, however, when the Federal pension should begin.—Ed.

MISCELLANEOUS MESSAGES

EXECUTIVE OFFICE,

MADISON, Feb. 7th, 1863.

To the Honorable the Speaker of the Assembly:

SIR—On behalf and at the request of Lieut. Col. Charles Whipple, of the 19th Reg. Wis. Vol., I have the honor to present you herewith a gavel, made from the hull of the memorable steamer "Merrimac", sunk in Norfolk harbor.

Lt. Col. Whipple sent me two gavels with the request to present one to the President of the Senate and one to the Speaker of the Assembly.

Very respectfully,

EDWARD SALOMON.

EXECUTIVE DEPARTMENT,

MADISON, March 6th, 1863.

To the Honorable the Senate and Assembly:

Enclosed I transmit to you a letter from Mr. J. V. Robbins, making a claim against the State for breach of a contract entered into with him by the Quartermaster General, in 1861. I referred it to the Quartermaster General for a report upon the facts in the case, which I also enclose. From this report it would seem that Mr. Robbins has a just claim; and if, upon due investigation, the legislature should be of that opinion, I would respectfully suggest that the Quartermaster General be authorized to settle the matter with Mr. Robbins, deducting from his claim the amount due the State from him upon a matter also referred to in the accompanying papers, upon his delivering the necessary releases from himself and the other parties interested in the contract, and that the necessary appropriation be made for that purpose.³²

EDWARD SALOMON.

³² *Ibid.*, chap. 284, made provision for the settlement of this claim as recommended.—Ed.

TOURNIQUETS

EXECUTIVE DEPARTMENT,
MADISON, March 9, 1863.

To the Honorable the Senate and Assembly:

My attention has been called to a newly invented instrument to arrest the flow of blood through the arteries of the extremities in case of wounds received upon the battle-field or elsewhere. It is called "Lambert's Elastic Tourniquet", and is, according to the testimony of scientific men, well adapted to the saving of soldiers' lives, of whom so large a number perish on battle-fields from loss of blood before any aid can be rendered them. Many of our sister States have provided, or taken steps to provide their soldiers with this important "Life Preserver"; among them the States of New Hampshire, Connecticut, Rhode Island, New Jersey and New York, as I am credibly informed. I would respectfully recommend that this matter be taken into careful consideration by you, and that, if you find the invention sufficiently useful and beneficial, the necessary appropriation be made to furnish the soldiers from this State a sufficient number of these Tourniquets. All the information which I have upon this subject, I shall be pleased to lay before any committee to which you may refer the matter.³³

EDWARD SALOMON.

EXECUTIVE DEPARTMENT,
MADISON, March 12th, 1863.

To the Honorable the Assembly:

In compliance with your resolution, No. 78, A, I have the honor to state that Mr. R. C. Murphy, formerly Colonel of the 8th Regt. Wisconsin Volunteers, recently sent me a duplicate of a letter and accompanying documents addressed by him to the President of the United States, with a request to lay the same before the legislature, which I declined to do, not believing that

³³ The Governor was authorized to furnish tourniquets for the use of soldiers by *Ibid*, chap. 154.—Ed.

the legislature of this state is the proper tribunal to try his guilt or innocence. At your request I now enclose to you his communication to me, accompanied by the duplicate of his letter and accompanying documents addressed to the President, and also a copy of my answer to him. This comprises all communications in this office touching the conduct of any Wisconsin regimental officer or officers at the surrender of Holly Springs, Miss., except the order of the War Department of January 10th, 1863, dismissing Col. Murphy from the service of the U. S., a copy of which is contained in his communication to the President. No copy of any order made by Gen. Grant touching the surrender of Holly Springs is in my possession.³⁴

EDWARD SALOMON.

EXECUTIVE DEPARTMENT,
MADISON, March 17th, 1863.

To the Honorable the Assembly:

In answer to your resolution No. 79, A,³⁵ I have the honor to lay before you a report of the Adjutant General, giving you the desired information. There is no "State Armory", properly so called, in the state; the arms and military stores appertaining thereto have to be kept in such places as can be most advantageously procured for that purpose.³⁶

EDWARD SALOMON.

³⁴ Colonel Murphy was dismissed from the service for permitting the surprise, capture, and destruction by Confederate cavalry under Van Dorn, of the military depot under his command at Holly Springs, Miss., where Grant had gathered a million dollars' worth of stores as a base of supplies in his attempted march from Memphis to Vicksburg.—Ed.

³⁵ The resolution called upon the Governor to furnish information relating to the quantity and character of military goods in the State.—Ed.

³⁶ See *post*, p. 275, note 76.—Ed.

1863. In Legislative Recess

The Governor issued the following

THANKSGIVING DAY PROCLAMATION

The people of Wisconsin have much reason to be thankful to God for the many favors and blessings they have enjoyed during the past year. While the calamities and dangers of war have visited so many of our sister States, we have been permitted to enjoy peace and prosperity within the borders of our State; the earth has been bountiful in its productions to us, and our harvest plentiful; commerce, manufactures and all the arts and vocations of peace have flourished with unusual prosperity. And all of this has been vouchsafed to us while the nation has been, and is, in a fierce and bloody contest for its life and integrity—a contest in which the brave and noble sons of Wisconsin have shown unsurpassed endurance, heroism and devotion to our country's sacred cause upon so many battle fields; and, thus bravely acting their part in the suppression of the rebellion, and assisting in driving the enemy from his strongholds, have conferred honor and renown upon themselves and our beloved State.

Thanks to God who gave them such loyal and stout hearts and strong arms! Thanks to him for the success that has accompanied our army within the past year, bringing nearer to us constantly a permanent national peace, unity and happiness.

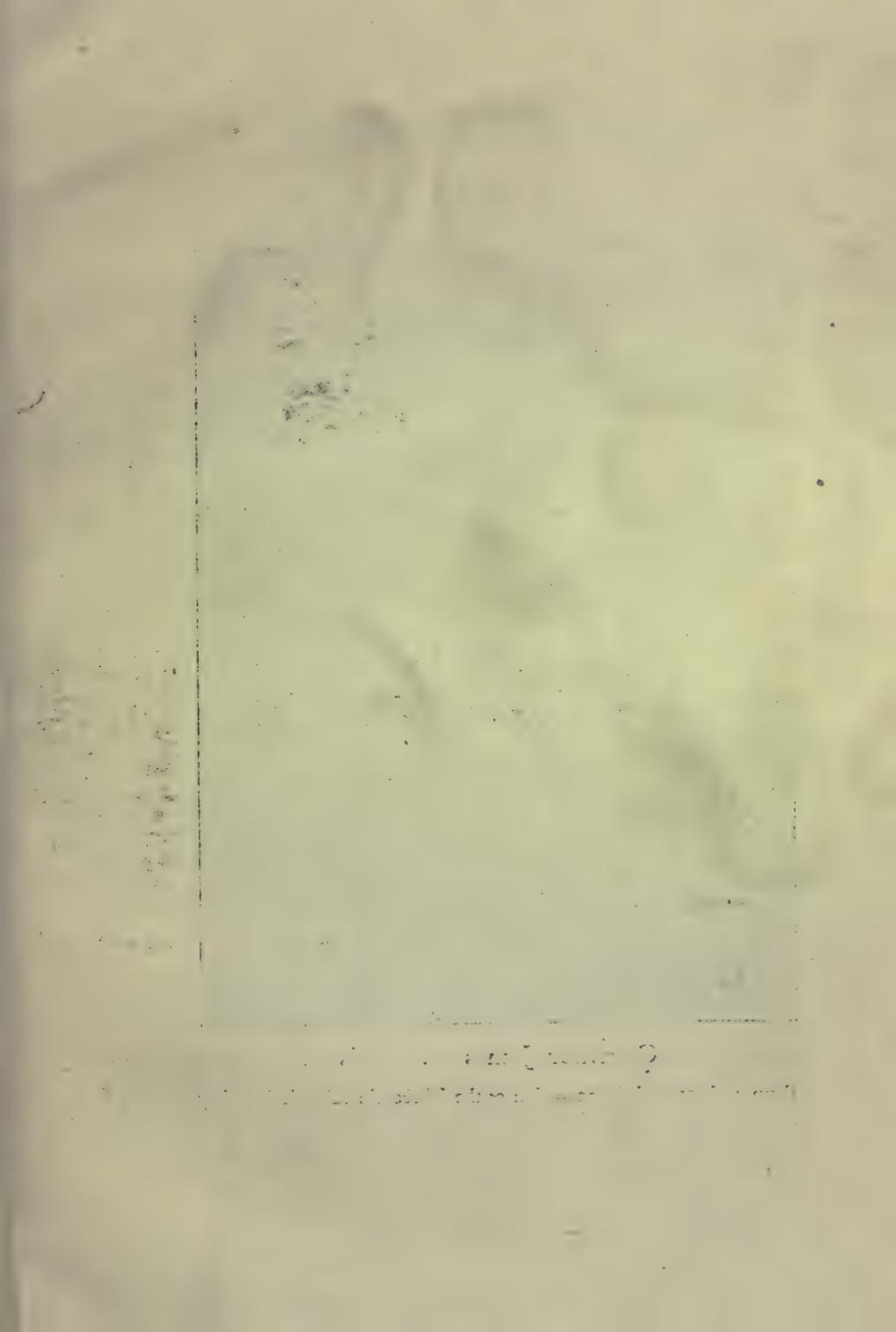
Now, therefore, in compliance with a time-honored custom, and conforming to a recent proclamation of the President of the United States appointing a day of National Thanksgiving, I, EDWARD SALOMON, Governor of the State of Wisconsin, do hereby appoint THURSDAY, 26th day of November, 1863, as a day of Thanksgiving and Rest, and request the people of the State of Wisconsin that, laying aside all their secular pursuits,

they repair on that day to their accustomed places of worship, there to offer their gratitude to God for the blessings and favors we have been permitted to enjoy during the past year. And in that gratitude let us not omit to remember the many noble and departed heroes who have laid their lives upon the altar of our common country, to save it from destruction and ruin; nor their weeping widows, orphans, relatives and friends; nor those who have sacrificed health and limbs in this great national struggle; nor those who yet so bravely stand around the flag of the Union.

Let us remember them and those that are dear to them. Let us comfort and assist them in their affliction and their struggles. In offering our Thanks, let them be mingled with Prayers for a speedy and permanent restoration of peace, unity and happiness to our distracted country.

In testimony whereof, I have hereunto subscribed my name and caused the Great Seal of the State of Wisconsin to be affixed. Done at Madison, the twelfth day of October in the year of our Lord one thousand eight hundred and sixty-three.

EDWARD SALOMON.





Governor James T. Lewis

From a photograph in possession of the Wisconsin Historical Society

1864-1866. James Taylor Lewis

Biographical Sketch

James Taylor Lewis, ninth Governor of Wisconsin, was born at Clarendon, Orleans County, New York, October 30, 1819, the son of Shubael Lewis, a native of Massachusetts, and Eleanor (Robertson) Lewis, a native of Scotland. He was educated at Clarkson Academy and Clinton Seminary, both in western New York. After teaching school for a few years, he began the study of law in 1842, was admitted to the bar, and had good opportunities to practice in his home county. Coming to Wisconsin in 1845 he settled at Columbus in Portage (now Columbia) County, where he resided until his death. He took up the practice of his profession and for a time was the only lawyer in the county.

In 1846, Mr. Lewis married Orlina M. Sturges of his native place in New York. He was chosen county judge, later district attorney, and sat as a member of the Second Constitutional Convention, 1847-48. Judge Lewis was one of the organizers of the State Historical Society in 1849, and continued his membership therein so long as he lived. In New York he had been a lieutenant in the Two Hundred Fifteenth Regiment of militia; in Wisconsin he was appointed colonel of the Fourteenth Regiment of militia and later a brigadier-general in that service.

He was elected to the State Assembly of 1852, in the autumn of that year to the Senate, and at the election of 1853 was chosen Lieutenant-Governor. At the end of his service in the last named capacity, in January, 1856, he returned to his law practice, and was not active politically for a number of years. Lewis had always been a steadfast Democrat, but he left that party at

the outbreak of the Civil War. Both the Union and Republican conventions nominated him for Secretary of State in 1861, and he was elected to that office.

In 1863 he was nominated for Governor by the Union-Republican convention, and elected by a large majority. The war was now drawing heavily on the resources of the State, and the Governor wisely exerted himself to secure economy in the use both of money and of men. At the same time he was energetic in supplying the troops that were called for, and in providing the best possible care for the sick and wounded soldiers.

It was his privilege to proclaim the end of the war and to welcome the returning troops. He was also a strong advocate of soldiers' and sailors' orphans' homes for the care of those whose services to the State and the Union had rendered them incapable of supporting themselves or those dependent upon them. At the close of his term he declined a re-nomination and retired to private life. Governor Lewis was soon offered a foreign mission, but declined this honor as he did several other State and national offices. He thereafter rarely took an active part in political affairs, but the welfare of the State was always of interest to him, especially its University and other educational and benevolent institutions.

He died on August 4, 1904, about a year after the death of his wife.

1864. Seventeenth Annual Legislative Session, January 13-
April 4

The two Houses of the Legislature met in Joint Convention on January 14, and the Governor read thereto in person his

ANNUAL MESSAGE

from which are taken the following extracts, relating to the war:

Fellow Citizens of the Senate and Assembly:

The welfare of our State being the object of our meeting here to-day, it is fitting that our thanks should first go out to Him whose care is over all His creatures, who supplies our wants, presides over our councils, and gives us wisdom to guide them, for the many blessings we are now permitted to enjoy, and that we should with devout hearts ask the continuance of them.

Seldom has any people had greater reasons to be thankful. While passions, wild and terrible, have seemed to guide the councils of some of our sister States, bringing upon them the devastations of war and its concomitant evils; while disease and famine are staring them in the face, Wisconsin is quietly and calmly pursuing the even tenor of her ways; her people are enjoying the blessings of health; her granaries are filled to overflowing, and peace and plenty reign within her borders.

* * * * *

[Statement of funds utilized for military purposes:]

Receipts into the Allotment Fund during fiscal year just	
closed amounted to ³⁷	\$482,005 86
Disbursements during year.....	451,269 16

³⁷ The "allotment fund" was not strictly a fund. It was rather a method for transmitting the pay or allotments of the volunteers to their families at home.—ED.

GOVERNOR LEWIS

[1864-

Balance in fund September 30th, 1862.....	1,927 76
Balance in fund September 30th, 1863.....	32,664 46
The amount disbursed during the last fiscal year by the Governor, for the benefit of sick and wounded soldiers was	13,999 91
The amount received into the War Fund during the last fiscal year, including the balance in the fund at the commencement of the year, was.....	818,032 44
Amount disbursed from this fund during same period was	786,892 85
Balance in fund September 30th, 1863.....	31,139 59

The whole amount of State indebtedness, on the first day of the present month, was seventeen hundred and seventy-five thousand dollars. This debt was created, pursuant to provisions of law, by the issue of State bonds and certificates of indebtedness, the bonds bearing interest at the rate of six per cent per annum, and the certificates at the rate of seven per cent per annum.

The money arising from the sale of these bonds and certificates, has been expended, pursuant to law, for building the State Capitol; payment of tax levied by the General Government upon the property of the State, for war purposes; payment of bounty of five dollars per month to the families of volunteers; boarding soldiers, and preparing them for the field; caring for sick and wounded soldiers, and other war purposes. The greater proportion of this debt, having been created for war purposes, is a legitimate charge against the General Government. The General Government has already repaid a part of the money advanced by the State for carrying on the war, and, I doubt not, will eventually repay the balance. This money, if refunded, will be sufficient to liquidate all State indebtedness, and should be applied to that purpose.

The amount paid to families of volunteers, from the commencement of the war up to January 1st, 1864, was \$1,197,044.70. Amount paid on United States tax, \$441,735.37. Amount paid for building State Capitol, from avails of bonds sold, \$100,000. Amount advanced by the State, for boarding and equipping soldiers, caring for sick and other war expenses

not enumerated above, and still a charge against the General Government, about \$200,000. Amount still due the State from banks, on sale of war bonds during the year 1861, \$173,950.

* * * * *

Relying as we do on the militia for defense in great and sudden emergencies, good policy would seem to require its thorough and efficient organization. With this end in view, the militia law of last winter was doubtless enacted, but being passed hurriedly, near the close of the session, is necessarily imperfect and needs much amendment.³⁸ Under its provisions, however, a partial organization has been effected. By this act the militia of the State is divided into two classes. The first class denominated the organized militia, intended for immediate service should occasion require, consists of four regiments and one battalion of infantry, and two batteries of artillery, and numbers four thousand and thirty-two men. The second class, consisting of all persons subject to military duty not included in the first class, is denominated the enrolled militia. The number of persons in the State belonging to this class is ninety-five thousand eight hundred and twelve.

Of her volunteers in the field, Wisconsin has reason to be proud. She sent forth noble men, and nobly have they done their duty. By deeds of valor they have won the high position they now occupy. Troops from other Northern States are entitled to great credit. We yet must claim for Wisconsin soldiers the highest meed of praise.

In response to the calls of the General Government, Wisconsin had sent to the field on the first day of November last, exclusive of three months' men, thirty-four regiments of infantry, three regiments and one company of cavalry, twelve batteries light artillery, three batteries of heavy artillery, and one company of sharpshooters. Making an aggregate of forty-one

³⁸ The militia law referred to, is contained in *Wis. Gen. Laws, 1863, chap. 242*. The desired amendments were made by *Id., 1864, chap. 407*.—Ed.

thousand seven hundred and seventy-five men. Of this number sixteen thousand nine hundred and sixty-three have been lost to the service by death, discharge and desertions, leaving in the service on the first day of November last, twenty-four thousand eight hundred and twelve men. The State can never fully repay our soldiers for the sacrifice they have made and are now making. It can and should do much to aid them, however, by adding to their comforts in the field and in hospitals, caring for their families, and assisting them in procuring their pay for services rendered the Government.

Much trouble, delay and inconvenience has been experienced by those entitled to bounties, back pay and pensions, in obtaining their just dues. Whether the State cannot further aid this class of persons in establishing and procuring payment of these claims, is a subject well worthy your attention.

Many of our volunteers have been transferred to the Invalid Corps.³⁹ The families of these soldiers are equally entitled to the aid furnished by the State, with those who remain in their regiments. Provision should be made for their payment, upon proper reports being furnished from officers in command of this corps.

Provision was made, at the last session of the Legislature, for the payment to the families of certain deceased soldiers, of five dollars per month for six months after the death of the soldier. I doubt not the intention of the Legislature was to extend this benefit to the families of all deceased soldiers residing in the State, but from the wording of the act it could only be paid to the families of soldiers who were in the service at the time of

³⁹ The Invalid Corps was organized in 1863 to give employment to the thousands of partially-disabled volunteers in the army who were unfit for further active service in the field. To it were assigned the lighter military and civil duties connected with the provost guard, the depots of the quartermaster's and subsistence departments, the hospital service, and the garrisoning of seaboard forts. See *Rebellion Records*, gen. index, under "Invalid Corps."—Ed.

its passage, and who died in the service after that date. This law should be so amended as to extend equal benefits to the families of all deceased soldiers residing in the State.

While we should strive to do all in our power to protect and care for those who are entitled to our protection, we should also properly guard the Treasury against those who seek, but are not entitled to, aid from the State. Persons in affluent circumstances, having sons in the army, on whom they never depended for support, have, in some instances, sought by false representations, to obtain this bounty offered by the State. For the punishment of this class of persons, and as a safeguard against fraudulent claims upon the state treasury, stringent laws should be enacted. I submit herewith, for your information upon this subject, the very able and full report of the Adjutant General, showing the condition of our State militia, of our troops in the field, and suggesting amendments to the militia law—all of which I commend to your careful consideration.⁴⁰

* * * * *

Congress has very wisely provided for the establishment of an Agricultural College in our State, and has donated two hundred and forty thousand acres of land for its endowment. This land has been selected during the past year, and it is said to be of a good quality.

In view of the importance of such an institution to the interests of the State, and of the fact that unless it is established within five years from the passage of the act making the grant, the land reverts to the General Government, I feel it my duty to urge upon the Legislature the necessity of immediately making provision for the location of this institution, the sale of

⁴⁰ All of the recommendations contained in this and the two foregoing paragraphs were enacted into law by Wis. *Gen. Laws*, 1864, chap. 117, which effected a complete revision of the volunteer aid system of the State.—ED.

the lands granted by Congress, and the purchase of a farm and erection of buildings thereon; in short, the necessity of complying with the conditions of the grant in order that we may reap its benefits.

The events of the last two years having so fully demonstrated the want of a school within our State where military instruction may be obtained, I would also suggest the propriety of incorporating into the organic act establishing this college, a provision requiring that a prescribed amount of military instruction shall be included in its course of study, sufficient at least to ground its students in the rudiments of military science.⁴¹

* * * * *

Complaints are made in different parts of the State of fraudulent voting; that men who have long exercised the right of the elector and claimed the protection of the Government, now in the day of the Nation's peril, being unwilling to bear its burdens, claim to be subjects of a foreign power, and to avoid the draft bring forward proof that they were never entitled to vote, thus publishing their own wrong; that some have been in the habit of voting under assumed names; that others have voted more than once at the same election. These evils, if they exist, should be corrected. The purity and permanency of our institutions depend much upon the proper exercise of the elective franchise. The election laws should be thoroughly examined and so amended as to properly guard the exercise of this sacred right.⁴²

In commenting, as we have thus far, upon subjects more immediately connected with our State affairs, we are not un-

⁴¹ Military Instruction was established in the University by *Id.*, 1866, chap. 114, in fulfillment of one of the requirements of the College Land Grant Act of July 2, 1862.—Ed.

⁴² *Wis. Gen. Laws*, 1864, chap. 445, provided for the registration of voters, "to guard against the abuse of the elective franchise and to preserve the purity of elections."—Ed.

mindful that we owe allegiance to the General Government, and have duties to perform in connection therewith.

Notwithstanding peace and plenty reign within the borders of our State, we cannot lose sight of the fact that the nation is engaged in war—a war of great magnitude and importance; of immense importance to us as a State; of immense importance to the world.

The interests, the hopes and fears of millions now hang trembling in the balance, and the position of our State may turn the scale. How important that we examine carefully the ground on which we stand, and that we are found arrayed upon the side of justice and humanity.

Wisconsin is now standing side by side with all the Free States in support of the General Government; in support of law and order; in support of freedom. The important question which presents itself to our mind is, are we right in our position? If we are, it is our duty to go forward, press on the war with renewed energy until victory and peace shall crown our efforts. If wrong, our first duty should be to place ourselves in a true and correct position. In judging of this matter, we may very properly ask ourselves the question, are our minds free from prejudice and passion? It is natural that the monarchs of the old world, as well as the aristocrats upon our own soil, impressed with the dangers that threaten their tenure of place and power from the spread of our free principles, should desire the downfall of this Government, and to accomplish this end should counsel the withdrawal of our armies, and the final separation of these States. There may be those, also, in our midst whose narrow prejudices, whose love of gain or fear of personal harm, will induce them to withhold support from the Administration, favor the withdrawal of our troops, and the consequent destruction of the Government. Our faith, however, in the integrity and loyalty of our people, is too strong to permit us to believe there are many of this class of persons in our State. It is true some within our borders may have arrayed themselves against the

Government, but we have the charity to believe that most of them were but temporarily misled, and that they will, when their eyes are opened to their true position, place themselves on the side of law and order. The large numbers who have gone forth to battle, the voice of the people of this State heard in the late election, afford incontestible proof, that with the great majority of our people, patriotism rises above prejudice and passion; that the hearts of the people are rightly attuned to the music of the Union.⁴³

Our people, in taking their position, calmly reviewed the ground and candidly asked, have the South any real grievances?

“Eternal separation from the working classes, the mud-sills of the North; destruction to the Government”, was the answer received from those in rebellion. The only answer to their request for calm discussion and consideration, was the booming of the rebel cannon, the fall of Sumter’s walls, and the trampling of the Stars and Stripes in the dust. Yet, with all this provocation, our Government has prosecuted the war with great moderation—more in sorrow than in anger.

At this late day, we would again calmly ask, what are the grievances of the South, or upon what do those now in rebellion base their action? Can they find an excuse for their course in the claim they first set up, of the right of secession? This poisonous doctrine needs no refutation at this day. It is working its own cure. Even in the South, in the boasted Confederacy, among those who first started and urged this doctrine, it is now repudiated. States that pretended to unite their fortunes with the so-called Confederacy, have already denied its authority over them, and claimed this same right of secession, which is denied, and coercion threatened by the

⁴³ In the gubernatorial election of 1863, the Union majority was approximately 24,000 out of a total vote of about 135,000. The military vote of 8,000 was almost unanimous for the Union candidate, James T. Lewis.—Ed.

rebel Congress. Do they base their cause upon the righteousness of Slavery? It has long since written its own shame and disgrace. The world has written "infamous" over against it, and thus pronounced its doom.

Did they complain of a high tariff? The tariff was reduced to a revenue basis.

Did they ask representation for their slaves in Congress? It was conceded.

Did they require the Missouri Compromise? It was granted.

Did they, after enjoying its benefits, ask its repeal, that they might not be bound by those provisions that militated against them? The North yielded to their request.

Did they require Southern men as diplomatic agents of the Government abroad, in order that their peculiar institution and their particular interests, might be guarded? They had them, even at the expense of the commerce of the Union, and the interests of the North.

Did they desire Southern men—men in their interest, upon the Supreme bench? They had them.

Did they require that a majority of the officers of the army and navy, and a majority of all the civil officers of the Government should be Southern men, and men in their interests? They had them.

Did they demand that their runaway slaves should be caught and returned to them? United States officers were upon their track, and the poor, sun-dyed African too dearly paid the penalty which Southern chivalry affixes to a love of freedom.

Do they rest their cause upon the injustice or oppression of the North? History, as well as their own best statesmen, deny the base slander. The only fault of the North, if it be a fault, is that they have but too faithfully "Kept the bond and given the pound of flesh."

Why then, let me again ask, do we find the South in hostility against the best Government the world ever saw? Let their own men, the men who are now foremost in the rebellion, answer. "We desire (say they) to found a new Govern-

ment whose corner stone shall rest on slavery. For liberty, equality, fraternity, to establish slavery and subordination." Here, then, we have an answer in their own words. They are arrayed against this Government because it is based upon liberty and equality, upon the freedom and intelligence, instead of the slavery and ignorance, of its people. We find them undertaking to destroy a Union they had sworn to protect and preserve; undertaking to break up a Government they had no legal or equitable power to dissolve; to roll back the tide of civilization, and establish on the ruins of this Republic, a despotism of the most despicable character, for no other reason than that this Government seeks to protect the rights of its citizens. Are we not right, then, in sustaining the Administration; in sustaining the Government; in standing beside the free States of the North in support of law and order; in support of freedom?

If our fathers were patriots in establishing this Government, we certainly cannot be far wrong in maintaining it. Believing then, as we sincerely do, that the government is in the right, that it is fighting in a holy and just cause, that duty demands of us action and sacrifice in its behalf, that efforts to patch up a temporary peace or obtain it by concessions to traitors, are not only dishonorable, but tend to protract the war and make it more expensive and dangerous—we hope to see Wisconsin unite all her energies, without distinction of party or sect, in prosecuting the war with the utmost vigor. Let us sustain the government and prosecute the war with a will and determination that shall carry the conviction to the minds of traitors, that obedience to the legally constituted authorities is the only course left to them; that our Government must be respected. The Union must stand, and we shall soon see the principles of liberty and equality re-established in every part of our National domain, firm as the rock of ages, there to stand a blessing to the world, an enduring monument of the fidelity and patriotism of those noble men of the Revolution who founded, and the noble patriots who now defend it.

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STATE SURGEONS

In conclusion, gentlemen, I will only add that in all efforts to promote the interests of the State and Nation, you shall receive my hearty co-operation.

JAMES T. LEWIS.

January 14th, 1864.

SURGEONS

EXECUTIVE DEPARTMENT,

MADISON, Jan. 21st, 1864.

To the Honorable the Assembly:

I have to acknowledge the receipt of a copy of resolution No. 13, A. In compliance with the request conveyed thereby, I beg leave to state, that there are three Surgeons in the employ of the State, in addition to the Surgeon General. Their names and locations are as follows:

- E. B. Wolcott, Surgeon General, located at Milwaukee.
- R. G. James, State Surgeon, attached to 5th Wis. Battery.
- L. C. Halsted, State Surgeon, attached to 7th Wis. Battery.
- G. Riddell, State Surgeon, attached to 10th Wis. Battery.

The Surgeon General receives a salary of fifteen hundred dollars per annum.⁴⁴

State Surgeons rank as Lieutenants, and receive the pay of Assistant Surgeons in the United States service, which, I am informed, has lately been reduced to \$112.83 per month, less the Government tax of three per cent on incomes exceeding \$600.

One of the above State Surgeons has informed me that he intends to resign.

I may be permitted further to remark, that, in consequence of late orders by Generals, in the field, it will probably be

⁴⁴ The report of Surgeon-General E. B. Wolcott may be found in *Wis. Assem. Jour.*, 1864, p. 879 ff.—Ed.

necessary to discontinue soon the services of some, if not all State Surgeons now on duty, except the Surgeon General.

JAMES T. LEWIS.

SANITARY AGENTS

EXECUTIVE OFFICE,

MADISON, February 3d, 1864.

To the Honorable the Assembly:

I have the honor to acknowledge the receipt of a copy of resolution No. 2, A, which is as follows:

Resolved, That His Excellency, the Governor, be requested to inform the Assembly how many agents the State has in her employ with the army, their names, and the amount of salary paid each per month.

In reply, I would respectfully refer your honorable body to the communication of Hon. Edward Salomon, late Governor, made to the Legislature through the honorable, the Senate, on the 20th of January last and published in the Senate Journal of that day, which gives detailed statements of the expenditures of the "Soldiers' Relief Fund", and of the operations of the "Sanitary Agencies" of this State, during the past year.⁴⁵

From which it appears that on the first day of January, 1864, the following persons were in the employ of the State, as agents to care for the sick and wounded soldiers, to wit:

Mrs. C. A. P. Harvey, at Vicksburg, Mississippi, and vicinity.

W. Y. Selleck, at Washington, D. C.

R. R. Corson, at Philadelphia, Pa.

Col. Frank E. Howe, at New York City, N. Y.

Hon. M. D. Bartlett, at Nashville, Tenn.

Geo. W. Sturges, at St. Louis, Mo.

Geo. C. Smith, at Memphis, Tenn.

⁴⁵ See Wis. Sen. Jour., 1864, p. 35 ff; and ante, p. 181.—Ed.

Geo. E. Davenport, at Memphis, Tenn.

Rev. J. D. Stevens, at New Orleans, La.

The rate of compensation of each of said agents, is also specified in said communication.

Not having much personal knowledge of the wants of our soldiers in this respect, and wishing, first, to become more fully advised of the same, either from personal observation or the reports of those upon whom I can rely, I have not seen fit, as yet, to materially change the plan of operations marked out by my predecessors. In view, however, of the remoteness of New York from the seat of war, I deemed it proper, on the 6th of January, to discontinue the agency at that place; in the propriety of which determination, Col. Howe himself very frankly acquiesced, as will be seen from the following extract from his letter to me on the subject, viz: "I feel that the necessity may no longer exist for an agency here, but beg you will make use of my services in any way I can be of use to the cause, for yourself and your State."

Not deeming it necessary to have more than one agent at Memphis, I have appointed Jacob Low, Esq., of Lowville, to that position for the term of ninety days from January 21st, 1864, in place of Messrs. George C. Smith and George E. Davenport, and have reduced the compensation of such agents from three dollars per diem and expenses, to three dollars and fifty cents per diem, including expenses.

Rev. J. D. Stevens, I understand, was only temporarily stationed at New Orleans, and will probably soon return home.

I have reason to hope that Mrs. Harvey will soon be able to take care of the sick and wounded soldiers at Memphis and below,⁴⁶ and Mr. Sturges of those at St. Louis, Quincy and Keokuk.

⁴⁶ Mrs. Cordelia A. P. Harvey, widow of Governor Harvey, was one of the striking figures among those women of the North who devoted themselves to the care of sick and wounded soldiers. She took up

Mr. Bartlett has returned from Nashville, and there is no agent now connected with the army of the Cumberland. I think there should be at least one good agent stationed at Nashville. The large number of Wisconsin soldiers in that section, in my opinion, fully warrant it.

I have already caused inquiry to be made as to the necessity of continuing the agency at Philadelphia, and if I find it to be unnecessary, I shall discontinue the same, and place the general oversight of our soldiers in hospital at that place, in the hands of the agent at Washington.

In conclusion, I desire to tender you my hearty co-operation in all measures you may adopt, tending to promote the comfort and restore the health of our soldiers, in so far as the same shall appear practicable and proper.

Respectfully,

JAMES T. LEWIS.

GETTYSBURG CEMETERY

EXECUTIVE DEPARTMENT,
MADISON, February 18th, 1864.

To the Honorable the Senate and Assembly:

I herewith lay before you the report of W. Y. Selleck in regard to the Soldiers' National Cemetery, at Gettysburg,⁴⁷ and would recommend the appointment of a committee to inquire into the necessity of further legislation upon this sub-

and carried on with noble enthusiasm the work for which Governor Harvey had given his life. She was instrumental in securing the establishment of Northern hospitals, to which sick and wounded soldiers might be removed for recovery. See E. A. Hurn, *Wisconsin Women in the War* (Madison, 1911); and *post*, p. 279, note 80.—ED.

⁴⁷ See *Wis. Assem. Jour.*, 1864, p. 302 ff.—ED.

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GETTYSBURG CEMETERY

ject on the part of this State.⁴⁸ I shall be pleased to lay before such committee all information in my possession bearing upon the subject.

JAMES T. LEWIS.

⁴⁸ A joint committee was appointed, upon whose recommendation the Legislature appropriated \$2,523 as Wisconsin's share in the establishment of a Soldiers' National Cemetery at Gettysburg.—Ed.

1864. In Legislative Recess

The Governor issued the following

THANKSGIVING DAY PROCLAMATION

Another year has passed; its trials, its victories, its rewards, its punishments, its blessings have been recorded; its fruits have been gathered in. In reviewing them, how manifest are the reasons for thankfulness and praise to God for his wonderful goodness to the children of men. For the many tokens of Divine favor, the many blessings they have been permitted to enjoy, the people of Wisconsin have great reason to be thankful. Pestilence and famine have been kept far from us. The labors of the miner, the mariner, the mechanic and the husbandman have been rewarded. The privileges of education and of worshiping God according to the dictates of conscience have been enjoyed by all.

The honor and loyalty of Wisconsin have been most nobly vindicated on many a battlefield. Wherever our liberties have been assailed, an All-wise Creator has given us stout hearts and strong arms to defend them.

The free institutions established by our fathers have been protected and preserved, and a wicked and unholy rebellion brought near to its close.

While the people of our sister States have suffered from the devastations caused by hostile armies in their midst, our people have been spared this calamity. For all these and numerous other blessings, which God in His goodness has vouchsafed to us, for His loving kindness, His constant care and abundant mercies, we should with grateful hearts thank and praise him.

Therefore, I, JAMES T. LEWIS, Governor of the State of Wisconsin, in accordance with a worthy and time-honored custom do hereby designate and appoint Thursday, the 24th day of

November, 1864, as a day of Thanksgiving and Praise to Almighty God, and I would recommend to the people that, laying aside secular pursuits, they meet on that day in their accustomed places of worship and offer thanks to God for the many blessings we have been permitted to enjoy during the past year; and with their thanks let the earnest, fervent prayer ascend for the protection of the widow and the orphan, the noble soldier and his suffering family, that we may all grow wiser and better, that all our blessings may be continued, and that peace may soon again visit and bless our land.

In testimony whereof, I have hereunto subscribed my name and caused the great seal of the State of Wisconsin to be affixed. Done at Madison, this 22d day of October, in the year of our Lord one thousand eight hundred and sixty-four.

JAMES T. LEWIS.

REVISING ENROLLMENT LISTS

On November 28, 1864, the Governor issued the following:

Proclamation

Whereas, under the recent call for troops, considerable complaint was made of the excessive enrollment of the State; and *whereas*, by special authority obtained from the War Department, the draft was temporarily postponed, in order that the enrollment lists might be properly revised and corrected; and *whereas*, the time allowed for this purpose was necessarily short and it was found impossible in the more distant parts of the State to accomplish the same prior to the day fixed for the draft, and *whereas*, authority is now given by the Provost Marshal General for the further correction and revision of the enrollment lists, by striking therefrom the names of all persons improperly enrolled and by adding thereto the names of all persons liable to draft which have been omitted as hereinafter specified; and *whereas*, this is a matter in which the

people of the State are deeply interested, now therefore to the end that the troops hereinafter called for from this State (if any) may not be disproportionate to those called for from other states, and that the quotas assigned to the States may be justly and equally distributed between the several towns and wards thereof, I, James T. Lewis, Governor of the State of Wisconsin do issue this my proclamation, requesting and recommending that all good citizens, and particularly the town, city and village authorities shall make timely and persistent efforts to thoroughly revise and correct the enrollment lists of their respective localities, and as to the manner of doing this and the authority therefor, I would call special attention to the following extracts from Circular No. 39 Provost Marshal General's Office bearing date the 15th inst.

The attention of the Board of Enrollment is called to Section 6 of the act amendatory of the Enrollment Act which is in the following words. Viz:

Section 6. And be it further enacted, that Boards of Enrollment shall enroll all persons liable to draft under the provisions of this Act, and the Act to which this is an amendment, whose names have been omitted by the proper enrolling officers; all persons who shall arrive at the age of twenty years before the draft; all aliens who shall declare their intention to become citizens; all persons discharged from the military or naval service of the United States who have not been in such service two years during the present war; all persons who have not been exempted under the provisions of the second section of the act to which this is an amendment, but who are not exempted by the provisions of this act; and said Boards of Enrollment shall release and discharge from draft all persons who, between the time of the enrollment and the draft shall have arrived at the age of forty-five years, and shall strike the names of such persons from the enrollment.

It is to be borne in mind by the Boards, that their duties in regard to the correction of the enrollment do not cease with its revision as recently completed or now in progress. On the contrary, the revision and correction of these lists is a continuous duty, to which the labors of all Boards must be directed. The names of all persons liable to do

ENROLLMENT LISTS

military duty taking up their residence in a sub-district, as well as all in the sub-district who from time to time become liable, shall be added to the Enrollment lists; and the names of persons who enlist into the military or naval service, or remove permanently from a district, or whose liability terminates while in it, will be stricken off; and in case of removal, whenever it is practicable the Board of Enrollment of the district to which the person removes will be notified, and he will be enrolled by that board.

The Board of Enrollment shall have copies of the enrollment lists open to the examination of the public at all proper times, and shall give public notice that any person may appear before the Board and have any name stricken off from the list, if he can show to the satisfaction of the Board, that the person named is not properly enrolled on account of—

1st. Alienage; 2d. Non-residence; 3d. Over age; 4th. Permanent disability of such a degree as to render the person not a proper subject for enrollment under the law and regulations; 5th. Having served in the military or naval service two years during the present war, and been honorably discharged.

Civil officers, clergymen and all other prominent citizens, are invited to appear at all times before the Board to point out errors in the lists and to aid in the correction and revision thereof.

And also to the following extracts from instructions to Col. Lovell, A. A. Provost Marshal General of this State accompanying said circular.

It is plainly for the interest of each sub-district to have stricken from the lists all names improperly enrolled, because an excess of names increases the quota called for from such sub-district, and that it is equally for the interest of each person enrolled in a given sub-district to place upon the lists all persons liable to do military duty, because the greater the number to be drawn from the less the chance that any particular individual will be drawn.

It is the personal interest of every enrolled man that the quota in which he is concerned shall not be made too large and that his own chance for draft shall not be unjustly increased. Both these objects will be attained if all parties will aid in striking out the wrong names, and putting in the right ones. Especially is this the interest of those drafted men who, by putting in substitutes themselves liable to draft,

have secured exemption which, by the terms of the law, holds good only until the present enrollment is exhausted in their sub-districts.

Men who are over forty-five years of age and in consequence excused by law from the performance of duty in the field, owe it to the cause and to the country to take a zealous and active part in the correction of the enrollment lists—a military service of the first importance.

The law requires that quotas shall be assigned in proportion to the enrollment; and the fairness and justice of this mode of determining the amount of military service due from each and every section of the country cannot be doubted, if the enrollment is made as nearly perfect as it is practicable to make it. The amount of service due to the nation from every town and county is thus laid fairly and plainly before the citizens and I am sure that a higher motive than selfish interest will prompt all to do their share in perfecting the enrollment, and securing a just and efficient execution of the laws for raising troops, whenever it becomes necessary to apply them.

Confer with the state and local authorities, and present the foregoing views to them, and secure if possible, prompt and practical assistance from them in perfecting the enrollment lists. The subject should receive the attention of the town, precinct, and ward meetings and committees.

Deputy Provost Marshals and special agents will be required to devote all the labor possible to this service in their respective counties. They must communicate with the local authorities, clergymen, and other prominent citizens, as to the accuracy of the present lists, and the corrections necessary to be made.

As far as practicable they should be required to visit each sub-district, carrying with them a copy of the list for such sub-district, which should be compared with the poll books of the sub-district, and having corrected it, a true copy plainly written, should be posted at the places of voting in the sub-district, with a notice attached thereto, calling upon the citizens to suggest any further corrections that may have been overlooked.

In testimony whereof, I have hereto subscribed my name and caused the great seal of the State of Wisconsin to be affixed. Done at Madison this twenty-eighth day of November, in the year of our Lord one thousand eight hundred and sixty-four.

JAMES T. LEWIS.

1865. Eighteenth Annual Legislative Session, January 11-
April 10

The two Houses of the Legislature met in Joint Convention on January 12, and the Governor read thereto in person his

ANNUAL MESSAGE

in which were made the following references to the military affairs of the State:

Fellow Citizens of the Senate and Assembly:

In obedience to the requirements of the Constitution, it again becomes my duty to communicate to the Legislature the condition of the State, and to recommend such matters as I may deem expedient for their consideration.

When we contemplate the condition of our country, its necessities, the manner in which it has been preserved through all its trials, our minds naturally turn to Him whose care has been over us, who has protected and preserved us in all the trying scenes through which we have been called upon to pass.

For the preservation of our liberties; for His care and protection over those who have gone forth and are now risking their lives in defense of the principles upon which our happiness and prosperity rest; for life, health and plenty; for the guidance of that Unseen Hand which has led us through all our dangers; for that gleam of light we now see breaking through the clouds and darkness that have for the last four years surrounded us; for these and many other blessings of which we have been the recipients, let us render thanks to our Heavenly Father, and let us ask the continuance of His favor—His guidance in future.

The duties of the Legislator are ever important and responsible. It would be difficult to fix bounds to the influence that its acts exert. Man can confide to his fellow man no higher

trust than the power to legislate for him; but doubly important do these duties become in times like the present, when men's passions are excited, when nations are convulsed, and the destiny of ages seems hanging upon the result of the transactions of a single day. If ever the legislator needed Divine influence—wisdom from on High to guide him, he needs it now. You are not alone to care for the local interests of your immediate constituents; your acts will encourage the patriotic soldier, and all the friends of freedom, or they will encourage the enemies of the Government in their mad schemes to subvert its authority. Your acts should, and doubtless will, aid in the promotion of liberty. They should vindicate the principles upon which our Government rests, for if these be obliterated by the rebellion of the South, the cunningly devised schemes and frauds of those in our own midst, or from any other cause, our liberties are gone. May they all tend to promote the good of the State and nation, and the good of all mankind. In all such acts you will receive my hearty co-operation.

* * * * *

[Statement of funds utilized for military purposes]

Total disbursements from War Fund for families of volunteers	\$615,693 68
* * * * *	
Total receipts into Soldiers' Relief Fund.....	13,443 09
Balance in Fund.....	3,973 90
(The above statement is exclusive of last appropriation, said appropriation not yet having been entered on the books of the Departments.)	
Total receipts into Allotment Fund.....	\$400,038 90
Balance in Fund.....	36,725 28
Total receipts into War Fund.....	632,403 15
Balance in Fund.....	2,173 87

Several appropriations have heretofore been made to the Governor, for military contingent expenses. The Legislature at its session in the year 1863, passed an act providing for a Military

Contingent Fund, appropriating to the Governor the sum of three thousand dollars, and making it his duty to report to the Legislature at each session, the amount expended from said fund.⁴⁹ Seeing no necessity for the use of the fund, I have made no drafts upon it, and have the honor therefore to report, that the money belonging to the Military Contingent Fund, except so far as the same had been drawn by my predecessors, remains in the State Treasury unexpended.

It has been customary for the Legislature at each session to appropriate to the Governor the sum of five thousand dollars for contingent expenses. Of the money appropriated at the last session for this object, I have found it necessary to use but a small proportion. The balance unexpended and now remaining in the State Treasury being sufficient, in my judgment, to meet these expenses for several years to come, I would recommend that no appropriation for this object be made at the present session.

The amount of State indebtedness is two millions and five thousand dollars. With the exception of one hundred thousand dollars borrowed, and used for the purpose of erecting the State Capitol, this debt was created for war purposes, and is a legitimate charge against the General Government. Large amounts advanced by the State, for the purposes above named, have already been repaid. Vouchers for a considerable further amount, are now in the hands of the proper United States auditing officers. Others will soon be presented, and we confidently hope and expect that the day is not far distant, when all the money advanced by the State, for war purposes, will be refunded by the General Government, and the whole debt of the State, except the hundred thousand dollars used in erecting the State Capitol, liquidated thereby.⁵⁰ Authority

⁴⁹ See *Wis. Gen. Laws*, 1863, chap. 141.—Ed.

⁵⁰ Wisconsin's war claim against the Federal government amounted originally to \$1,742,202. By 1872 all of it had been allowed and paid, excepting a doubtful balance of \$93,833. The State authorities of that

should be given to the State Treasurer to pay off any bonds outstanding against the State, before maturing, whenever they are presented, and the surplus in the State Treasury will warrant him in so doing.⁵¹

* * * * *

The attention of the Legislature has frequently been called to the militia law of the State. To insure a faithful execution of the laws an efficient military force should be organized and placed at the disposal of the Executive. The amendments of the last two years have greatly improved our militia system; yet it is still imperfect, and needs further amendment to make it effective.⁵² Owing to the imperfections of the system, want of interest among the people, as well as to the frequent calls of the general government for men, who must necessarily be drawn to a great extent from the State militia, the organized militia, consisting nominally of four regiments of infantry, and two batteries of artillery, is at present in a very inefficient state. The enrolled militia, consisting of all persons subject to military duty, not included in the organized militia, numbers 82,981 men.

The State has, at the present time, Ordnance, Arms, Ammunition and Military Stores, as follows:

time evidently considered this settlement satisfactory, and the account was closed. Thirty years later, however, in 1902, the matter was again opened, for the State now laid claim to the amount paid in interest and the discount suffered in the disposal of certain bonds, the proceeds of which were used for equipping troops. In 1903 this claim was also allowed, and the State received in consequence \$460,436. Two years later (1905), the State received from the Federal government a still further allowance of \$727,740.18.—ED.

⁵¹ No such authority appears to have been given.—ED.

⁵² The militia system of the State had been completely reorganized by *Wis. Gen. Laws*, 1863, chap. 242, and *Id.*, 1864, chap. 407. Following the recommendation of the governor, minor changes were made by *Id.*, 1865, chaps. 323, 498.—ED.

Six-pounder S. B. Bronze Field Guns, with carriages.....	8
Twelve-pounder, Mountain Howitzer, with carriage and ammunition cart	1
Caissons for six-pounder guns.....	6
Muskets, Rifled Muskets and Rifles, with accoutrements and appendages	5,186
Pistols and Holsters.....	50
Swords and Sabres with scabbards and accoutrements.....	444
Muskets, Rifled Muskets and Rifles unserviceable.....	665
Canister and round shot for six-pounder guns (rounds).....	59
Shot and shell for twelve-pounder Mountain howitzer (rounds)	100
Ball Cartridge	108,320
Pounds of Powder.....	25
Bars of Lead.....	150
Gun-caps	7,000
Canteens	4,000
Haversacks	4,000

In addition to the above, there is on hand a large number of extra equipments, accoutrements and appendages, which are not required to make up the "stand of arms" complete.

For full detailed statements of the condition of the military property of the State, and of military operations, I refer you to the able and interesting reports of the Adjutant General, Quartermaster General, and Surgeon General, herewith submitted.⁵³

To the calls of the Government for troops, no state has responded with greater alacrity than has Wisconsin. She has sent to the field since the commencement of the war forty-four regiments of Infantry, four regiments and one company of cavalry, one regiment of heavy artillery, thirteen batteries of light artillery, and one company of sharpshooters, making an aggregate (exclusive of hundred day men), of seventy-five thousand one hundred and thirty-three men. To this large number furnished by our young state should be added the three regi-

⁵³ These reports may be found in *Wis. Mess. and Docs.*, 1865, pp. 443, 859, 963.—Ed.

ments of one hundred day men, who so nobly responded to the call at a critical moment, when their services were so much needed, and whose services were of so much importance to the Government, as to call forth from the Commander-in-Chief the highest special commendation.

Further provision should be made for keeping and preserving records of the names, and deeds of valor, of all Wisconsin's sons who have taken part in the great national struggle in which we are now engaged. It is due to them, and to posterity, that such records should be handed down to future time, and spread before the rising generation for their emulation.⁵⁴

The debt of gratitude we owe to our soldiers and sailors for their great achievements, we can never fully repay. To their exertions, under the guidance of an All-wise Providence, is due the salvation of our country, and to no equal number is greater credit due, than to the soldiers and sailors of our own State. They have fought in nearly every action on land and sea, and none have fought better, none have made the last great sacrifice, the sacrifice of life itself, more willingly at their country's call than they. But the soldiers and sailors of Wisconsin need no eulogy from me; with their own right arms they have written their own proud history. Their patriotism, valor, courage and endurance have never been excelled. Their praises are upon every tongue. As a State we should also pay some further tribute of respect to, and adopt some further measures to perpetuate the memory and example of, the noble heroes from Wisconsin who have fallen in defense of the liberties of the Nation. A suitable monument should be erected at the Capital of the State, on which should be inscribed their names. I doubt not their names are registered in Heaven—let them also be registered on earth. They should ever be borne in remembrance by those for whom they fought and

⁵⁴ Wis. Gen. Laws, 1865, chap. 179, authorized the Adjutant-General to prepare individual records of all Wisconsin soldiers.—Ed.

died. Their families should also receive our attention. The heroic dead are gone—their orphan children are still with us. Let us seek them out and cherish them as the children of that State and country for whose benefit their natural protector offered up his life.⁵⁵

Every effort has been made for the relief of the sick and wounded soldiers, of which the nature of the case, and the means at my disposal would admit. But so extended has been the field of military operations, and so numerous and scattered the cases, that I have found it impossible to meet the wants of all as fully as I would wish to have done. Much has been done by correspondence, in obtaining furloughs, transfers, discharges, descriptive rolls, and otherwise assisting them. I have personally visited them in Hospitals, so far as time and attention to other duties of my office would permit. I have also sent agents to them, and through these means many who were lingering in Hospitals, and who could be of no further use to the Government, have been discharged and returned to their families. Many others have been provided with comforts, which have tended to soften their afflictions and materially aid in their speedy recovery and return to duty. Great credit is due our citizens generally for their efforts in behalf of our sick and wounded soldiers. From nearly every hamlet and village all over the State, have gone forth comforts for them. To the Ladies' Aid Societies especially is great credit due for the assistance they have rendered in caring for them and their families. They have with timely aid alleviated much suffering, and have doubtless been the means of saving many valuable lives. The thanks of a grateful people, the gratitude of the brave soldier, the destitute orphan, wife and mother, are their rewards.

⁵⁵ No law was passed in 1865 relating to a soldiers' monument. *Wis. Gen. Laws*, 1865, chap. 416, deals with relief for soldiers' families. The Soldiers' Orphans' Home at Madison was established in 1866; see *post*, p. 279, note 80.—Ed.

Hospitals have been established at Madison, Prairie du Chien and Milwaukee, and Wisconsin soldiers are enjoying their benefits so far as I have been able to get them transferred or ordered to report to these Hospitals. I have urged upon the War Department the importance of providing Hospital accommodations, and sending all our sick and wounded soldiers into our own State, where they might receive the benefits of our bracing and invigorating atmosphere, and be accessible to their relatives and friends, whose kind care and attention would aid much in restoring them to health and usefulness. The claims of the sick and wounded soldiers should receive careful consideration at your hands. Ample provisions should be made for their wants, and for the wants of the families of all Wisconsin soldiers now engaged in this great struggle.⁵⁶

I am informed that many citizens who have enjoyed the protection of the Government, and whose property, in some instances, is still protected by it, have, to avoid doing their duty in the field, ignominiously fled to foreign countries. I would suggest to the Legislature the propriety of taking away from such men rights they will not aid in defending.⁵⁷

* * * * *

Your attention is invited to the able and interesting report of the Superintendent of Public Instruction. This report contains many valuable suggestions concerning the management of our schools, and is evidently the result of much care and

⁵⁶ *Ibid*, chap. 465, appropriated to the Governor \$15,000 for the care of sick and wounded Wisconsin soldiers. The three hospitals mentioned were United States general hospitals, established chiefly through the efforts of Mrs. Harvey. See Hurn, *Wisconsin Women in the War*, pp. 134-144.—Ed.

⁵⁷ *Wis. Gen. Laws*, 1863, chap. 32, provided for stay of proceedings in civil actions against persons in military service. Upon the suggestion of the Governor this was amended by *Id.*, 1865, chap. 362, to make it inapplicable to those who deserted after having enlisted, or after having been drafted.—Ed.

thought. And especially would I call your attention to the views expressed therein upon the subject of Normal Schools. Our system of common schools is, perhaps, not surpassed by any; but common school systems can have but little vitality without competent teachers to carry them into execution. Many of those who have heretofore been engaged in teaching our common schools are now in the military service of the Government. Others have sought employment in different directions, and there seems to be at this time, a special necessity for the adoption of some means to supply their places. The measure proposed by the State Superintendent of establishing a State Normal School, at which advanced pupils from our common schools may be further educated and fitted for teachers, is worthy your careful consideration. There is no subject of more vital importance to the interests of the State and Nation than the subject of Education. As no people can be enslaved with it, so no people can become great and powerful without it. We see a deplorable instance of the want of it in the Southern States to-day. Want of general intelligence among the masses of the people of the South, is a prominent reason why they are now endeavoring to subvert this Government. It has been too much the custom in those States to educate the few, while the great mass of the people have been kept in ignorance, and hence are easily deluded and led astray by designing leaders. In free governments particularly, is education the great means of self-preservation. Every man, to be a good citizen, must understand the duties of citizenship. Education, mental and moral, is the means of giving him this understanding. It is not alone useful in the school-room, at the bar, in the counting room, and at the bedside of the sick man, but is all important at the ballot-box and in the legislative halls. The wisest government is not the one that governs the most, that punishes the most criminals, but the one that by its judicious laws, enlightens its people and thus prevents most crime, and as a consequence punishes least. That which by educating its people avoids the necessity of punishment.

Every forward step, therefore, in the cause of education drives a nail in the coffin of despotism, increases the strength of free governments, tends to fix more firmly in the minds of the people the principles of eternal justice, and thus promote the best interests of society.

* * * * *

The law authorizing soldiers to exercise the elective franchise at other places than their residence, should be thoroughly revised and amended, so as more effectually to guard against fraud and corruption. The privilege of exercising this sacred right should also be further extended, so as to include the large number who by the present law are deprived of it in consequence of being on detached duty or confined in hospitals.⁵⁸

* * * * *

The attention of the legislature is earnestly solicited to the subject of removing the roving bands of Indians from the north-western portion of our State. Since the depredations and murders committed by them in Minnesota, a feeling of insecurity has existed among our citizens in the sparsely settled north-western counties, to such an extent as in some instances, to cause them to abandon their homes. Several murders have been committed by Indians, and much property destroyed by them within our State during the last year. Their presence tends to retard settlement, and thus prevents the development of the country. Their ignorance and their wild and roving natures unfit them for a residence among civilized people.

I am satisfied that the good of the State, and especially the good of our citizens residing in portions of the State frequented by them, as well as the good of the Indians themselves, demand that these natives of the forest be sent beyond the limits of Wisconsin. I have several times during the last year called the

⁵⁸ Soldiers' suffrage was provided for by *Id. ex. sess.*, 1862, chap. 11, and 1863, chap. 59. As recommended, amendments were made by *Id.*, 1865, chap. 88.—Ed.

attention of the officers of the General Government to Indian depredations and murders within our borders. Some action has been had, but it would seem that nothing short of removal will allay the just fears, or meet the just demands of our people.

I am aware that this is a subject coming properly within the jurisdiction of the General Government, yet may not this Legislature do much to bring about the desired object, by memorializing Congress and making such a representation of the case, as will induce speedy action? I would recommend that the memorials be prepared upon this subject at an early day in the session, and that such other action be taken as the nature of the case would seem to demand.⁵⁹

It has seldom been the lot of the historian to record a greater calamity to any people than the calamity of civil war. When brother meets brother in civil strife, sad indeed is the spectacle. It was this against which the old hero of New Orleans and the Father of his country issued their solemn warnings. They knew full well the character of the American people. They knew full well the great sacrifice which must be made, and the great interests which would be at stake when civil war should be inaugurated. If the departed dead are cognizant of events transpiring in this world, there is no one thing upon this earth which tends more to disturb the old patriots in their graves to-day—which would sooner induce them to return again to earth to take part in the affairs of men, than the civil strife which has been inaugurated by traitors to overthrow this Government. But sad as is the spectacle, deplorable as is the necessity that prompts, nay, compels all good citizens to take up the sword in defence of the Government, a still greater calamity might and would befall mankind, were we to cease to defend our rights, and thus permit the downfall of our free

⁵⁹ No such memorials were passed in 1865. Five years later however, as the result of a similar panic, an attempt was made to remove several roving bands of Indians; see Thwaites, *Wisconsin*, p. 396 ff.—Ed.

institutions. Inasmuch as the interests of the many are greater than the interests of the few, as the interests of the world, of our children, and the people of all coming time, are greater than the interests of the people now engaged in this struggle, would the calamity of the downfall of this Government be greater than that of the present civil strife. Duty then admonishes us to defend the Government, to draw the sword in self-defense. I will not at this time go into a discussion of the righteousness of our cause. It has already been too fully discussed, too well established, and is too well understood to require comment from me. No right thinking man, at home or abroad, denies, or attempts at this day to question, that it is our duty to sustain the Government and put down the rebellion. How then stands the case? Some one must lead in this great work. It is the people of the United States that are now immediately interested; they must greatly suffer if we fail. They will enjoy the blessings if the Government is preserved. Who then so largely interested, at the present time, as the people of the United States? The people composing this Government have selected their Commander-in-chief, and said to him go forward and do your duty; select the means and put down the rebellion. He has gone forward, has selected what he deems to be the proper means, and is striving with all his power, and all the power at his command, to accomplish the work. Few will be found I think who have the hardihood at this day to deny the integrity of the pilot now at the head of the nation. But whether they do or not, it is unquestionably true, that the chief-executive authority of this nation has been placed in pure and patriotic hands; that the great end and aim of Abraham Lincoln is the salvation of the Government and the protection of the rights of the people. But this commander-in-chief, chosen by the people, has been arraigned by the minority (and the voice of the minority should be listened to and given its due weight); he has been charged with committing a great error, in selecting the means, and because of this error, as they term it, they refuse to support the administration, refuse even to assist

in saving themselves. In viewing this question we should let our minds expand; open them wide enough to take in the whole scene before us. Men are too prone to take narrow and contracted views of this subject; some dark spot attracts their attention, heavy taxes, the draft, personal danger, loss of friends—all I admit grievous to be borne, and they fix upon it such a gaze, allow their minds to be so wholly absorbed in its contemplation, that they see nothing beyond, they see nothing else. They forget that great principles are at stake, that not only the interests of this Government, but the interests of the whole world, the interests of millions yet to be, are thrown in the balance, and involved in this contest. They forget that means must be selected commensurate to the end to be accomplished. Let us try and get a more elevated position, where we can view the whole ground in all its vastness; open our minds to more enlarged and ennobling views; examine fairly and see if the means selected by the President are not the proper ones, and necessary to save and shield the nation.

That the organized force of the rebels must be met with an organized force upon our side, none with any show of consistency can question. That this involves the calling for men, the organization of armies, the expenditure of large sums of money in their organization and support, and consequent heavy taxation, is also beyond question. Where then is the error? The great head and front of the offense, say the opponents of the Administration, is the President's Proclamation of Emancipation. "This is the rock on which we split." Let us look for a moment at this Proclamation. The object, as all will admit, is and should be the restoration of national authority. To this end none will deny that all proper measures, which tend to weaken the rebels and strengthen the Government, should be adopted. The question then naturally arises, is this a proper measure, and does it have that tendency? As to the legal and constitutional right of the Government to liberate, take, and use these black men, I need only say that it has long since been conceded by those most interested in the question, living in the

rebel states. None will deny the right of Government to take the property of those in rebellion and use it against the rebels, neither will they deny the right of Government to the service of its citizens to aid in its protection, or the right to take rebels in arms, or induce them by offers of pardon to join the forces of the Government. In whatever light, therefore, you may consider the negro slaves, whether property, citizens or enemy, the Government has alike the right to take them, use proper means to get them, and use them in defense of the nation.⁶⁰

Says Patrick Henry, in speaking of our present constitution, "Among ten thousand implied powers which they may assume, they may, if we be engaged in war, liberate every one of your slaves if they please." Again, he says: "If you give power to the General Government to provide for the general defense, the means must be commensurate to the end; all the means in the possession of the people, must be given to the government which is intrusted with the public defense."⁶¹ The views of John Quincy Adams upon this point, coinciding with the above, are too familiar to you all to require repeating here. But admitting, says one, the legal right to emancipate and use the slaves, was it not bad policy and a great error to do so? This is a proper question for consideration, and it is proper that it should be answered. It was apparent to all, that the rebel States derived great strength from the labor of their slaves. They performed the manual labor of the country, thus leaving all the white population capable of bearing arms, at liberty to join their armies. Any measure, therefore, that would induce these slaves to leave their masters, would tend to weaken the rebellion, as their armies must have food, and if black men did not raise it, white men must. As was anticipated, thousands of black men did leave their masters and come into our lines, and

⁶⁰ Cf. Letter of Lincoln to J. C. Conkling, Aug. 26, 1863, in *Rebellion Records*, serial no. 124, pp. 731-734. See *post*, p. 240, note 64.—Ed.

⁶¹ See W. W. Henry, *Life, Correspondence, and Speeches of Patrick Henry* (New York, 1891), iii, p. 576.—Ed.

the rebel authorities are compelled to use a part of their force to-day in preventing others from doing the same thing. At this late day it will hardly be denied, that nearly two hundred thousand black men, who have left the South and joined our armies, have not only greatly weakened the rebels, but have also greatly strengthened the Government. To test this question more fully, let me ask, are there any so short-sighted to-day as to desire to see those black soldiers who are now fighting our battles, who are now holding Southern forts, and otherwise assisting the Government, returned to their masters to raise bread for the rebel army, and their places filled by a draft from our own citizens?

I have not the data at hand to show the actual number that have been taken from the rebels and placed in our lines by this proclamation, but that the number is large, and in proportion as it is large, is beneficial to the Government, is beyond question. Another strong reason in my judgment, why this measure was fraught with great good, may be found in its influence upon foreign nations. There is no disguising the fact that at the time this proclamation was issued, there was great danger of foreign intervention. Foreign nations, particularly England and France, so far as the aristocratic portions of them are concerned, would gladly see this government weakened by disunion. This they have shown in many ways. There is no question, either, that the great mass of the people of England and France are violently opposed to the institution of African slavery. While, therefore, the jealousy of these governments would naturally lead them to recognize the Southern Confederacy, hoping to weaken us, the great mass of the people of those nations, when they saw this proclamation, and that the perpetuation of African slavery probably depended upon their recognizing the Confederacy and sustaining the rebellion, their hatred of slavery overcame the jealousy of these governments, and recognition was withheld. Had this proclamation been withheld, and this issue not been presented, the recognition of the Southern Confederacy by foreign powers would have been

more than probable.⁶² The following extract from a late letter of Alexander H. Stephens, Vice President of the so-called Southern Confederacy, tends strongly to confirm this view of the question. He says: "The silent sympathy of England, France, and other European powers, arises entirely from their mania upon the subject of negro slavery. Lincoln had either to witness our recognition abroad, the moral power of which alone he saw would break down the war, or make it an emancipation war."

It has been urged against this measure that the black man would not fight. Said Jackson, at New Orleans, in addressing his negro soldiers, "I expected much from you, for I was not uninformed of those qualities which must render you so formidable to an invading foe." Again he says: "But you surpassed my hopes. I have found in you, united to these qualities, that noble enthusiasm which impels to great deeds." It is unnecessary, however, to refer to the opinions held of these men, or their deeds in the past, to refute this argument. We have the proof of their courage, valor and endurance, now before our eyes. The present contest furnishes ample proof if any more were needed, upon this point.

It has also been urged that it was dishonorable for the white soldiers to fight beside the black man. I need only to say in reply to this, that Washington, Jackson, Grant and many other great and good men fought beside them, and did not consider themselves dishonored. Thousands of our noble soldiers are fighting beside them to-day with honor; and I strongly doubt whether the man who fails to respond to his country's call for fear of being dishonored by fighting beside the black man—for fear of being dishonored by seeing a patriotic black man offer up his life on the altar of liberty—will not be found wanting in the day of trial, and fail to serve his country under any circumstances.

⁶² On foreign relations referred to, see Rhodes, *United States*, iv, p. 337 ff.—Ed.

But in examining this question, ought we not to look farther than to the policy of the moment? Ought we not to look to the future, and, if possible, so guide our action as to leave our country at the close of this war in a condition to enjoy permanent peace? And is not this measure calculated, by removing this exciting question of slavery, to bring about this result; and do we not owe it to posterity, the opportunity being now clearly presented, by the act of those who have claimed the right to hold slaves, to remove this great curse from the land, and thus take off a great load which must otherwise fall upon the necks of our posterity? This right to hold slaves as a moral question, it is unnecessary at this day and age of the world to examine. That slavery is a great moral wrong, has long since been well established. Few will be found who have now the hardihood to attempt to defend it. And the fact that there are any, is strong evidence of the corrupting and demoralizing influence of the barbarous and inhuman practice. All good men have long deplored the existence of it. John Wesley denounced it as "the sum of all villainies." Said Washington: "there is no man living who wishes more sincerely than I do, to see a plan adopted for the abolition of it." Madison thought it wrong to admit in the Constitution, the idea that there could be property in man. Said John Adams: "Slavery is a crime much blacker than any African's face." Jefferson and Franklin also deplored the existence of it. Said La Fayette: "I would never have drawn my sword in the cause of America, could I have conceived that thereby I was founding a land of slavery." "Admitting it to be wrong for man to enslave his fellow man," says one, "it does not concern us at the North. The master and his slave are alone affected thereby." In answer to this it is only necessary to point to the present rebellion. Is not the whole nation, nay, the whole world convulsed and affected by it? But were the assertion true, is it not the duty of man to help his fellow man? "Help those that need help," is the Divine injunction. Says another, "It is a domestic institution, and States within their borders like pri-

vate individuals within their domicils, are protected." 'Tis true they are protected in proper acts; but no individual has the right, in his own domicil, to take away the right of his neighbor. No individual has a right in his own domicil, to establish a nuisance that will send out a poisonous effluvia, that will sicken and destroy the community around; and should he do so, law and justice would demand that the nuisance should be abated. But "the constitution protects slavery," says another. The constitution if it protects it anywhere, which at least admits of doubt, certainly does not protect it where this proclamation reaches; and if it does protect it elsewhere, it ought to be amended so that it should no longer protect so great a wrong. I have already discussed this question much further than I intended, and I fear further than I should have done at this time. I will only add that in my judgment the President in this measure, has not overstepped the bounds of the constitution or good policy, and should be sustained and supported by every lover of his country of whatever party or sect. All good and true men must say he is right. The people in their late elections have passed their solemn judgment upon his acts, and have declared in a manner not to be misunderstood, that he is right. Let us, then, with a firm hand, stand by the right, remembering that God blesses those who deserve his blessing. Let us be earnest, pure and worthy, for pure men, worthy men, earnest men, working, patriotic, Godly men are what our country needs in these times, and what she must have in the council, and in the field, to insure success. We thank God we have many such in the field and State, and to them our country looks. From them she expects help, and she will not be disappointed in her expectations. God is working through such means to-day to save and purify the nation. The foundations of our Government are being laid upon a firmer basis, and she will yet rise higher and higher in the temple of fame. The pangs she is now suffering are not the pangs of dissolution, but the pangs of a new birth, and she will soon emerge into a higher, more beautiful, more virtuous, and more glorious life.

Amid the gloom which has surrounded the nation, our noble State has never faltered. She has always and promptly responded to the call of the General Government. There could be no mistaking the feelings of her people. Their votes and their sacrifices have declared that they stand by the Union. Their bullets and their ballots have always pointed in the same direction. Never was there a sublimer spectacle than was exhibited on the eighth day of November last, when our people, who had so largely sacrificed in human life and in property, marched to the ballot-box, and solemnly declared by their votes, that they were willing to still further sacrifice, if need be, for justice and the right.⁶³

Wisconsin loves the Union, resents its wrongs, and seeks to parry every blow that is aimed at its life, let it come from whatever source it may. She is alike unwilling that old rock-bound New England should be "left out in the cold", or that the Sunny South should tear herself from its embrace. She has shown that when the cry of rebellion is heard, she adopts no timid, no vacillating course, but strikes boldly for the Union. In this great struggle she has thus far done her whole duty; she has nobly responded to the calls of the General Government for men and money; as she has sacrificed and borne the burdens, so may she share the glory of aiding to save and purify this government, and make happy its people. And now, gentlemen, may the blessing of our Heavenly Father attend you; may your acts prove salutary, and may your industry, economy and patriotism, win for you the welcome commendation, "well done, good and faithful servants."

JAMES T. LEWIS.

January 12, 1865.

⁶³ The home vote in Wisconsin was close—Union 68,837, Democrat 65,598. Wisconsin soldiers, however, went overwhelmingly for Lincoln, the vote being 11,372 to 2,428. The Union majority throughout the nation was about 400,000.—Ed.

THIRTEENTH AMENDMENT

EXECUTIVE DEPARTMENT,

MADISON, Feb. 7th, 1865.

To the Honorable the Legislature of the State of Wisconsin:

Article V of the Constitution of the United States provides

* * * * *

I have the honor herewith to lay before you a copy of a joint resolution of Congress, approved Feb. 1st, 1865, passed pursuant to said article V, proposing to the Legislatures of the several States, an amendment to the Constitution of the United States, to be designated as article thirteen of said Constitution, and to request your decision on said proposed amendment.⁶⁴

Seldom has there been presented to any legislative body a more important question, or one in which the people of the United States feel a deeper interest, than is presented by this resolution.

Though the last few months have been crowded with important events, important victories, causing the people to shout for joy, yet the announcement of no event, has sent a deeper thrill of joy to loyal hearts than will the announcement of the adoption of this amendment.

Upon its adoption hangs the destiny of nearly four millions of human beings and it may be the destiny of the nation. I trust, and doubt not, the Legislature of Wisconsin will record its decision firmly, and I hope unanimously in favor of the

⁶⁴ Lincoln's Emancipation Proclamation had no constitutional authority. It was intended only as a war measure, and as an announcement of future policy. The function of the Thirteenth Amendment to the Federal Constitution was to legalize the Proclamation, and extend its operation over the loyal as well as the seceded states.—Ed.

amendment.⁶⁵ Let us wipe from our escutcheon the foul blot of human slavery, and show by our action that we are worthy the name of freemen.

May God in His providence grant that this contemplated amendment of the fundamental law of our land may be adopted by every state in our Union, that it may nerve the arms of our patriotic soldiers to strike still harder blows for liberty, and that it may redound to the glory of our beloved country.

JAMES T. LEWIS, *Governor of Wisconsin.*

THE SICK AND WOUNDED

EXECUTIVE DEPARTMENT,

MADISON, Feb. 14th, 1865.

To the Honorable the Senate:

I have the honor to lay before your honorable body, a communication, with accompanying circular, from Eben Swift, Surgeon U. S. A. and Medical Director of the Department of the North-west, relative to the establishment of permanent hospitals or retreats, to become the homes of disabled soldiers, which I am desired to present for your consideration.⁶⁶

The subject is one which commends itself to the sympathy of every loyal heart, and the suggestions made in reference thereto are eminently practical. I therefore trust that you will take such action in the premises as in your judgment may be deemed appropriate and necessary.⁶⁷

JAMES T. LEWIS.

⁶⁵ The vote in the Assembly was 72 to 16 in favor of adoption; in the Senate, 24 to 5.—Ed.

⁶⁶ See *Wis. Sen. Jour.*, 1865, pp. 210, 211.—Ed.

⁶⁷ No action appears to have been taken, relative to this communication.—Ed.

GOVERNOR LEWIS

[1865-

EXECUTIVE OFFICE,

MADISON, February 28th, 1865.

To the Honorable the Legislature of the State of Wisconsin:

By chapter 354 of the General Laws of 1864, the sum of ten thousand dollars was appropriated and set apart "to be paid out upon the order of the Governor of the State, for the liquidation of all such claims as shall hereafter accrue by the authority of the Governor, in the necessary care of the sick and wounded soldiers of Wisconsin, and for carrying such sick and wounded into this State, when the same shall be proper and necessary." By section three of said chapter, it is provided that the Governor shall "make out and report to the Legislature, at its next session, the amounts so expended by him, and fully in what manner such money has been expended." I have the honor to submit the annexed detailed statement of expenditures under said chapter, vouchers for which are on file in this office, showing amounts expended, by whom and at what time. As to the manner of its expenditure, I have the honor to state, that seeing no more practical method of meeting the wants of the class of persons intended to be benefitted by the appropriation, than by the appointment of agents whose duty it should be to visit and care for them, I selected a number of agents, giving to each certain territory, with directions to visit the fields and hospitals within prescribed limits, and to do all within their power to alleviate suffering and aid the sick and wounded.

Section two of the chapter above alluded to, provides that "the Governor is hereby authorized to draw his order or orders upon the State Treasurer for so much money, *not exceeding the sum of ten thousand dollars in all*, as shall be actually necessary, &c."

By this provision it will be seen that I could in no event draw more than ten thousand dollars. I was under the necessity, therefore, of limiting the number of agents, and the amount to be expended by each, so as not to use in all beyond this sum. The number of agents at present employed is five,

as follows: Mrs. C. A. P. Harvey, Geo. W. Sturges, E. L. Jones, W. Y. Selleck and D. Ostrander. Others have been employed during the year for short periods of time as necessity seemed to demand, whose names also appear in the statement hereto annexed. Mrs. C. A. P. Harvey has charge of hospitals from Memphis to New Orleans. Geo. W. Sturges has charge of hospitals at St. Louis, Paducah, Mound City, Keokuk and Cairo. E. L. Jones has charge of hospitals at Nashville, Louisville and Chattanooga. W. Y. Selleck had, until recently, exclusive charge of hospitals at Washington, Alexandria, Philadelphia, York (Pa.), Baltimore and Annapolis; but the armies having been largely increased in the vicinity of Washington, I deemed it necessary to appoint another agent, and have therefore appointed D. Ostrander to assist Mr. Selleck in that department. As will be seen by the annexed statement the amount remaining for which I am authorized to draw is small; probably little if any more than sufficient to pay the claims already outstanding. I would therefore suggest that in case it is thought best to continue the employment of these agents, further appropriation be made soon, as I shall be under the necessity of discharging them within a short time unless further means are placed at my disposal to pay their expenses and furnish them with means to carry on their work.⁶⁸ I would further state that owing to the increased expenses of living and traveling, it will probably be necessary to increase the pay of these agents in order to secure their services in the future. The necessity of making larger appropriations for the future than have been made in the past, even though no larger force is employed, will therefore be apparent. We owe it to our soldiers to use all proper means to care for them and their families. Thus far no state has more fully performed its duty in this respect than has Wisconsin. The thousands of dollars

⁶⁸ The Legislature appropriated \$15,000 for the care of sick and wounded soldiers; see *Wis. Gen. Laws*, 1865, chap. 465.—ED.

that are daily paid from the treasury to aid them are sufficient evidence of the truth of this statement.

That the sanitary agents have been of great service in caring for the sick and wounded soldiers from Wisconsin, there can be no doubt. The reports of these agents, published from time to time in the public prints, are also of great service to the whole people of the State, affording them information concerning the condition and fate of their friends in field and hospital which it would be difficult for them otherwise to obtain. I should therefore deem it unwise to dispense with the services of these agents at the present time.

Of the agents at present employed, I will only remark, that they have proved themselves worthy. So efficient and self-sacrificing have they been—so well have they performed their duties to the soldiers and the State, that I should regret very much to lose their services.

Owing to present duties in my office I have been able to visit but few of the hospitals during the past year, but intend as soon as possible after the adjournment of the Legislature to visit all hospitals where Wisconsin soldiers are to be found, with a view of procuring, as far as possible, the discharge of such soldiers as can be of no further service to the Government, and desire to be discharged, the transfer to our own State of those who can be benefitted by such transfers, and of rendering such other service to the sick and wounded as may be within my power.

JAMES T. LEWIS.

Proclamation

The people of Wisconsin are second to none in patriotism or benevolence. No appeal for aid, in any good cause, has ever been made to them in vain. Knowing this fact, I feel that it is only necessary to call their attention to a good work, to insure a proper response.

The many sick and wounded soldiers returning from the field of battle, where they have been disabled while fighting in defense of the nation, and rendered incapable of providing themselves a comfortable subsistence, call loudly for our sympathy and help. They need and deserve a comfortable home and place of rest.

With a view of providing such a home, the Legislature of this State, at its last session, incorporated a benevolent institution to be known as the Soldiers' Home located at Milwaukee, and appropriated the sum of five thousand dollars, to aid in its support.⁶⁹ Further means are necessary to carry on this good work. To supply them it is proposed to hold a State Fair at Milwaukee, commencing on the 28th day of June next, at which all who desire, may have an opportunity of contributing something to aid the wounded soldier.

I would recommend this enterprise to the people as worthy their aid and support, and trust they will by their attendance, and by contributing liberally of their means which have been protected by the soldier, make the Fair a success, and thus add to the soldier's comfort.

In testamony whereof I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol, in the city of Madison, this 19th day of April, in the year of our Lord one thousand eight hundred and sixty-five.

JAMES T. LEWIS.

GETTYSBURG CEMETERY

EXECUTIVE DEPARTMENT,

MADISON, March 3, 1865.

To the Honorable the Legislature:

I have the honor to lay before you herewith the Report of W. Y. Selleck, Esq., Commissioner for the State of Wisconsin.

⁶⁹ See Wis. *Private Laws*, 1865, chap. 16.—ED.

sin, in the matter of the Soldiers' National Cemetery, at Gettysburg, Pa., with accompanying documents and lithograph design of monument.⁷⁰

Respectfully Your Ob'dt Serv't,

JAMES T. LEWIS, *Gov. of Wisconsin.*

STEALING RECRUITS

EXECUTIVE DEPARTMENT,

MADISON, March 15, 1865.

To the Honorable the Assembly:

I am informed that efforts are being made by non-residents, and in some instances by our own citizens, to induce residents of Wisconsin to leave this state for the purpose of being enlisted in, and credited to, other states, thus depriving this state of credits justly its due.

I would therefore recommend the passage of a law making it a penal offense to induce residents of Wisconsin, by offers of money or other means, to credit themselves to other states.⁷¹

Very Respectfully, Your Obd't Servant,

JAMES T. LEWIS, *Governor of Wisconsin.*

⁷⁰ The report contained a request for \$2,623 as Wisconsin's share in the cost of completing the Soldiers' National Cemetery at Gettysburg. A bill appropriating the desired amount was introduced in the Assembly, but failed to pass. In 1867 the matter was again brought up, and the appropriation then made.—Ed.

⁷¹ A bill embodying the Governor's recommendation was introduced in the Assembly on April 1, 1865. A week later Lee surrendered at Appomattox Court House, making further action unnecessary.—Ed.

THE SURRENDER OF LEE

EXECUTIVE DEPARTMENT,

MADISON, April 10, 1865.

To the Honorable the Legislature:

Four years ago on the day fixed for adjournment, the sad news of the fall of Fort Sumter was transmitted to the Legislature. To-day thank God, and next to Him the brave officers and soldiers of our army and navy, I am permitted to transmit to you the official intelligence, just received, of the surrender of General Lee and his army—the last prop of the rebellion. Let us rejoice and thank the Ruler of the Universe for victory and the prospect of an honorable peace.

JAMES T. LEWIS.

1865. In Legislative Recess

PEACE PROCLAIMED

Two days after the adjournment of the Legislature, the Governor issued the following:

Proclamation

“The Lord reigneth, let the Earth rejoice.”

The God of battles has again crowned our arms with victory. Under His guidance our brave soldiers are “marching on” from conquest to conquest.

Richmond has fallen! The rebel army that held it in defiance of national authority, has been destroyed. The national honor has been vindicated, and peace and a restored Union, with all their countless blessings, are smiling through the clouds which have for the past four years surrounded us.

Never before had a people such reason for rejoicing, such grand results to inspire them.

For all these blessings our thanks and praises are due to our Heavenly Father. We should with grateful hearts recognize the power, wisdom and goodness of Him who gave us the victory, and bow in humble submission to his will.

Our officers, soldiers and sailors should receive, as they justly deserve, the welcome plaudits of a grateful people, and their patriotic mothers, wives and fathers who have so nobly sacrificed in the cause of their country, should be remembered.

It is therefore recommended that THURSDAY the 20th day of the present month, be observed by the people of this State, as a day of thanksgiving, prayer and praise to Almighty God, and of general rejoicing.

Let religious services mark the day, and bonfires illuminate

the night; let the drums rattle, and the loud cannons [sic] roar, and let us by public speeches and all other proper demonstrations express the thankfulness and joy of our people at the triumph of our arms in the cause of justice and humanity.

And in our praises and rejoicings, may we not forget "Father Abraham," who, in the goodness of his heart, to the down-trodden hath said: "The year of jubilee has come," and to the deluded followers of Lee and Davis; "Return ye ransomed sinners home."

Given under my hand and the seal of the State, in the Executive Chamber at Madison, this 12th day of April, in the year of our Lord, one thousand eight hundred and sixty-five, and of the Independence of the United States: the eighty-ninth.

JAMES T. LEWIS.

ASSASSINATION OF LINCOLN

On April 17, 1865, the Governor issued the following:

Proclamation

It becomes my painful duty to announce to the people of this State the mournful and terrible intelligence of the death by assassination at Washington on the 15th instant, of Abraham Lincoln, late Chief Magistrate of the nation.

No event could have plunged the nation into more profound sorrow.

A great and good man has fallen a victim to the wickedest rebellion the world has ever seen. The friend of the poor, the down-trodden and the lowly, the pride of the nation is no more.

As a statesman his power was felt and acknowledged. His patriotism was unquestioned. His goodness of heart was proverbial. Because he was kind and good and loved his fellow men, because the people loved and delighted to honor him, hath the wicked slain him. Oh, Justice, why didst thou sleep!

May this sad event, this terrible wrong, this great crime, arouse the nation to a true sense of the wickedness of those men who are seeking its destruction; arouse every true lover of his country to do or die for the Republic. Have we great and good men, look to see them die by the assassin's knife. Have we the poor and feeble, look to see them made the slaves of wicked and inhuman masters, or prepare to defend and maintain the Union and assert the power and authority of the Government. In behalf of this State, I do hereby tender to the bereaved family, the heartfelt sympathy of its people.

And I do recommend, as a mark of respect to the deceased, that for one hundred days from this date, all public offices, court houses and other public buildings be clad in mourning, and that during that time the people of this State wear the usual badges of mourning; and in view of this sad and unforeseen event, I do hereby modify and change my Proclamation of the 12th instant, and recommend that *Wednesday*, the 19th instant, be observed as a day of Fasting and Prayer, and in commemorating, by suitable ceremonies and demonstrations, the memory of our late Chief Magistrate.

It is ordered that appropriate military honors be paid to the memory of the deceased.

In testimony whereof, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed.

Done at the Capitol, in the city of Madison, this 17th day of April, in the year of our Lord one thousand eight hundred and sixty-five.

JAMES T. LEWIS.

THANKING THE VOLUNTEERS

On September 2, 1865, the Governor issued the following:

Proclamation

An all-wise Creator has permitted us to triumph over treason.

As the smoke of battle clears away, and we behold the great work which has been accomplished by the Army of the Union; when we consider that it has stood as our bulwark in the darkest hours of the Republic, and when we remember that Wisconsin's sons formed a part of this great Army, and view the honorable and important position taken by them in it—the record they have made, our hearts swell with pride, and we feel that the gratitude and thanks of our people are due and should be tendered to the noble men who have taken part in this, the greatest struggle the world has ever known; a struggle involving not alone the interests of this Nation, but the interests of all mankind; a struggle every day of which was crowded with momentous events.

For the bravery which has distinguished Wisconsin soldiers in every battle in which they have been engaged, for the patriotism displayed by them on all occasions; for the gallantry with which they have borne the Stars and Stripes and the noble manner in which they have sustained the honor of the State and Nation, *I, James T. Lewis, Governor of the State of Wisconsin*, do therefore in behalf of the State, hereby tender to all Wisconsin Officers and soldiers of every grade, the heartfelt thanks and gratitude of its people. And while we remember with gratitude the living, we will not forget the heroic dead. Their memories will be honored and cherished by our people. Their fame survives—they will live in the hearts of their countrymen.

In testimony whereof, I have hereunto subscribed my name and caused the Great Seal of the State of Wisconsin to be

affixed. Done at Madison, this 2d day of September, in the year of our Lord one thousand eight hundred and sixty-five.

JAMES T. LEWIS.

THANKSGIVING DAY

On October 28, 1865, the Governor published the following:

Proclamation

Peace again smiles upon us. The work of death has ceased. The authority of the Government has been fully established, and traitors who once defied it now bow in humble submission. The accursed institution of African slavery has perished. The Union established by our fathers, cemented anew by the blood of their patriot sons sends forth a brighter and a purer light to the oppressed of other lands. The people of our State have enjoyed the blessings of health and prosperity, and the privileges of education and Divine worship. Our territory has not been polluted by the tread of the invader. Our substance has been preserved.

For those, and the many other favors and blessings which our Heavenly Father in His goodness has vouchsafed to us, in providing for our wants and guarding us from danger, we should thank and praise Him. While we enjoy the gift let us not forget the giver.

Feeling that we should express our gratitude and thankfulness for all these favors and blessings, I, James T. Lewis, Governor of the State of Wisconsin, in accordance with a time-honored custom, do hereby appoint Thursday, the thirtieth day of November A. D. 1865, a day of thanksgiving, prayer and praise to Almighty God; and do recommend to the people that they meet on that day in their usual places of worship, and

“Praise God from whom all blessings flow.”

thank Him for His goodness toward us during the year that has passed, and ask for the continuance of His favors and blessings.

Given under my hand and the Seal of the State in the Executive Chamber at Madison, this 28th Day of October, in the year of our Lord one thousand eight hundred and sixty-five.

JAMES T. LEWIS.

But on November 15 he issued the following supplementary proclamation, changing the day of Thanksgiving:

Proclamation

Whereas, Andrew Johnson, President of the United States, has issued his Proclamation designating the first Thursday of December next as a day of National Thanksgiving, and

Whereas, It is desirable that the same day may be observed throughout the State and Nation:

Now, therefore, I, JAMES T. LEWIS, Governor of the State of Wisconsin, do hereby modify and change my Proclamation of the 28th ultimo, appointing Thursday the 30th instant, as a day of Thanksgiving, and do appoint the first Thursday of December next as a day of Thanksgiving and prayer.

Given under my hand and the Seal of the State in the Executive Chamber at Madison, this 15th day of November, in the year of our Lord, one thousand eight hundred and sixty-five.

JAMES T. LEWIS.

NEGRO SUFFRAGE IN WISCONSIN

[Entry in Executive Register:] Dec. 19, 1865. On this day the Governor issued the following Proclamation announcing the result of the canvass of returns of votes given at the General election held on the 7th day of November A. D. 1865, on the

question of extension of suffrage to male persons of African blood who shall have attained the age of twenty-one years.

JAMES T. LEWIS.

STATE OF WISCONSIN,
EXECUTIVE DEPARTMENT.

Pursuant to the provisions of Section 6, of Chapter 414, of the General Laws of the State of Wisconsin for the year 1865, I, James T. Lewis, Governor of said State, do hereby announce and proclaim to the people thereof, the following as the result of the canvass of the returns of votes given at the General Election held in Said State of Wisconsin and by the several detachments, companies and regiments of soldiers, citizens of said State of Wisconsin in the military service of the United States, on the 7th day of November, A. D. 1865, on the question of the extension of suffrage to male persons of African blood, who shall have attained the age of twenty-one years, as appears by the certificate of the State Board of Canvassers.⁷²

Whole number of votes cast.....	102,179
"For extension of suffrage, No".....	55,591
"For extension of suffrage".....	46,588
Majority against extension of suffrage.....	9,003

In testimony whereof I have hereunto subscribed my name and caused the Great Seal of the State of Wisconsin to be affixed. Done at Madison, this 19th day of December, A. D. 1865.

JAMES T. LEWIS.

⁷² See *post*, p. 284, note 84.—Ed.

MONEYS EXPENDED

LEWIS'S CONTINGENT FUND

MADISON, January 1, 1866.

To the Hon. Speaker of Assembly:

SIR:—The act providing for a military contingent fund, and appropriating money therefor, makes it my duty to report to the legislature the amount of money expended therefrom during the last year. I have the honor to report through you to the legislature, that I saw no necessity for the use of said fund, and have made no draft upon it. The money appropriated for said fund, except so far as the same had been expended by my predecessors, remains in the state treasury. The amount in the treasury belonging to said fund, as appears by the report of Governor Salomon, is \$3,609.70.

I have the honor, further, to state that the usual appropriation of five thousand dollars to the governor, as a general contingent fund, was, at my request, omitted at the last session of the legislature, the amount remaining in said fund from the appropriation of the previous year, being ample, in my judgment, to supply all necessary drafts upon it,

The amount appropriated to said fund two years ago was..	\$5,000 00
Amount refunded thereto.....	5 46

\$5,005 46

Amount drawn from said fund during the year	
1864	\$1,317 74
Amount drawn from said fund during the year	
1865	1,033 26

Whole amount expended during the two years above	
named	2,351 00

Amount still remaining in the state treasury belonging to	
said fund	\$2,654 46

I would further state that soon after the last appropriation for the care of sick and wounded Wisconsin soldiers, was placed at my disposal, I visited Washington and most of the hospitals where Wisconsin soldiers were to be found, and secured the discharge or transfer to our own state of nearly all the sick and wounded belonging to Wisconsin regiments. By these discharges and transfers the lives of many were saved, and a large amount of money was saved to the soldiers' relief fund, which it would otherwise have been necessary to use in their care. This fact, together with the closing of the war, and consequent discharge of troops at an earlier day than was anticipated at the time the appropriation to the fund last above named was made, rendered it necessary to use but a small portion of the money thus appropriated.

The whole amount expended from the soldiers' relief fund since my last report to the legislature, is.....	\$4,966 91
Amount belonging to said fund unexpended and still remaining in the state treasury.....	22,050 84
Whole amount of these funds unexpended and now in state treasury	28,315 00
	<hr/> <hr/>

Vouchers for all expenditures from said funds with a full detailed statement of each item will be found in the executive office. All of which is respectfully submitted.

JAMES T. LEWIS.



Governor Lucius Fairchild

From a photograph in possession of the Wisconsin Historical Society

1866-1872. Lucius Fairchild

Biographical Sketch

Lucius Fairchild, tenth Governor of Wisconsin, was born at Franklin Mills, now Kent, Portage County, Ohio, on December 27, 1831, the son of Jairus Cassius Fairchild, a native of New York, and Sally (Blair) Fairchild, a native of Massachusetts, of Scotch-Irish descent. In 1834 the family moved to Cleveland, Ohio, and in 1846 to Madison, Wisconsin. Lucius's education was obtained in the schools at Cleveland, at Twinsburg Academy in Ohio, and at Prairieville Academy in Wisconsin. In 1849 he went overland to California and remained there until 1855, when he returned to Madison. He was elected clerk of the circuit court for Dane County in 1858. While holding that office he studied law and was admitted to the bar in 1860.

A military company named Governor's Guard was organized in Madison in 1858. Fairchild was a member, and in 1861 its first-lieutenant. This was the first company to volunteer under the President's call for three months' men, and became company K, First Regiment of Wisconsin Volunteers. Lieutenant Fairchild had enlisted as a private, but was made captain of the company. The regiment was sent to Virginia and took part in the skirmish at Falling Waters, the first engagement of the war in which Wisconsin troops were concerned.

The President on August 5, 1861, appointed Captain Fairchild to a similar position in the Sixteenth Regular Infantry, and four days later he was appointed by Governor Randall as major of the Second Wisconsin Volunteers (three years' men). He was the first officer of the regular army to receive leave of absence to serve with volunteer troops. On August 20 he was promoted to the lieutenant-colonelcy, and ten days later, after

Colonel O'Connor's mortal wound at the battle of Gainesville, Fairchild was advanced to the colonelcy of the regiment.

The Second was part of the famous "Iron Brigade." Its new colonel led it in the campaigns and engagements of the Army of the Potomac until the battle of Gettysburg. Here he lost his left arm, and was captured; but being too weak to be moved, he was released after two days' imprisonment. On October 20 he was made a brigadier-general of volunteers.

Before the war, General Fairchild was a Democrat, but had now become identified with the Republican party. While at home recovering from his wound, he was, much to his surprise, nominated for secretary of state by the Union-Republican convention. He was reluctant to give up his military career, but accepted the nomination and resigned his commission in the belief that he could in his disabled condition be of most service to the nation and the State in a civil capacity. He was elected in November, and served from January 4, 1864, to January 1, 1866. In April, 1864, he married Miss Frances Bull of Washington.

In the autumn election of 1865 Fairchild was elected governor, being re-elected in 1867 and 1869. In 1872 he was appointed United States consul at Liverpool, and in 1878 was promoted to be consul-general at Paris. He was sent to Madrid in March, 1880, to succeed James Russell Lowell as minister plenipotentiary, and remained at that embassy until December, 1881. His return to America was induced by his desire to complete the education of his children in the United States.

Governor Fairchild was honored with various offices by the Grand Army of the Republic: in 1869 he was elected its senior vice commander-in-chief, and in 1886 commander of the Wisconsin department. At the National Encampment of the last-named year he was chosen commander-in-chief of the order. In the Military Order of the Loyal Legion he was commander of the Wisconsin commandery from May, 1884 to May, 1887, and was elected commander-in-chief of the entire order in October, 1893.

He was ever an active friend of the State University, long served as an officer of the State Historical Society, and was unceasing in his efforts to secure for the Society a suitable library building. His valuable public services, official and unofficial, cannot all be enumerated within the limits of this necessarily brief sketch. He died May 23, 1896.

1866. Inaugural Ceremonies

On January 1, 1866, Governor Fairchild and his fellow State officers were inaugurated in the Assembly Chamber. On this occasion, retiring-Governor Lewis delivered a

FAREWELL ADDRESS

in which he made the following allusion to the war:

It is a source of great satisfaction to me, * * * to know that all our public institutions and interests are in good condition, and that our State credit has not been impaired, notwithstanding the large amounts of money it has been necessary to raise and expend during the last four years. Never, during that time, have Wisconsin bonds been sold by the State for less than par; and no State has done its duty to the General Government more fully or promptly, or made a prouder record in the late war, than has Wisconsin. She sent forth noble men, and nobly did they do their duty. They fought in nearly every action and none fought better, none were more patriotic, none made greater sacrifices. The presence of over ninety thousand of her bravest sons in the Union lines at the post of danger, evinced her patriotism. The new-made graves of about eleven thousand of her best citizens, who have fallen on the field of battle, attest her sacrifices. May Wisconsin remember her heroic soldiers!

It is the part of wisdom to profit by the lessons of the past. The last four years have been so crowded with important events that it would be difficult to enumerate them all; yet, as the war has just closed, at this important epoch, as we are turning from the scenes of war and strife to the duties of peace, while we stand in a position to view the horrors of the one and the blessings of the other, it may be well to refer to a few of the lessons those events have taught us. I trust you will not think

me out of place in so doing; and first, I remark, they have taught us that we should be watchful of our rights and interests, and prevent evils if possible, or correct them while they are easily controlled. That it is much better for a people to be watchful of their rights and interests, and avoid evils, or correct them by mild and moderate means on the first appearance of wrong—the first departure from the right road—than it is to allow them to accumulate until some great upheaval occurs, which, while it corrects prominent evils, carries death and destruction in its course and causes great sacrifices which might, by proper forethought, have been avoided. An evil had long existed in our midst, which was allowed to fester, until, in portions of our Union, it corrupted the very fountain of social life, resulting in ignorance, degradation, want and crime, finally culminating in the great crime of rebellion. Force had to be met with force. War was the result, with all its evils and sacrifices. They have taught us there is a power that will eventually enforce the right; that although justice may be delayed, sooner or later it will be heard; that the great natural rights of man cannot be disregarded with impunity; that slavery was a great wrong; that our arms were weak when we attempted to defend it, but strong when we undertook to strike off its chains. They have taught us that we should rely more upon the justness of our cause and less upon our own strength, if we would succeed. That while man defends the wrong, God defends the right, and who can doubt as to the result? that we should rely more upon God and less upon man. Even when in the right, man often fails us, God, never. In the late rebellion where none, it would seem, could mistake the road, many have straggled. Many have fallen out by the way-side, many have fainted. See France and England, away from the excitement of the hour, calmly and in their sober moments, with all their boasted philanthropy, acknowledging the right, yet pursuing the wrong; guided by their selfishness rather than by their sense of justice. Yet with all the faltering and opposition of men, with all the powers of France and England and Hell combined, the shackles of the

slave have fallen and the Union is saved. God had decreed that it should be so. God had said to the black man, "the year of jubilee has come," and the more men and governments opposed the more certain were they, like Pharaoh's host, to be engulfed beneath the waves. They have taught us that we should, with great caution, take back to our bosoms the viper that has stung us near unto death.

The people of the Southern States have done us a great wrong. They disregarded the best interests of our country by making war upon the Government, and undertaking to enslave its people. They seized our forts and arsenals, violated solemn oaths, disregarded compromises, with fire and sword, by assumption and bullying in the very Capitol of the nation, sought to accomplish our destruction.

They have been arrested in their mad career and now ask to be reinstated with all their former privileges. It may be for the purpose of re-enacting the bloody scenes of the past. Of this we know not.

While I would not now, after all their base acts, advise harshness towards them, neither would I too suddenly and too lovingly embrace them. There is a blackness which effects evil, which lies not like the African's skin on the surface, but way down deep in the heart, that rankles there, and as an opportunity offers stings even its benefactor. The lessons of the past would teach us to pause, give their passions time to cool. Let our course toward them be dictated by reason and good sound judgment, not by sickly, ill-advised lenity, neither by revenge or overheated, passionate severity. Give the proper tribunals time to ascertain the full measure of their guilt, and then let justice tempered by mercy take its course. They have, as I before remarked, done us a great wrong. Let them frankly acknowledge that wrong and do right. Let them bring forth fruits meet for repentance. Let them show by their works that they do not desire to return to us again to destroy; that they love and have faith in republican institutions; have faith that man is capable of self-government; that they abhor wrong and

oppression and love right and justice, and are willing to join us in the great work of removing the burdens from those that are heavy laden—raising up the down trodden, the poor and the afflicted. Show by their acts that their new found faith has really made them whole.

* * * * *

After taking the oath of office, Governor Fairchild's

INAUGURAL ADDRESS

was delivered as follows:

Fellow Citizens:

In entering upon the discharge of the duties of the high office to which I have been so recently elected by the people, I fully appreciate its responsibilities, and in the discharge of its duties I shall earnestly endeavor to execute faithfully the trust committed to my care, to honestly enforce the laws of the State, to carefully exercise the closest economy, consistent with the public good, in the expenditure of public money.

More important duties and graver responsibilities, have devolved upon my immediate predecessors than will ever again fall to the lot of the Executive of this State.

To the people it will ever be a source of proud satisfaction, that during the trials and dangers of civil strife, their chief magistrates have, by their energy, ability and experience, so managed the affairs of the commonwealth, as not only to reflect credit upon themselves, but to place the State they have so ably represented among the foremost of its sister states in rallying its forces to the defense of the Republic.

With the return of peace much of the responsibility and care has passed away. The marshaling of armed forces is already a thing of the past. The great army of a million of men, the like of which the world had never seen, in a little more than

half a year has dwindled into a comparative handful. The transition from the citizen to the soldier was not half so rapid, nor half so wonderful, as has been the transition from the soldier to the citizen.

The citizen soldier has become the plain citizen, and as the former has never been wanting in the discharge of his military duties, so we know that the latter will ever be equal to the responsibilities and cares of civil life:

The people of this State will ever remember with pride that they have so nobly answered the calls of the general government for men. Over ninety thousand of Wisconsin sons have gone to the front, and whatever of danger union soldiers have risked, whatever privations they have endured, whatever honors they have won, the soldiers of this State have fully shared.

As they were good citizens at home, so they have made good soldiers abroad; and wherever the flag of the Union has gone, there have gone Wisconsin regiments, carrying with them, and maintaining everywhere, a reputation for loyalty and bravery unsurpassed.

Loving hands have ministered to the comfort of the sick and wounded, and loving hearts mourn the loss of over ten thousand of our brave boys, who have gone down to death in defense of their country.

With the close of civil war, however, all dangers have not been averted, nor have all responsibilities ceased.

Great political problems still remain unsolved, and their solution requires not only the exercise of the calmest judgment, and the keenest discrimination of our greatest and best public men, but also the earnest thought, the unwearied effort, and the honest purpose, of all the intelligent citizens of the Republic.

Two great and important questions have already been determined by the late war. The right of secession, so strenuously claimed by the people of the south, and so vigorously maintained by their arms for more than four years, has been forever decided against them, and from this judgment, obtained

by the Union army at the point of the bayonet, there is no appeal.

He who shall hereafter claim for any state the right to withdraw from the Union, either peaceably or forcibly, will be a bold bad man, unworthy of the high privileges bestowed upon him by the government, and undeserving of the protection of its laws.

The national unity has been fully demonstrated, and the national honor fully vindicated, by the armed power of the government, and those who sought to divide and destroy the country have been compelled to bow their heads before the majesty of the law, and on bended knees ask pardon for their crime.

The verdict of the American people is, that any attempt to right a fancied or real grievance, by force of arms, is treason, and they ask, as they have the right to ask, that the highest judicial tribunal in the land shall give expression to that verdict, by a trial upon a charge of that high crime, in accordance with law, of the chief representative of the rebellion, the man who stood before the world as the acknowledged leader of the traitors. Not until Jefferson Davis shall have been tried, convicted and hung for treason, and the fact that treason is a crime which cannot be committed with impunity, shall have thus been fully demonstrated, will the people be content.

The slave holding interest of the country, and that alone, had the will and the power to attempt the disruption of the Union, and, as the doctrine of secession grew out of slavery, so the desire of the slaveholder to establish that doctrine, and his power to maintain it, came from the same source.

The success of one, was the success of both—the failure of one, the failure of both. Slavery and treason died together; so that the American people, when they executed the judgment upon the alleged right of secession, also determined that this great republic could not and should not longer exist half slave and half free.

The American people have decreed, and by force of arms

have demonstrated, that the Union is one and indivisible; that its people, of whatever race or color, shall be forever free.

It now devolves upon us to see to it, that the freedom so established shall be something more than a mere name. It must be so broad and comprehensive as to include within its privileges and rights, all races and colors, and must be so guarded by, and hedged in with constitutional enactments, that no person, not even the highest in the land, can with impunity trample upon the sacred natural rights of the humblest citizen, whatever may be that citizens' creed or color.

Congress has already so amended the Constitution that slavery can no longer have an existence in the land. That amendment has been ratified by three-fourths of the sovereign states of the republic, and has now become a part of the Constitution itself. It is as enduring and as sacred as any part of that great charter of American rights; but something yet remains to be done to make it reach, with all its beneficial effects, the class for whom it was intended.

Special enactments must be passed for the benefit of the freedman, to protect him against the oppressions of his late master.

Whatever he earns should be absolutely his own. His contracts should be as sacred in the eye of the law as those of the white man, and the means of enforcing them should be placed fully within his reach. He should be admitted upon the witness stand, and in the jury box, and should be made to feel that he is no longer a chattel, but a man, invested with and protected in all the rights of manhood.

Freedom is no boon to him, unless he is protected in all his rights under it, and permitted and encouraged to pursue any and all avocations for which he is qualified.

That he should at once be entrusted with the right of suffrage, is a matter of great doubt in the minds of many of his best friends. There are many who think that in any event some limit should be attached to the extension of that privilege. It cannot be expected that a slave population, whose shackles have

been so recently stricken off, can at once intelligently exercise this sacred and important trust. But some there are among them from whom that great privilege should not be withheld.

That man among them, who in the midst of the most abject bondage, and in spite of unfriendly legislation, has so far risen above his class and condition as to be able to read and write, cannot be wholly unfit to exercise the right of suffrage.

Nor should those who voluntarily took up their muskets, and fought in the Union army for the perpetuity of republican institutions, be held unworthy of the highest rights and dearest privileges of American citizenship.

It is a matter of regret that the citizens of our own state should have again denied to the colored people in our midst the right of suffrage.⁷³

Time will yet modify their opinions, and this privilege will, sooner or later, be extended to that class. There can be no good reason why any man of intelligence, who is a good citizen, who pays taxes for the support of the government, is subject to military duty, and who yields a ready obedience to the laws should not be allowed an expression of his opinion at the ballot-box.

If any restriction is to be placed upon that privilege, it should relate, not to the complexion of the voter, but to his intelligence and capacity.

I trust the day is not far distant when the suffrage laws of all the states will be alike, and that they will be so broad and comprehensive in their provisions as to reach every man in the land who can read and write, and none others. In this land of schools and colleges no man need be disqualified under such a law, unless he chooses to be, and if he chooses to be, he will be entirely unfit to vote.

⁷³ The question of negro suffrage was submitted to the people of the State in 1865 by direction of *Wis. Gen. Laws*, 1865, chap. 414, and was decisively defeated by a vote of 54,307 to 46,248. See *post*, p. 284, note 84.—Ed.

In the reconstruction of those states lately in rebellion, it seems both necessary and proper that ample evidence should be required upon their part that they are disposed to yield a ready and willing obedience to the Constitution and the laws.

When the Southern people arrayed themselves in arms against the government they committed treason, and forfeited all their political rights under the Constitution. Now that they ask to be re-invested with those rights, it is just and proper that the government, in granting them political power and privileges, should annex to the grant such conditions as are necessary to insure the future peace of the nation.

Each state should at least be required to ratify the amendment to the Constitution of the United States abolishing slavery, even though the ratification of the full number of states necessary to make it binding has already been obtained.

Each state ought also to be required to ratify further amendments to the Constitution of the United States, forever prohibiting the payment of debts contracted in support of the rebellion, affirming the sacredness of the national debt, forever barring any right of action against persons in the United States army for acts done while in the line of duty, by order of their proper officers, during the late war; declaring all ordinances of secession, past and future, null and void; and apportioning representation in Congress upon the basis of the number of voters in each state.

With these conditions faithfully carried out, and with the necessary general congressional enactments for the full protection of all Union men white or black, the people will be glad to again admit those states into full communion with the Union, and welcome them with open arms.

The loyal people of the North will never be satisfied unless these conditions, or others equivalent thereto, are insisted upon. Anything less will be mistaken leniency, and will endanger the perpetuity of the government.

I do not desire, nor do I believe, that the citizens of any of the loyal states desire to humiliate the Southern people. They

were our brothers, they became our enemies, they are our brothers again. Their prosperity is ours, under the same flag we must live or die as a nation. We are all citizens of one common country, and must live together in brotherly unity.

We of the North only ask, that this final settlement of all the questions arising out of this contest, shall be upon such terms as will insure future peace and justice to all citizens.

One of the greatest evils inflicted upon the country by the war, is an immense national debt; the faith of the government is pledged for its payment, and it must and will be paid to the last dollar of principal and interest.

The national honor is at stake, and the people who created the debt, in their almost superhuman effort to maintain a free government, have not only the power, but the will and the integrity, to fulfill their obligations to the fullest extent. Repudiation would be a stain which could never be effaced.

It would have been better to have failed in the contest, and have been blotted entirely from the nations of the earth, than, being successful, to disgrace ourselves by voluntarily ignoring the claims of those who came forward to the support of the government in its time of need.

Repudiation in any form, and under any circumstances, is one of the greatest of national evils, and the worst of national sins.

The power is in the hands of the President and Congress to make the victory so dearly won a lasting benefit to the country; and, with full confidence in their wisdom and judgment, the people await their action.

If this action shall be such as to meet the expectations of their constituents, and of this I have no doubt, the results of the rebellion, which was commenced for the destruction of the government, may illustrate anew the beneficence of that Providence, which, overruling the designs of the wicked, out of seeming evil still educes good.

The curse of slavery removed, labor made respectable and idleness a disgrace, among all classes, the rudiments, at least, of

an education assured to all the children of the republic, the rights of free discussion established and guaranteed in every state and section, a new era of material progress and intellectual development will dawn upon the country, compared with which the prosperity and greatness of the past, unprecedented as they have been, will sink into insignificance.

LUCIUS FAIRCHILD.

1866. Nineteenth Annual Legislative Session, January 11-
April 10

The two Houses of the Legislature met in Joint Convention on January 11, and the Governor read thereto in person his

ANNUAL MESSAGE

in which occurred the following passages relative to Wisconsin's participation in the war between the States:

Gentlemen of the Senate and Assembly:

Our first duty is to give thanks to Almighty God for all His mercies to us during the past year. The people of no nation on earth have greater cause to be thankful than have our people. The enemies of the country have been overthrown in battle. The war has settled finally great questions at issue between ourselves, and there seems to be abundant reason to hope that a peace which shall never more be broken by internal strife is at length vouchsafed to us.

We mourned as no people ever mourned before, when our beloved President was stricken down by the hand of the assassin. That his mantle has fallen upon a patriot of such approved fidelity, and a statesman of such earnest and upright purposes as Andrew Johnson, is a subject of just congratulation, and renews our confidence that the Divine Hand, which has thus far led our country through manifold perils, still upholds it and directs its destinies.

Unlike former wars, the one through which we have just passed has not been followed by commercial stagnation. Everywhere the business of the country has sprung into life with more than pristine vigor. Manufacturers are pressed to the utmost limit of their power, to supply demands. A million of men have returned from the war, been disbanded in our midst and resumed their former occupations, and yet from all sides

we hear the surest of all signs of national prosperity, complaints of the scarcity of labor.

* * * * *

The revenues of the state for the fiscal year are estimated as follows:⁷⁴

* * * * *

Trust funds available for war purposes.....	\$200,000 00
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* * * * *

Due from the United States, on war claims.....	160,000 00
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* * * * *

It is confidently expected that the state authorities will be able to effect a full settlement with the United States during the present year, and that the State will be fully reimbursed for all moneys expended for war purposes, which properly belong to the General Government to pay. Vouchers for a large amount are already filed with the proper auditing officers at Washington, and in process of settlement, and other vouchers are now being prepared for transmittal.⁷⁵

Congress will probably enact laws during its present session, which will facilitate the final adjustment of all claims of this nature.

There was received during 1865, from the United States, on account, the sum of \$300,238.26.

* * * * *

⁷⁴ The estimate of expenditures for military purposes during the fiscal year, was as follows:

Payment of temporary loan from the trust funds for war purposes	\$528,000
War expenses (extra pay to soldiers).....	200,000.—Ed.

⁷⁵ See *ante*, pp. 223, 224, note 50.—Ed.

WAR FUND

The receipts of the war fund for the last fiscal year were as follows:

Loans from the trust funds.....	\$818,000 00
From the United States.....	300,238 26
State tax for war purposes.....	200,000 00
Semi-annual payments on state bonds.....	44,677 25
Refunded items	1,413 68
	<hr/>
Total	\$1,364,329 19
Balance in fund September 30, 1864.....	2,173 87
	<hr/>
	\$1,366,503 06

Disbursements were for

Extra pay to soldiers supporting families.....	\$1,030,537 36
Transfers to other funds.....	208,716 75
Interest on war bonds.....	75,040 00
Labor in state armory.....	917 50
Clerk hire, printing, surgeon general, etc.....	25,457 58
	<hr/>
	\$1,340,669 19
	<hr/>
Balance in Fund September 30, 1865.....	\$25,833 87
	<hr/> <hr/>

There has been paid out of the state treasury for war purposes, since the beginning of the rebellion to the 1st day of January, 1866, not less than \$3,900,000.

There has been raised by counties, cities and towns for war purposes, up to June 1st, 1865, \$7,752,505.67. Total expended by the state, \$11,652,505.67, \$762,403.09 of which has been reimbursed by the general government.

A large sum has also been paid by localities, by tax levied last year, of which the state has no account. In consequence of this vast expenditure of money for war purposes, the bur-

dens of the people have been heavy. In all of our state affairs we should practice the strictest economy consistent with the public good. The people demand it, and will expect all in authority to comply.

Make no appropriations which are not entirely necessary, and insist that all who are empowered to expend the public money shall do so with an eye single to the public welfare.

* * * * *

MILITARY

In submitting herewith the report of the quartermaster general, I wish to urge upon you the importance of providing a proper building, or buildings, for a state arsenal.

The report shows that there are now in the possession of the state, ordinance, arms, ammunition, and military stores, as follows:

Nine field pieces, fully equipped; 5,186 muskets and rifles, with accoutrements; 481 sabers and swords; 103,300 rounds of ammunition; 4,000 haversacks and canteens, together with much other property; all of which is at present stored in four different places, in rooms in no way suited to its proper preservation, and, unless steps be taken to prevent it, will soon become unfit for use. The room now used as an armory is so small that arms are necessarily kept packed in chests, or piled up in such a way that frequent inspections are impossible.

The ammunition which is, by the courtesy of United States officers in command there, now stored at Camp Randall, must be removed when that post is broken up. The state has no magazine to which it can be taken.

From the lack of proper buildings in which to store such property, no requisition has been made upon the United States for the allowance of arms due to the state under the act of Congress of April, 1848.

These considerations seem to render it necessary that a site should be selected, and buildings suitable for an arsenal be

erected at an early day. The annual rent now paid for an armory would very nearly pay the interest upon the money necessary for this purpose. Proper magazines and store-rooms would be secured to the state, and the arms and ammunition be not only saved from ruin, but kept in readiness for immediate use, in case of any emergency.⁷⁶

The experience of the last four years should warn us that this may again become a matter of vital importance.

Our militia law disappoints the expectations of those who framed it, and entirely fails to meet the requirements of the state. It does not provide us with a single regiment of efficient state troops, which could be called into use in an emergency. I doubt if any other state in the Union is so entirely defenceless. It is important that this law should be so revised and amended as to give us a thorough militia organization.⁷⁷

The adjutant general's report gives in detail the military operations of the state troops during the past year, and the support given to the general government, during the rebellion. During the past year the state has furnished 9,940 volunteers and 2,465 drafted men, making a total of 12,405. Seven new regiments only were organized from this number, the balance having been assigned to fill the ranks of old organizations in the field.

The state has furnished under all calls from the general government, 52 regiments of infantry, four regiments and one company of cavalry, one regiment of twelve batteries of heavy artillery, thirteen batteries of light artillery, one company of

⁷⁶ The report of the Quartermaster-General is printed in *Wis. Mess. and Docs.*, 1866, ii, pp. 1671 ff. The Legislature made no provision for the erection of an arsenal, and the military property of the State remained stored in the attic and vacant rooms of the capitol.—Ed.

⁷⁷ Two amendments to the militia law of the State were passed during the session of 1866; they were, however, designed only to reduce the expense of militia organization. See *Wis. Gen. Laws*, 1866, chaps. 15, 31.—Ed.

sharpshooters, and three brigade bands, besides recruits for the navy and United States organizations, numbering in all 91,379, of which number 79,934 were volunteers, 11,445 drafted men and substitutes.

The total quota of the state under all calls during the war is 90,116.

In the settlement of the accounts with the general government, the state stands credited with 1,263 men, as an excess over all calls, a gratifying evidence of the devoted patriotism of the people of Wisconsin.

The total military service from the state has been about equal to one in every nine of the entire population, or one in every five of the entire male population, and more than one from every two voters of the state.

The losses by deaths alone, omitting all other casualties, are 10,752, or about one in every eight in the service.

Immediately after the surrender of the rebel armies, measures were taken by the general government with commendable promptness, for disbanding the volunteer union forces, and orders were issued directing the muster out of all volunteers whose term of service expired on or before October 1st. My predecessor, ever mindful of the wants of those who had gone from our state, urgently requested that the provisions of that order might extend to all Wisconsin troops, that they might return to their homes to render the necessary assistance required to gather the crops and for other needed labor, which request has been complied with as far as the exigencies of the service would permit. There remains in the service at this date only the 4th cavalry, one battalion of four companies of the 9th infantry, the 35th infantry, six companies of the 48th regiment infantry, and the 50th regiment infantry. All other organizations have been mustered out and returned to their homes.

BOUNTIES

The men who enlisted in the United States Army during the early part of the war did not receive the same bounties from

the government which have been paid to those who entered the service at a late date.

They were none the less patriotic; their service was not less hazardous and severe than those who have been better paid, and they have the right to expect that you will do whatever you can to influence the general government to do them justice, by giving them bounties equal to those paid to others who enlisted at a later date.

All who have periled their lives in the defense of our country, deserve to be dealt with alike, and I am sure that you will esteem it a pleasure, as well as your duty, to give them the influence of your action.⁷⁸

In this connection, let me suggest that a bureau be established for the collection of back pay, bounties and pensions, for soldiers who have been in Wisconsin regiments, and for their families; connected with which there should also be established a system of claim agencies throughout the state, with a branch agency at Washington, these agents to report to the chief of the bureau at our capitol, which should be under the direction of some one of the state departments. Bounties and back pay, in many cases, go to the representatives of deceased soldiers. Pensions always go to the disabled and dependent. Those to whom they are paid are reduced to this dependence through no fault of their own. They would willingly earn their own living and dispense with all aid from the government were they able to do so. The sums they are to receive are small at best, and it seems just that the state should bear the expense of collecting them. The plan I have suggested has been tried in one of our sister states, and has been found eminently successful.⁷⁹

⁷⁸ A memorial urging equalization of soldiers' bounties was prepared and presented to Congress, but had no effect.—Ed.

⁷⁹ A bill embodying the recommendations of the Governor passed the Assembly, but it was rejected in the Senate.—Ed.

SOLDIERS' ORPHANS

There was issued by the secretary of state in September, 1865, a circular letter to the town and city clerks throughout the state, asking those officers to inform the state department of the number of children of deceased Wisconsin soldiers in their respective towns. 367 clerks only have responded, reporting 2,874 such children; an average of nearly eight to each town. If the average is the same in the towns from which no reports have been received, there are not less than 6,000 such children in the whole state under fifteen years of age. Of those reported, the ages of 791 are not given, 1,546 are between one and ten years of age, 517 are between ten and fourteen years of age, 20 were in the county poor houses, 87 have neither father or mother living.

The fathers of these children have laid down their lives while battling for the preservation of our country. They have died, that we might live to reap the rich harvest of national prosperity, secured to us as the result of that contest, in which they bore so honorable a part.

They are the children of the state, and, as such, are entitled to its fostering care and protection.

The necessity of providing a suitable asylum for such of these orphans as require the protection of the state, has been appreciated by our people, who have contributed generously for that purpose. I call your attention to the accompanying communication,* and earnestly recommend that the proposition of the

*OFFICE OF SOLDIERS' ORPHANS' HOME,
MADISON, WIS., Jan. 4, 1866.

His Excellency, the Governor of Wisconsin:

SIR:—In behalf of the Executive Committee of the Soldiers' Orphans' Home, I have the honor to submit the following information:

The Soldiers' Orphans' Home was projected by Mrs. C. A. P. Harvey, who conceived the idea of converting the well known Harvey U. S. A. General Hospital into a home for the class of children its name indicates.

This lady obtained from Messrs. Marshall & Ilsley a proposition to sell the property at the price of \$10,000, *provided*, that the General

executive committee be accepted, and that the Harvey Soldiers' Orphans' Home be adopted by the state as one of its benevolent institutions.⁸⁰

In the struggle just closed, Wisconsin's record stands among the brightest. When the first faint echoes of the distant guns at Sumter sounded in our ears, her sons flew to arms. A young and peaceful state, unused to war, almost without a militia organization, almost without the men fitted to lead her

Government would donate its share of the buildings and improvements made thereon (at a cost of about \$12,000), and provided also, that it should be fitted up and furnished in readiness for the orphans of soldiers from Wisconsin who have died in the service during the late rebellion—such fitting up and furnishing to be done by private contributions, and then, as a whole, donated to the State, in which the title should be vested, all with a view to its permanent establishment under the auspices of the state, to be classed with its other benevolent and charitable institutions.

This was the ground-work upon which Mrs. Harvey made personal application to the authorities at Washington, and obtained, gratuitously, the interest of the government. The plan met the hearty approval of the Secretary of War, and by his order the possession was given to Mrs. H., *subject to the conditions* of Messrs. Marshall & Illsley's proposition.

Under such favorable circumstances the work was undertaken by the temporary organization of a Board of Trustees, with necessary officers, who have, in conjunction with the philanthropic projector, obtained private subscriptions to the amount of \$12,250, to this date. The necessary refitting and furnishing has been done at a cost, thus far, of about \$14,500, and the "Home" is now ready to admit applicants from all parts of the state. By the accompanying circulars, etc., the details will be more fully understood. Blank applications (see form) have been furnished to the Clerks of the Board of Supervisors for distribution to the towns, upon the return of which, it is intended to apportion the admission equitably throughout the State. The trustees will be pleased to afford such other information as may be desired upon application to the undersigned.

JAMES T. LEWIS,
President.

D. WORTHINGTON, *Secretary.*

⁸⁰ The Harvey Soldiers' Orphans' Home was projected by Mrs. Cordella A. P. Harvey, concerning whom see *ante*, p. 213, note 46. The war being over, she now proposed to transform the Harvey U. S. General Hospital at Madison into a soldiers' orphans' home. She had already secured from the Federal government a cession of its title

few battalions, she pressed to the front with her offering of men; and from the first skirmish in Virginia to the last struggle in North Carolina, her banners have been displayed amid the smoke of every battle, her regiments have shared the fatigues and dangers of every important expedition. When the thunder of artillery "rocked like a cradle land and sea"; when the shrieks of the wounded and the moans of the dying came borne to our ears from scores of battle-fields; when our streets were filled with pale and wounded men; when there were defeats as well as victories; when traitors grew confident and patriots grew anxious, still her men, young and old, pressed forward to the conflict. They shrank not from danger—they never doubted of success.

When there was mourning in so many of our homes, when its sad emblems were everywhere upon our streets and in our churches, when harassing anxiety for the danger of those they loved, filled so many hearts, and made pale so many faces, still mothers sent forth other sons, and other loving hearts bled fresh without a murmur.

The plow stood almost idle in the furrow for want of hands to guide it; the grain grew over ripe, and rotted on the stalk for want of hands to gather it; women toiled where men were wont to work, and yet our country's calls were answered.

In the hour of her greatest danger, Wisconsin's sons and daughters listened only to her voice. I thank God that this was so. To protect the state from danger is always the highest duty of the citizen. With us it was a solemn duty. Not our

to the buildings, and was requesting the Wisconsin Legislature for an appropriation of \$10,000 with which to purchase the necessary grounds. The Legislature not only made the appropriation, but accepted the Home as one of its benevolent institutions. Thereafter it provided each year for about three hundred soldiers' orphans. The act incorporating the Soldiers' Orphans' Home is *Wis. Gen. Laws*, 1866, chap. 39. See also *post*, p. 301, note 98, and Hurn, *Wisconsin Women in the War*, pp. 144-147.—Ed.

own national life alone, but the cause of freedom, and the success of free institutions throughout the world depended upon our arms. If we failed, these failed with us. If we failed, the lamp of liberty went out forever, and left the world in darkness. That we did not fail is indeed a cause of great rejoicing. That the cause of freedom triumphed brings joy to all the world. Yet for us to-day, it is a chastened triumph. Tears will mingle with our joy, sadness with our pride.

Thousands, "the flower of our youth, the beauty of our Israel", have fallen in the conflict; dying that we might live. Proud of their noble sacrifice, a nation mourns their loss.

Let it be your care that those whose natural guardians they were, shall not be left to want.

Let it be our privilege to see that suffering and neglect be not added to their noble grief. Let the state protect their families and educate their children. This being done, those fallen heroes will need no monument other than their nation's greatness.

For all who nobly bore their part in this dread conflict a nation's heart beats warm with gratitude. Generation after generation yet to come, will kneel and bless them for it. They have saved the nation's life.

If anything can be added to their proud consciousness of duty nobly done, let them dwell with satisfaction on the glorious future they have made possible for our country, when a hundred millions of free and happy people shall owe a proud allegiance to that flag they have so gallantly defended.

LUCIUS FAIRCHILD.

January 11, 1866.

SPECIAL MESSAGES

EXECUTIVE DEPARTMENT,

MADISON, January 18th, 1866.

To the Honorable the Legislature:

I herewith transmit for your consideration a communication from A. A. Biggs, Esq., president of the board of trustees of the Antietam national cemetery. The trustees report that one hundred and twenty-five Wisconsin soldiers who fell in the battle of Antietam, are buried in the cemetery.

They ask our state to contribute its share of the money necessary to a completion of their work.

It seems proper that Wisconsin should honor herself by honoring the burial place of her gallant sons.⁸¹

LUCIUS FAIRCHILD.

MADISON, January 25th, 1866.*To the Legislature:*

I herewith transmit the report of W. Y. Selleck, Esq., commissioner for Wisconsin to represent this state in the board of managers of the soldiers' national cemetery, at Gettysburg, Pa.

I am informed that the amount of money now asked for from this state, as her share of the sum necessary for the completion of the cemetery, is all that the board ever intend to ask of her. After the action already taken by the state in this matter, good faith requires that the contribution should be promptly paid.⁸²

LUCIUS FAIRCHILD.

⁸¹ The Legislature took no action regarding this matter.—Ed.

⁸² The report of Commissioner Selleck contained a request for a final appropriation of \$2,526 toward the project of the Gettysburg National Cemetery. The desired sum was granted in 1867.—Ed.

NEGRO SUFFRAGE

EXECUTIVE DEPARTMENT,
MADISON, March 1, 1866.

To the Honorable the Assembly:

I herewith transmit the report of the surgeon general of the state requested by resolution No. 68, adopted by the assembly.⁸³

LUCIUS FAIRCHILD.

 NEGRO SUFFRAGE ASSURED

[Entry in Executive Register:] 2d April, 1866. On this day the Governor issued the following

Proclamation

Whereas, under the provisions of Chapter 137 of the General Laws of 1849 the electors of this state did in that year vote upon the question of extension of the right of suffrage to the Colored men residing in this state; and

Whereas upon the canvass of the returns of said election by the state board of Canvassers it appeared that there were (5,265) five thousand two hundred and sixty five votes cast in favor of and (4,075) four thousand and seventy five votes cast against such extension of the right of suffrage to colored persons; and

Whereas, the Supreme Court of the State of Wisconsin did on the 27th day of March A. D. 1866 decide that by that vote Section 2 of Chapter 137 of the General Laws of 1849 was adopted.

Therefore, I, Lucius Fairchild, Governor of the State of Wisconsin do proclaim, for the information of the people, that the said section 2 of Chapter 137 of the General Laws of 1849, as follows,

Section 2. Every male colored inhabitant of the age of twenty one years or upwards who shall have resided in this state for one year

⁸³ The report, which may be found in *Wis. Assem. Jour.*, 1866, p. 426, contains a discussion of operations at the close of the war.—Ed.

next preceding any election shall be deemed a qualified elector at such election and eligible to hold any office in the state, subject however to the regulations contained in sections 2, 3, 4, 5, and 6, of the Constitution of this State.

is by the decision of the Supreme Court aforesaid declared to be a valid law and in full force. It is with great satisfaction that I announce this decision to the people, for by it the highest judicial tribunal of the State has declared that no citizen of this State is now debarred the privilege of the ballot box by reason of the color of his skin.⁸⁴

⁸⁴The question of negro suffrage was submitted to the people of Wisconsin in 1847, together with their first State Constitution. It was decisively defeated by a vote of 14,615 to 7,664. The opposition came from the mining district of southwestern Wisconsin, where Southern influence predominated, and from the German element in the State, which had been rendered hostile by the attempt made in the Constitutional Convention of 1846 to combine the question of negro suffrage with that of foreign suffrage. The growth of free-soil sentiment in the State, however, and the fact that a large proportion of those voting on the Constitution failed to vote on this particular measure, influenced the Legislature of 1849 to re-submit the question. It accordingly passed a law (*Wis. Gen. Laws*, 1849, chap. 137, sec. 2), providing that negro suffrage should be in force, if, at the next election for State officers, it received a favorable majority. Little interest was shown in the matter at this election. The law receiving 5,265 votes for, to 4,075 against, it appeared that negro suffrage had been accepted. The State Board of Canvassers, however, decided that the proposition had been defeated; for although it had received a majority of the votes cast on that subject, it had not received a majority of all the votes cast at the election. This decision was generally acceptable to the people of the State, and held for seventeen years. The question of negro suffrage was in the meantime submitted to vote twice more, and each time was defeated. In 1866, however, the State Supreme Court handed down a decision in the case of *Gillespie vs. Palmer et al* (20 *Wis.*, p. 572), reversing the decision of the State Board of Canvassers, and declaring the law of 1849 in full force. See Winslow, *Story of a Great Court*, pp. 246-249.—Ed.

1866]

NEGRO SUFFRAGE

In testimony whereof I have hereunto subscribed my name and caused the Great Seal of the State of Wisconsin to be affixed.

Done at Madison, this 2d day of April, A. D. 1866.

LUCIUS FAIRCHILD.

1867. Twentieth Annual Legislative Session, January 10-
April 12

The two Houses of the Legislature met in Joint Convention on January 10, and the Governor read thereto in person his

ANNUAL MESSAGE

in which occurred the following references to the War between the States:

Gentlemen of the Senate and Assembly:

* * * * *

WAR EXPENSES

The receipts of the war fund during the fiscal year were:

Semi-annual payment on state bonds.....	\$12,604 31
Refunded items	319 67
Loan from trust funds.....	135,000 00
	<hr/>
Total	\$147,923 98
	<hr/>
Balance, Sept. 30, 1865.....	\$25,833 87

The disbursements amounted to \$172,166.17, of which \$153,125.59 were paid to soldiers' families. There has been expended from the soldiers' relief fund the sum of \$390.82 during the past year. As no further necessity exists for this fund, authority should be given for its transfer to the general fund.

Over \$4,000,000.00 have been expended from the state treasury for war purposes, since April, 1861. At least \$8,000,000.00 have been expended by cities, counties and towns throughout the state, for the same purpose, making a total expenditure on account of the war of about \$12,000,000.00, which does not in-

clude the millions contributed by our citizens for charitable purposes connected with the war.

Large sums have, in like manner, been expended by each of the other loyal states. In my judgment justice demands the reimbursement, by the general government, of these states for such expenditures, to the end that the people of the whole country may bear their equitable share of the burden.

I respectfully recommend that, by memorial to Congress, you ask this reimbursement.⁸⁵

No payments have been made by the United States to this state, during the past year, in liquidation of war claims heretofore presented.

Vouchers for the expenditure of an additional sum of \$33,078.45 have been filed with the auditing officers at Washington. It is not probable, however, that any further sums will be realized on these claims until Congress directs their payment.⁸⁶

* * * * *

The wants of the soldiers' orphans throughout the state, made it necessary to open the "Home" before provision could be made for its organization under state control. It was accordingly opened January 1st, 1866, the necessary means being furnished, in great part, by private subscription. The amount received from such subscriptions was \$12,834.69. The amount expended for repairs, furniture, and current expenses was \$21,106.67. The \$8,271.98 expended in excess of the amount received from contributions, was generously advanced by Samuel Marshall, Esq., treasurer under the temporary organization. The state has had the benefit of this sum, and should refund it

⁸⁵ In response to this recommendation the Legislature prepared a joint resolution endorsing the plan of Congressman James G. Blaine, whereby each loyal State should receive a payment of \$52 for every soldier which it had furnished for the three-year term of service. The matter received but slight consideration in Congress. See *Wis. Gen. Laws*, 1867, Jt. Res. no. 19.—Ed.

⁸⁶ See *ante*, pp. 223, 224, note 50.—Ed.

to Mr. Marshall. The property was purchased by the state for \$10,000.00, and the Home became a state institution March 31st, 1866, since which time the trustees have received for its support \$25,000.00 from the state, and \$404.75 from other sources. Amount expended during the fiscal year \$17,460.20. Balance on hand September 30th, 1866, \$7,944.07. On the 1st day of January, 1867, 298 children had been received into the Home, of whom 57 have been removed by parents and guardians, and 5 have died, leaving the number of inmates on that day 236. An additional building is needed for school purposes, for the erection of which an appropriation of \$10,000.00 is asked by the trustees. It being of the utmost importance that every facility should be given for the education of these children, I recommend that this appropriation be made.⁸⁷ The erection of such a building, in addition to its importance to the educational interests of the home, will materially increase its capacity for usefulness. It can now accommodate 300, and the trustees confidently expect that by April next it will be full. Should this recommendation receive your concurrence, an additional ward will be made of the room occupied by the school, thereby providing for at least fifty more. It is thought that the Home will then accommodate all of the really destitute soldiers' orphans in the state who will ever apply for admission. The trustees also ask an appropriation of \$40,000.00 for current expenses this year.

No state in the Union has made better provision for the care and maintenance of the orphans of its soldiers, than has Wisconsin. What has been thus nobly begun must be generously continued. These children, to whom we owe so much, cannot be the objects of charity from the state. They are the beloved wards of the state, and when it provides for them a home and an education, it pays but little of the debt it owes them. Noth-

⁸⁷ The Legislature made two appropriations, aggregating \$40,000, for the current expenses of the institution. The appropriation for a school building was delayed until the next year.—Ed.

ing should be left undone which will contribute to their present happiness and future success. They have thus far progressed in their studies with commendable rapidity, and evince a zeal which proves their appreciation of the advantages which you are extending to them. I am confident that the institution has been ably managed in all its departments, and that the children have received that parental care which belongs to them. I need not commend them to your care, for each one of them, I know, has a place in your hearts.

* * * * *

MILITARY

During the past year all Wisconsin volunteer soldiers have been mustered out and discharged from the United States service, and have returned to peaceful avocations, enjoying with their comrades the proud consciousness that their duty to their country has been performed in such a manner as to reflect great credit upon the nation, the state, and themselves. The glorious record of her soldiers has made Wisconsin honored among the sisterhood of states. We can never forget the services of these gallant men, and should never hesitate to do them honor. To testify in part the esteem in which the people hold the rank and file of their army, I am promoting by brevet for conspicuous gallantry on specified occasions, those enlisted men who are properly recommended by comrades personally cognizant of the facts. By a general system of brevets, the national government has precluded the state from thus rewarding its officers, and to extend such commissions to the tens of thousands who served long and faithfully in the ranks would, by the number required, destroy their value. I have therefore thought it necessary to confine these compliments to those to whom fortunate circumstances gave opportunity for the display of distinguished gallantry.

I again call attention to the unsatisfactory condition of the state militia. The law should be so amended as to provide the

state with at least ten companies of thoroughly organized troops. The state should not be allowed to remain longer entirely defenseless. You are referred to the report of the Adjutant General for valuable suggestions upon this subject.⁸⁸

* * * * *

NATIONAL CEMETERIES

On the battle fields of Gettysburg and Antietam, beautiful cemeteries have been prepared into which the remains of the Union dead have been gathered. The expense of thus removing from the neighboring fields where they fell, to their last resting place, the remains of our heroes, of erecting suitable monuments to their memory, and of inclosing and ornamenting the grounds, is to be borne by each loyal state in proportion to the number of its sons there buried.

There is still unpaid of the sum equitably due from Wisconsin to the Gettysburg association \$2,526.36, and to the Antietam association \$3,344.88. These sums will, it is estimated, cover our proportion of the entire expense of fully completing the cemeteries.⁸⁹

We honor ourselves by honoring those who fell in our defense, and should deem it a privilege to do our full share in such a work.

AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES

I herewith transmit for your consideration an attested copy of a resolution of Congress, proposing to the legislatures of the several states, a fourteenth article to the Constitution of the United States. This resolution has for many months been

⁸⁸ The Adjutant-General's report is printed in *Wis. Mess. and Docs.*, 1867, ii, p. 687 ff. The Legislature took no action on the Governor's recommendations.—Ed.

⁸⁹ The Legislature made the desired appropriation to the Gettysburg association. The Antietam appropriation was not acted on.—Ed.

before the people, and during that time its several sections have been made the subject of earnest discussion. The people of this state are thoroughly familiar with its provisions, and with a full understanding of them in all their bearings, have by an overwhelming majority declared in favor of its immediate ratification. It has formed the basis of the campaigns, and been made the issue of the late elections, in every northern state, and most of you are here to-day, because your constituents knew that you deemed this amendment just and necessary.⁹⁰ The people of the other loyal states have declared with like emphasis in its favor. I need therefore urge upon you no extended argument in support of it. Notwithstanding the fact that this amendment will unquestionably be ratified by the legislatures of more than two-thirds of the states whose practical relations to the Union have never been suspended, it is the deliberate voice of the loyal masses, that before those who were so lately seeking the nation's life shall be re clothed with the political rights which they forfeited by their treason, they must assent to the proposed amendment with all its guarantees, securing to all men equality before the law; a representation based upon population, but excluding from computation all classes who are deprived of political privileges, except for participation in rebellion or other crimes; the disqualification for office of all who added to the crime of treason that of perjury, until such disqualification is removed by Congress; the eternal repudiation, state and national, of the rebel debt, with all claims for loss and emancipation of slaves; and the sanctity of the Federal debt, placing forever beyond the reach of traitor and demagogue, that due to our disabled soldiers, and to the widows and orphans of our fallen. This declaration of the people has been made temperately through the ballot-box, at a peaceful election, but it has been made with a firm voice, not to be misunderstood, and

⁹⁰ The Fourteenth Amendment to the Federal Constitution was ratified in the Wisconsin Assembly by a vote of 69 to 10; in the Senate by 22 to 10.—ED.

from it there lies no appeal. This demand is not made with a desire to appropriate to ourselves undue political power, or to oppress or humiliate the Southern people. It is made because in view of the terrible events of the past five years, we deem these guarantees necessary to the life of the nation, and we insist that those who saved that life have an undeniable right to demand all guarantees essential to its future preservation.

The course pursued by the North ought long since to have convinced all men who are willing to be convinced, that we heartily desire to live with the Southern people upon terms of brotherly love, all laboring together for the good of our common country, and that we desire to enforce no terms which can be considered harsh or unkind. We have shown no vindictiveness in the past. We will cherish no hatred in the future. While the war was still raging, they were again and again implored to desist, with the assurance of pardon and restoration of the rights which they had forfeited. With the damnable and revolting scenes of Andersonville, Belle Isle, Salisbury and Fort Pillow, they answered our entreaties. And later, when we had wrested from them their arms and paroled their armies, we, who had suffered outrage and insult at their hands, who had seen our flag fired upon and dragged in the dust, our brothers killed by hundreds of thousands, and our land filled with widows, orphans and disabled men, we upon whom they had heaped a monster debt, still offered them terms. With the massacres of Memphis and New Orleans before our eyes, and with the blood of thousands of Union men—murdered because they were Union men—crying aloud to us for vengeance, we continued to offer them full restoration of political rights upon the terms embodied in this resolution. It was hoped that the sober, second thought of the now ruling class at the South would lead to the acceptance in good faith of these terms. Events have proved that the hope was without foundation. They have been rejected so far as they have been acted upon, except by the people of Tennessee; rejected, too, with scorn and abuse of the government, and with bitterest denunciation against our people.

As the people of the South were impelled by a mysterious but All-wise Providence to rebel against the government, that they might perpetuate in their midst the hideous crime of human slavery, and thus struck the blow which finally set free all who were in bondage there, so now that same Providence impels them to force the people of the North to do that which, but for their desire to conciliate, they would long since have done—their whole duty.

There is a time when "mercy to the criminal is cruelty to the state." Gentlemen, that time has come. The day of compromise has passed, and passed forever. The day for doing that which is right in itself has come, and until we have done the right, and done it for all time, we have shamefully failed in our duty, not only to the world and to ourselves, but to the five hundred thousand brave men who gave their lives so freely that liberty might live. In my opinion, it is the duty of Congress, the only remaining hope of loyalty and justice at the South, to provide for the future establishment of local governments over those portions of the South lately in rebellion, which have refused their assent to this amendment, such governments to be based upon impartial, loyal suffrage. In this I advocate no disregard of the Constitution. I yield to no man in my reverence for that instrument. The fact that illegal local governments have been in operation there since the cessation of hostilities, forms no bar to the right of Congress to establish legal ones. Let Congress act, and the loyal people will sustain it, be the consequences what they may. No other course will settle our troubles beyond the possibility of a recurrence, and insure justice to the Unionists of that section. The safety of our country and the fulfillment of our pledges alike demand it. We have pledged our honor that we would stand by and protect those who were loyal at the South during the struggle just ended. It were better to have failed in the contest, than now to coldly turn our backs upon those who were "faithful found among the faithless." We should deserve to be wiped out from among the nations of the earth, did we do this.

GOVERNOR FAIRCHILD

[1867-

I am firm in the faith that with proper action on the part of Congress, the day of settlement is at hand. Let the people stand fast in the position they have taken, and it must soon come. Would that my voice could reach all loyal men in the land, to tell them to be of good cheer, for the day is not far distant when our beloved country will be, in all its sections, a land of freedom in fact as well as in name; free in speech, free in press, and free in ballot. May God speed the coming of that happy day!

LUCIUS FAIRCHILD.

EXECUTIVE CHAMBER, MADISON, January 10th, 1867.

1868. Twenty-first Annual Legislative Session, January 9–
April 11

The two Houses of the Legislature met in Joint Convention on January 9, and the Governor read thereto in person his

ANNUAL MESSAGE

in which he referred as follows to the war between the States:

To the Legislature:

* * * * *

It is estimated that not more than \$10,000 remain due to soldiers on account of extra pay. The war fund, as a distinct fund, is no longer necessary. I therefore concur in the recommendation of the Secretary of State, that it be closed and all claims growing out of the war be hereafter paid from the general fund.⁹¹

Persistent efforts have been made to secure a final settlement of the claim of the state against the general government on account of expenses incurred in connection with the war, but up to this time such settlement has not been effected. In addition to the sums heretofore paid \$131,437.24 have been allowed the state during the past year, leaving unadjusted accounts to the amount of about \$248,000.00. It is possible that a portion of the claim will finally be disallowed by the treasury department under the strict rules which govern in the settlement of such accounts. Should this prove true, recourse must be had to Congress for relief. The claim is in every respect a just and correct one, and I do not doubt its ultimate liquidation by the

⁹¹ The report of the Secretary of State on the war fund may be found in *Wis. Mess and Docs.*, 1868, pp. 8, 9. His recommendation was adopted in *Gen. Laws*, 1868, chap. 148.—Ed.

government, in the defense and support of which Wisconsin made the disbursements which form its basis.⁹²

There was expended from the Governor's contingent fund during the past year \$1,163.17, leaving a balance of \$2,310.74 in the fund.

Of the appropriation of \$500.00, made last winter for the support, at the Chicago charitable eye and ear infirmary, of indigent Wisconsin soldiers suffering from diseases of the eye or ear, contracted while in the service, there has been expended \$391.04.

* * * * *

The Soldiers' Orphans' Home is filled to its utmost capacity, an average of 280 children being present. Frequent applications for admission are made which must be denied. It is the opinion of the trustees, that if a school building should be erected, all who will desire admission can be accommodated. The state should furnish a home for all such children as need it, and I trust such an arrangement as will insure the desired result will be promptly made. Left by the patriotism of their fathers in the defence of our common country, with none to care for and protect them, it is the duty, and a pleasant one, of the state to assume their guardianship: and until the people cease to hold in grateful recollection the gallant deeds of those who died maintaining our nation's honor, they will gladly provide these helpless orphans with homes and education. I need not commend them to your kindly care.⁹³

* * * * *

MILITIA

There has been no material change in the state militia during the past year. A few independent companies have been organ-

⁹² See *ante*, pp. 223, 224, note 50.—Ed.

⁹³ The Legislature appropriated \$12,000 for the erection of a school building, and \$40,000 for current expenses.—Ed.

ized and manifest considerable spirit. Our militia law is so defective as to be nearly a dead letter, but until Congress decides whether or not it will provide for a national militia system, it is best to defer action upon the subject. The Adjutant General has published in his report as complete a list as is now possible of the names and places of burial of Wisconsin soldiers who died in the service.⁹⁴ This will give important information to the friends of the deceased soldiers, and will very materially lessen the correspondence of the office. Within three months the records of the Adjutant General's office will be completed, and the necessity of supporting it, as a distinct office, no longer existing, it will then be dispensed with, and the records will be placed in charge of the Governor's secretary.

* * * * *

The work of reconstruction is progressing as rapidly and as satisfactorily as could be expected when we consider that a great majority of those who were leading traitors are opposing the pacification of the country upon any basis which will not insure to them full control of the states lately in rebellion, and place under subjection to them the Union men of that section.⁹⁵ Such have constantly sought since the cessation of hostilities to save from the ruins of their crushed confederacy some of the pernicious principles upon which it was founded, and have seemed resolved to accept no terms which the government might offer. They have opposed, and still bitterly oppose, all schemes of reconstruction unless of their own dictation. When the war was ended, and the paroled armies of treason had returned to their homes, the people of the North had a right to expect from them obedience to and acquiescence in the laws of the land. In this just expectation they have been continually disappointed.

Those who sustained this Union and who gave to its support freely of their blood and treasure, have some rights which

⁹⁴ This report is found in *Wis. Mess. and Docs.*, 1868, p. 470 ff.—Ed.

⁹⁵ For the history of reconstruction in the South, see Rhodes, *United States*, vi, vii.—Ed.

traitors are bound to respect, and which will be enforced. They have a right to an early restoration to the Union of the states lately in rebellion upon a basis of equal and exact justice to all men. They have a right to demand that the local governments of those states shall be placed in the hands of men who are neither forsworn nor unrepentant of their treason; that Union men of every grade and condition shall receive that protection to which they are entitled, and without which this government would be but a stupendous farce. They are satisfied with the congressional plan of reconstruction now being carried out, and will not materially change it, because it guarantees these rights, and because they believe its main features essential to the future safety of the Republic. The principles which underlie it cannot be successfully opposed, and those at the South who are so bitterly hostile to them are proving themselves entirely unworthy of the generous forbearance received by them at the hands of a people whom they have so deeply injured. Nothing is demanded in a spirit of anger or revenge. Seeking the safety of the nation, we demand only what is deemed essential to its future peace, and to the perpetuity of our free institutions. No one asks the permanent disfranchisement of any class of people at the South, but simply that those, who by their position and education, controlled the Southern masses and led them into rebellion against the government, and who are responsible for all the precious blood which has been shed, and the lives which have been sacrificed, shall not be permitted to regain their former political power until they indicate by their action a willingness to acquiesce in the principles which pledge to all men equality before the law, and ample protection in the enjoyment of all the rights which belong to men and citizens. Early restoration to all forfeited privileges is within their grasp. Let them, embittered no longer by sectional rancor and defeated partizanship, join hands with the people of the North in redeeming the nation's pledges, and in placing the Republic upon a basis of justice and right which shall endure through the coming ages, and gladly will all extend to them the

hand of friendly, hearty welcome. Strong in the consciousness of being right, and in the full faith that ultimately the right must and will prevail, united by an honest devotion to the best interests of the entire country, and unfaltering in the holy determination to hand down to posterity, without a stain, and stronger than ever before, the government which the Fathers gave them, the Union men of this land, North and South, will stand firm and undismayed until the great work is done, and harmony reigns once more throughout our whole domain.

LUCIUS FAIRCHILD.

EXECUTIVE CHAMBER, January 9th, 1868.

DESERTERS

EXECUTIVE DEPARTMENT.

MADISON, January 25th, 1868.

To the Honorable the Assembly of Wisconsin:

In response to resolution No. 31, A, requesting me to furnish to the Assembly copy of all correspondence had with the Secretary of War or with any other officer or department of the General Government "in regard to residents of this state who have been reported as deserters from the United States Military Service," I have the honor to transmit herewith to your honorable Body, copy of letter addressed by me to Gen'l. U. S. Grant, Secretary of War, *ad interim*, upon the subject indicated, with copy of endorsements made thereon by the Department at Washington.⁹⁰

LUCIUS FAIRCHILD.

⁹⁰ The correspondence related to Wisconsin soldiers who had been reported as deserters from the army or from the draft, and who by Act of Congress were declared to have forfeited their rights of citizenship. The Governor protested that the list contained the names of many Wisconsin soldiers who had served honorably, and who had been reported as deserters only through the carelessness and neglect of regimental officers. See *Wis. Assem. Jour.*, 1868, p. 158.—Ed.

1869. Twenty-second Annual Legislative Session, January
13-March 11

The two Houses of the Legislature met in Joint Convention on January 14, and the Governor read thereto in person his

ANNUAL MESSAGE

in which he made the following references to matters growing out of the War between the States:

To the Legislature:

* * * * *

The efforts to secure a final settlement of the claim against the Federal government on account of expenses incurred in connection with the war, have not ceased. Explanations have been made answering the objections of the auditing officers at Washington, so far as is now possible, and it is confidently expected that a large portion of the claim will be allowed during this year.⁹⁷

* * * * *

Upon the Soldiers' Orphans' Home are fixed the warm affections of those who loved the cause for which our army fought. The trustees are endeavoring to have the institution so conducted as to render it as much like a "home" as is possible, and will spare no pains in that direction. By the removal of the school to the new building, completed last month, the capacity of the institution is increased to 300. Contrary to our expectations there are many applications for admission on file, which, for want of room, must be denied. This ought not to be. No orphan of a Wisconsin soldier should be allowed to suffer. The people are anxious and willing to expend

⁹⁷ See *ante*, pp. 223, 224, note 50.—ED.

any sum of money necessary to prevent it, feeling that in so doing they are paying but a tithe of the debt due to the children of those who fell while defending the Union. Arrangements should be made immediately for the care and education of all such as require it. There was appropriated in 1868 for current expenses, and payment of deficiency \$40,000.⁹⁸

* * * * *

It is a source of satisfaction that the mode and terms of reconstruction of the states lately in rebellion have been so wisely determined upon by Congress and that such determination, embodied in the laws relating thereto, has received the solemn sanction of the people at the ballot box, and now has been supplied, by the popular voice, the only element wanting to the happy consummation of reconstruction, an executive ready and willing to enforce obedience to the laws in all sections, and secure to every person, of whatever grade, hue, or condition, the rights which are inseparable from freedom. We may now consider the most important issues growing out of the rebellion as substantially settled. There is every warrant for the hope that the people of the South, yielding to the properly expressed will of the majority, will now, and henceforth, render a complete

⁹⁸ The Soldiers' Orphans' Home was maintained by the State until the autumn of 1874, when it was closed under direction of *Wis. Gen. Laws*, 1874, chap. 72, and the buildings turned over to the University of Wisconsin to be used as a medical college. The regents of the University decided, however, that the buildings were unsuited to the purposes of a medical college, and in 1876 secured authority from the Legislature to dispose of them. The orphans in the institution at the time when it was closed were either returned to their guardians or entered private homes. An allowance of \$5 per month per child was granted to their guardians by the State, until they should attain the age of fourteen.

During the nine years of its existence, the Home had received from the State a total of \$280,000. It had maintained a total of 683 orphans, to whom it had furnished the opportunities of a home and a common school education.—ED.

obedience to law, and that persecution of freedmen, that murder and social ostracism of loyalists, organized rapine and lawlessness will vanish from that section forever. Should we, however, be disappointed in this just expectation, should the spirit of rebellion and passion continue to show itself, we may rest assured that neither sympathy with treason nor imbecility will rule in the executive councils, but, that the entire power of the nation will be vigorously used to vindicate the majesty of the nation's laws. Further difficulty we would avoid; we desire, *and will have* perfect peace, and if the Southern men will meet us in that spirit, friendship will come with it. Let the people of the South, no longer falsely regarding us as their enemies, leave the "lost cause" where the fate of battle left it, let them not only permit, but invite immigration, afford protection and encouragement to every department of industry, apply themselves assiduously to the arts of peace, and speedily repair the ravages of war by developing the almost boundless resources of their beautiful country. Let them join hands with us of the North, in brotherly grasp, banishing all prejudice and hatred, and heartily co-operate with us in the noble and patriotic endeavor to contribute to the honor, peace, glory and welfare of the whole of our common country.

* * * * *

LUCIUS FAIRCHILD.

EXECUTIVE CHAMBER, January 14, 1869.

FIFTEENTH AMENDMENT

EXECUTIVE DEPARTMENT,

MADISON, March 5, 1869.

To the Honorable the Legislature:

I have the honor to lay before your honorable body herewith, a copy of a communication this day received at this department from the Honorable William H. Seward, Secretary of State of the United States, transmitting a certified copy of "a

resolution proposing an amendment to the Constitution of the United States", and also the copy of the resolution therein referred to.

It gives me pleasure to transmit the same thus early to your Honorable body for your action thereon, and I trust that your ratification of this most proper and necessary amendment will be so prompt and decisive as to fully reflect the sentiments of your constituents, the people of Wisconsin.⁹⁹

LUCIUS FAIRCHILD.

⁹⁹ This was the Fifteenth Amendment to the Federal Constitution, extending the franchise to the negro race. It was ratified in the Assembly by a vote of 62 to 29; in the Senate, by 15 to 11.—ED.

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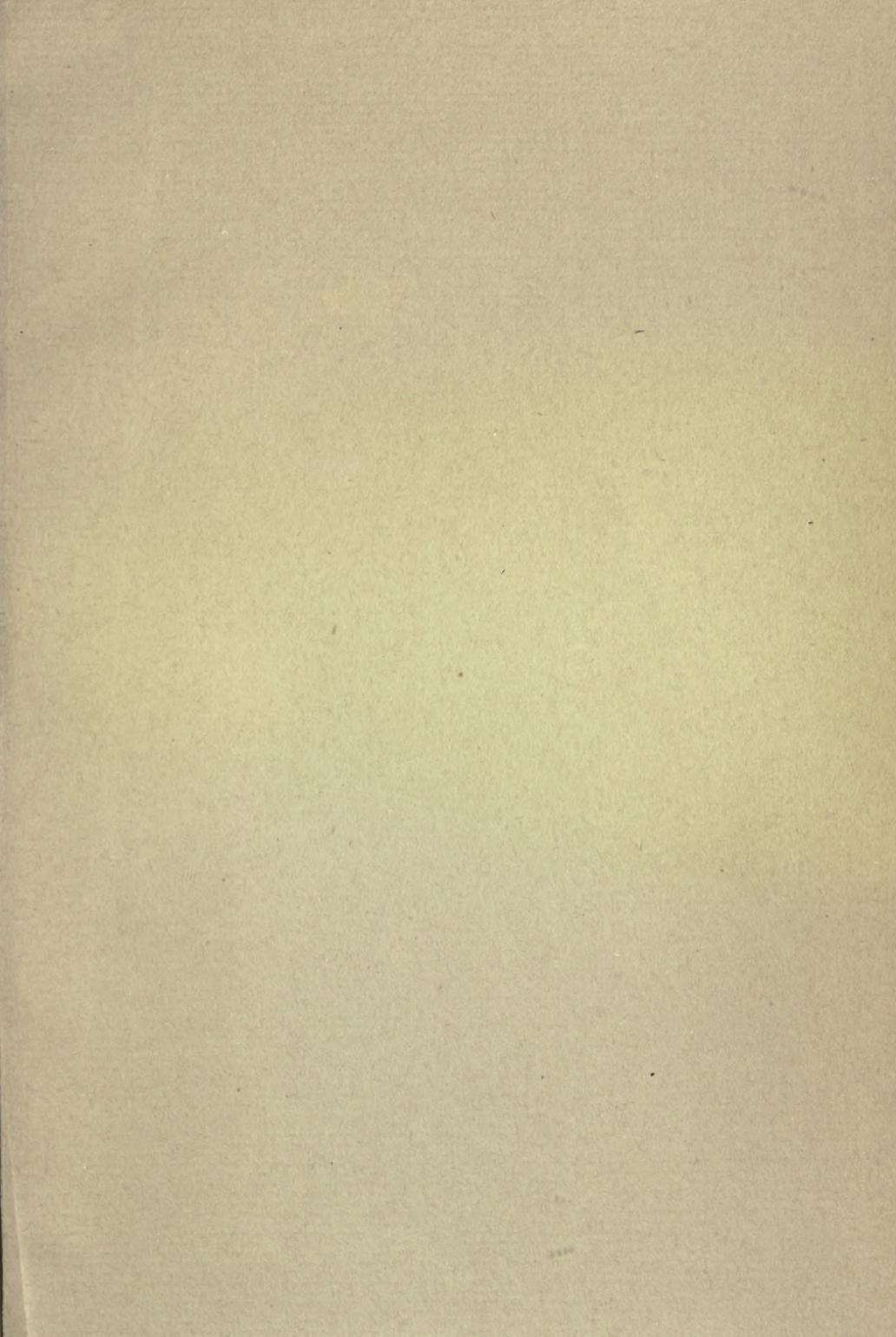
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