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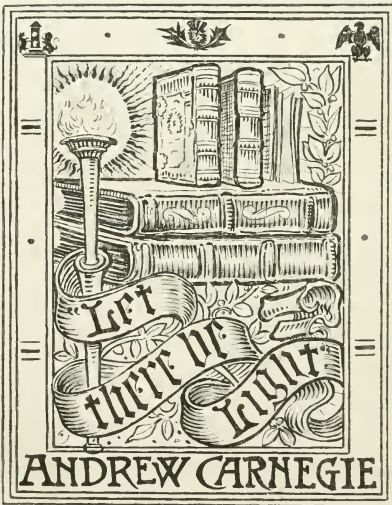


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HANDBOOK OF  
UNITED · STATES · POLITICAL · HISTORY



*Malcolm Journeuw..*



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Townsend



MALCOLM TOWNSEND.

NEW YORK.

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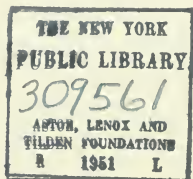
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HANDBOOK  
OF  
UNITED STATES  
POLITICAL HISTORY  
FOR  
READERS AND STUDENTS

COMPILED BY  
MALCOLM TOWNSEND

*ILLUSTRATED*

BOSTON  
LOTHROP, LEE & SHEPARD CO.



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WHOSE MANY INQUIRIES  
PROMPTED  
THE RESEARCH



10. 15. 05

Mr A. Carnegie

My dear Sir:-

With compliments of the compiler herewith a copy of "Handbook of United States Political History" for your library of Americana.

The volume is the first of a "Reference Index Series" of three volumes - in the compilation of which your assistance in disseminating the book world has been a great aid of which I have availed myself, even in distant Sault Ste. Marie Michigan during a long stay last summer - then again my thirty five year service in the P. R. R. carries me back to days that were closely fraternal, with reference to Mr Carnegie.

Trust the book may give you pleasure.

Yours truly  
M. J. Townsend.

45 West 32<sup>d</sup> St  
New York.



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## NORSEMAN DISCOVERIES.

A.D.

985. Bjarni sailed from Iceland for Greenland, and driven south by a storm, sighted land at Cape Cod or Nantucket, then returned to Greenland.
1000. Leif, son of Eric the Red, sailed in search of the land seen by Bjarni, stopping near Boston or farther south for the winter. He called the land *Vinland* from its grapes.
1002. Thorwald, brother of Leif, wintered near Mount Hope Bay, Rhode Island.
1003. A party of Thorwald's men explored the Atlantic coast to the south end of New Jersey.
1004. Thorwald explored the coast eastward; he was killed by the Indians near Boston.
1005. Thorwald's companions returned to Greenland.
1007. Thorfinn Karlsefne sailed from Greenland, with 160 persons, in three ships. Landed in Rhode Island, and remained in Vinland three years.

*Report of Henry W. Haynes and Abner C. Goodell, Jr., Committee, Massachusetts Historical Society, December, 1887.*

"There is the same sort of reason for believing in the existence of Leif Eriesson that there is for believing in the existence of Agamemnon, — they are both traditions accepted by later writers; but there is no more reason for regarding as true the details related about his discoveries than there is for accepting as historic truth the narratives contained in the Homeric poems. It is antecedently probable that the Northmen discovered America in the early part of the eleventh century; and this discovery is confirmed by the same sort of historical tradition, not strong enough to be called evidence, upon which our belief in many of the accepted facts of history rests."

## CHRONOLOGY.

The Political Development of the Present Mainland of the United States of America from the Accepted Date of Discovery to the "Declaration of Independence."

1498. Sebastian Cabot, under letters patent of Henry VII., dated March 5, 1495/6, issued to John Cabot and his three sons, Lewis, Sebastian, and Sancius, coasted the shores southerly as far as Albemarle Sound, landing at several places.

History and legend states that John Cabot sailed from the port of Bristow (Bristol), England, May 2, 1497, with one small vessel and eighteen persons, in the ship "Matthew." On June 24, *St. John's Day*, he sighted the north part of Cape Breton Island, which he named "Prima Tierra Vista."

In May, 1498, with six ships and 300 men, he set sail on his second voyage, and *there is reason to believe* that in this voyage he ran down the coast of America as far as 36° north latitude.

1513. March 27, Juan Ponce de Leon, in the interest of Spain, discovered the mainland, anchoring April 2 in 30° 8'; he landed and took possession in the name of the King of Spain (Florida).

1517. Francis Hernandez de Cordova landed on the Florida coast.

1519. Francis de Garay discovered the Mississippi, naming it "Rio del Espiritu Santo."

1520. Lucas Vasquez de Ayllon (Spanish) entered St. Helena Sound, South Carolina, and anchored at the mouth of the Cumberhee River. The country named "Chicora"; the river, "Jordan."

1521. Francisco Gordillo, in charge of expedition of Lucas Vasquez de Ayllon, arrived on the Florida coast in latitude 33° 30'.

1524. Giovanni da Verrazano (John Verrazani), in the service of Francis I., King of France, coasted between the 28th and 50th degrees of north latitude, and called the country NEW FRANCE. He anchored between the mouth of Cape Fear River and Pamlico Sound, at New York, Newport, and on the New England coast.

1524. Stephen Gomez, a Portuguese navigator sent out by the Spanish government, explored the coast from Maine to Florida.

1525. Expedition of de Ayllon under Pedro de Quexos explored the coast 250 leagues north of the St. John, taking land in name of Charles V.

1526. Vasquez de Ayllon sailed from 33° 40' north to the Chesapeake, where he made a settlement, "San Miguel de Guandape."

The next century the English here located "Jamestown."



1527. Captain John Rut of England coasted as far as South Carolina.
1527. Pamphilo de Narvaez received a patent from Charles V. styling him governor of Florida, Rio de Palmas, and Espiritu Santo (the Mississippi). Landed April 15 at Apalachee Bay.
1527. Antonio Nuñez Cabeza de Vaca found the Seven Cities in New Mexico, having been lost by the Narvaez expedition.
1528. Pamphilo de Narvaez in April arrived at "Tampa Bay," Florida, having the year before been appointed governor by Charles V.
1528. October 30. Alvar Nuñez Cabeza de Vaca crossed the mouth of the Mississippi.
1539. May 25. Hernando de Soto, with his expedition, landed at the Bay Espiritu Santo, taking formal possession of the land in the name of the King of Spain, June 3, 1539.
1539. Fray Marcos de Nizza (of Nice), a monk, took possession of the Land of the Seven Cities in the name of the viceroys and governor of New Spain on behalf of the Emperor, giving it the name of the "New Kingdom of St. Francis."
1540. Hernando Alarcon ascended the Colorado from the Gulf of California.
1542. Jehan, or Jean Allefonsee, a native of Cognac, France, entered Massachusetts Bay.
1543. Juan Rodriguez Cabrillo, a Portuguese in the Spanish service, explored the Pacific coast as far as 38° north latitude, his vessel under Ferrelo going to 40° 26', "Cape Mendocino."
1549. Father Luis Cancer de Barbastro, a Dominican under Spanish direction, reached the coast of Florida at latitude 28°.
1558. Guido de Labazares visited Pensacola Bay in the interests of Spanish settlements.
1559. Don Tristan de Luna y Arellano landed at Ichuse (Santa Rosa Bay).
1561. May 27. Angel de Villafañe reached Santa Elena, now Port Royal Sound, South Carolina. Subsequently doubled Cape Hatteras, June 14.

*This determined the Spaniards against further attempts at settlements on either coast, it being decided by them there would be no attempt on the part of the French.*

1562. Jean Ribault, commanding a number of French Protestants (Calvinists), took possession of Port Royal—Santa Elena—and founded Charlesfort.

*This was the earliest attempt at settlement as distinct from exploration.*

1563. René Laudonnière made a Huguenot settlement at the mouth of the St. John's River, named "Fort Caroline."
1565. Pedro Menendez de Aviles made the coast of Florida near Cape Cañaveral, August 25, to drive out the French.
1565. June. John Hawkins of England passed along the whole coast of Florida, being the first Englishman to give any account of the country.
1565. August 28. Menendez discovered and named the harbor of "St. Augustine" where he landed September 6, ultimately taking possession of the land in the name of Philip II., King of Spain.
1566. Captain Juan Pardo penetrated to the region of the Cherokees—Florida.
1567. Dominique de Gourges, with a French expedition of three ships, arrived in April to avenge the death of Ribault. He assaulted and took the Spanish forts, murdering great numbers.
1570. Menendez established a mission under Father Segura at Axacan, on the Chesapeake Bay waters, probably the Rappahannock.
1579. Francis Drake took possession of New Albion (California) in the name of Queen Elizabeth (June 26).
1584. July 4. Raleigh's expedition under charter of Queen Elizabeth, March 25, 1584, in command of Philip Amadas and Arthur Barlowe, reached the coast of Virginia, taking possession in the name of the Queen.
1585. June 26. Raleigh's second expedition, under Sir Richard Grenville, arrived at Ocracoke Inlet. He left a colony of 107 men at Roanoke Island, Virginia.
- The colonists were the first settlers, of the English race, in America.*
1586. June 10. Sir Francis Drake, after sacking St. Augustine, came to anchor near Roanoke Island, taking back to England the colony left by Grenville.
1587. July 22. Raleigh's third expedition, under Simon Ferdinando, arrived at Hatorask (Hatteras), landing 120 people. August 18, the first English child born (see "First Things").
1602. May 14. Captain Bartholomew Gosnold, sailing from Dartmouth, England, sighted the coast of Maine near Casco Bay, calling the place Northland, exploring Cape Cod, Martha's Vineyard, south to Cuttyhunk.
1602. Sebastian Viscaïno reached latitude 43° on the Pacific coast.

1603. June 2. Martin Pring, of England, sighted the islands of Maine and Massachusetts Bay, entering the present harbor of Plymouth.
1604. Samuel de Champlain, in the interest of the French, ascended the Penobscot River, Maine.
1605. George Waymouth, sailing from Dartmouth, explored the Kennebec.
1606. April 10. Sir Fernando Gorges despatched an expedition under Thomas Hanam.
1607. April 26. An English expedition for colonization, left the Downs January 1, 1607, and reached Chesapeake Bay. It consisted of the "Susan Constant," Captain Christopher Newport, with 71 persons; "God-Speed," Captain Bartholomew Gosnold, with 52 persons; "Discovery," Captain John Ratcliffe, with 20 persons; crews, 39; total, 105 persons. May 13, landed, and settled Jamestown, Virginia.

*The political history of the United States begins with the founding of Jamestown.*

1609. Expedition of Thomas West (Lord de la Ware) arrived at Jamestown, Virginia.
1609. August 28. Hendrik Hudson, under the auspices of the East India Company (Dutch), entered Delaware Bay, September 4, and discovered and entered the Hudson River (New York).
1609. July 29. Champlain reached Ticonderoga, on Lake Champlain.
1610. The Dutch sent six ships and occupied New Amsterdam (New York).
1614. Captain John Smith explored the coast from "Cape Cod" to the "Penobscot River," and gave the name, "New England," to the country.
1618. Danes emigrated, making a settlement at "Bergen," on the Hudson River. *The first settlement in New Jersey.*
1618. Jean Nicolet of Cherbourg, France, entered Lake Michigan, and coasted south to "Grand Bay," an inlet on its western shore.
1620. November 11. A large number of the English congregation at Leyden, formed of PURITANS, who sailed from Holland in July, anchored in the harbor of "Cape Cod." They named the place "New Plymouth." *This was the first permanent settlement in New England.*
1623. *First settlement in New Hampshire* at Little Harbor, on the Piscataqua, by a Scotchman named David Thomson.

1624. June 16. The charter of the London Company dissolved.
1627. Swedes and Finns landed at Cape Henlopen, and purchased from the natives the land from that cape to the falls of the Delaware.
1628. Foundation of the colony of Massachusetts laid. "The Council for New England," March 19, sold to six residents of Dorchester, England, a belt of land stretching from the Atlantic to the Pacific, extending three miles south of the river Charles and Massachusetts Bay, and three miles north of every part of the Merrimac River. John Endicott, as governor, laid the foundation of Salem, *the first permanent town in Massachusetts.*
1629. November 7. John Mason procured a patent granting him the territory between the Merrimac and Piscataqua rivers; afterward called "New Hampshire."
1631. March 19. The Earl of Warwick's grant of land (1630), afterward formed into and known as the "Connecticut Colony"; assigned over to Lord Say and Seal, Lord Brooke, John Hampden, and others.
1632. June 20. Cecilius, second Lord Baltimore, granted a patent by King Charles I. of the tract of land bounded by the ocean, the fortieth degree of latitude, the meridian of the western head of the Potomac, the river itself from its source to its mouth, and a line drawn due east from Watkins Point to the Atlantic, *now known as "Maryland."*
1643. The colonies of Massachusetts, Plymouth, New Haven, and Connecticut united in a confederation for amity, offence, and defence, and mutual advice and assistance, under the title of "The United Colonies of New England."
1643. The English Parliament passed an ordinance appointing the Earl of Warwick governor-in-chief and lord-high-admiral of the American colonies.
1655. The Dutch, under Governor Stuyvesant, sailed from New Amsterdam against the Swedes on the Delaware. The Dutch victorious; the Swedes not taking the oath of allegiance to the Dutch returned to Sweden.
1659. Medard Chouart (Sieur des Groseilliers) and Pierre d'Esprit (Sieur Radisson) traversed the southern shores of Lake Superior.
1662. April 23. Connecticut Colony obtained a charter from King Charles II.

1663. A charter granted by King Charles II. to the Earl of Clarendon and associates for colonizing and government of the country lying between 31 and 36 degrees north latitude. *The province of "Carolina."*
1663. November 24. A charter conferred on "Rhode Island and Providence Plantations" by King Charles II.
1664. March 12. King Charles II. granted a patent to his brother, Duke of York and Albany, for several tracts of land north and west of the Hudson River. — June 23, 24. A part of the territory "New Jersey" was reconveyed to Lord Berkeley and Sir George Carteret.
1664. August. An English expedition under Richard Nichols demanded the surrender by the Dutch of New Amsterdam (New York City). Articles of capitulation signed August 27. — September 24, the Dutch at Fort Orange surrendered. — October 1, the Dutch and Swedes on the Delaware capitulated.
- The English now exercised dominion over all New Netherlands.*
1668. The Province of Maine placed under the jurisdiction of Massachusetts, upon application of its inhabitants.
1668. First permanent settlement in "Michigan" by Father Marquette, a French missionary who established a mission at Sault Ste. Marie.
1673. Incident to the war between Holland and England, the Dutch despatched an expedition to destroy the commerce of the English-American colonies. They ravaged the coast of Virginia, and compelled the surrender of New York, thereby regaining possession of all New Netherlands. A treaty of peace the following year restored New Netherlands to the English.
1673. The Mississippi explored by Fathers James Marquette and Louis Joliet.
1679. La Salle built a ship, "The Griffin," on the Niagara River, and sailed into Lake Erie, the first vessel ever seen on the lakes. He crossed the lake, through Lake Huron into Lake Michigan, where he constructed a trading house at Mackinaw.
1680. By orders from England, New Hampshire was set apart from the jurisdiction of Massachusetts, and erected into a separate province. The first provincial assembly convened at Portsmouth, March 16.
1680. Upper part of Mississippi River explored by Father Louis Hennepin.

1681. March 4. William Penn received from King Charles II. a charter and grant of lands lying between Delaware Bay and River and the Province of Maryland, — “Pennsylvania.” Colony arrived and settled above the confluence of the Schuylkill and the Delaware rivers.
1681. M. de la Salle descended the Illinois River to the Mississippi, went down that stream to the sea, and on May 14 took possession of all the country watered by that river for the King of France. Named “Louisiana.”
1683. Controversy between Massachusetts and England concerning collection of royal customs at Boston.
1684. October 23. The High Court of Chancery in England gave judgment for the king against the colony of Massachusetts; their charter declared forfeited, and the liberties of the colonists seized into the hands of the king.
1685. King Charles succeeded by his brother, James II. A *quo warranto* issued against the charters of Rhode Island and Connecticut.
1686. Attorney-general of England ordered to prosecute writs of *quo warranto* against East and West Jersey, as King James, designing to establish an arbitrary government for New York, deprived that province of its immunities.
1686. December 19. Sir Edmund Andros arrived at Boston with the king’s commission for the government of New England. He dissolved the government of Rhode Island and Providence Plantations, and assumed the administration.
1687. October. Andros went to Hartford, accompanied by his troops, when the General Assembly was in session, and demanded the surrender of the Connecticut charter. This was the charter that was preserved through the zeal of Captain Wadsworth of Hartford, and secreted in the hollow of the “Charter” oak tree.
1688. The inhabitants of Massachusetts despatched an agent to King James to protest against the oppressive administration of Andros.
1689. April. The people of Boston and surrounding country rose in arms, seized and imprisoned Andros and others, reinstating the old magistrates in power. The Rhode Island freemen, hearing the action of Boston, met at Newport, May 1 (1689), voted to resume their charter, and replaced all the old deposed officials of the colony. Connecticut reestablished her colonial

- government. New York was controlled by a committee of safety until the new king should establish the form of government, — King James having abdicated and been succeeded by William and Mary.
1692. Right granted by King William to Connecticut and Rhode Island to resume their old charters, and a new charter given to Massachusetts, under which the colony of Plymouth united, and the jurisdiction of Massachusetts extended over the provinces of Maine, Nova Scotia, and other territories.
1698. Louis XIV. of France projected a settlement of a colony in Louisiana, and sent over two vessels to gather information.
1701. Sieur de la Motte Cadillac (French), June 24. arrived at and settled "Detroit," Michigan; *the first permanent settlement in Michigan.*
1702. East and West Jersey united by Queen Anne under one government, receiving the name of "New Jersey."
1729. Province of Carolina divided, and two distinct governments instituted, *i.e.* North and South Carolina.
1732. Corporation formed in England, receiving a charter from King George II. for the colonization of the country between South Carolina and Florida.
1733. In February, James Oglethorpe, one of the Georgia trustees, arrived, and laid out Savannah.
1756. First permanent settlement in Tennessee, about thirty miles from "Knoxville."
1761. In Massachusetts the royal authorities and people disputed concerning proposed arbitrary methods of collecting customs, engendering bitter feeling against the government.
1763. February 10. Treaty at Paris between France, Spain, and England. France relinquished her claims to all territory east of the Mississippi River, and was confirmed in her right to the country west of that river. Spain ceded Florida to Great Britain, and all its title to territory east of the Mississippi.
1764. By a treaty concluded between Spain and France, all of Louisiana was ceded to Spain.
1764. Protests forwarded to England against the act of the House of Commons that the government had the right to tax the American colonists without their representation in Parliament, — the tax carrying severe penalties.

1765. The "Stamp Act" passed by the English Parliament. A convention of the colonies assembled in New York, October 7. In November tumults occurred in Boston.

The stamp duties actually yielded under the English Stamp Act of 1765, owing to the opposition of the colonies, only £4000 (\$19,440), — less than the expenses of putting the Act into force.

1766. The "Stamp Act" repealed by the House of Commons.

1767. The taxation of the colonies resumed, against addresses, petitions, and remonstrances of the people.

1773. Settlement of the territory, afterward comprised within Kentucky, by Daniel Boone.

1774. By act of Parliament, the port of Boston closed, and General Gage appointed governor of Massachusetts to see the law was executed. September 5, eleven colonies formed themselves into a Congress (see Index).

1775. Coercive measures continued on the part of Great Britain, and the colonies awoke to the determination of

THE DECLARATION OF INDEPENDENCE,

JULY 4, 1776.



The Reigning Monarchs of England, France, and Spain,  
from the Discovery of the Land of the United States,  
to the "Declaration of Independence."

ENGLAND	FRANCE	SPAIN
Henry VII., 1485-1509.	Charles VIII., 1483-1498.	Ferdinand, } Isabella, } 1474-1516.
Henry VIII., 1509-1547.	Louis XII., 1498-1515.	Charles I., 1516-1556.
Edward VI., 1547-1550.	Francis I., 1515-1547.	Philip II., 1556-1598.
Mary, 1553-1558.	Henri II., 1547-1559.	Philip III., 1598-1621.
Elizabeth, 1558-1603.	Francis II., 1559-1560.	Philip IV., 1621-1665.
James I., 1603-1625.	Charles IX., 1560-1574.	Charles II., 1665-1700.
Charles I., 1625-1649.	Henri III., 1574-1589.	Philip V., 1700-1746.
Commonwealth, 1649-1660.	Henri IV., 1589-1610.	Ferdinand VI., 1746-1759.
Charles II., 1660-1685.	Louis XIII., 1610-1643.	Charles III., 1759-1788.
James II., 1685-1689.	Louis XIV., 1643-1715.	
William III., } Mary II., }	Louis XV., 1715-1774.	
1689-1702.	Louis XVI., 1774-1793.	
Anne, 1702-1714.		
George I., 1714-1727.		
George II., 1727-1760.		
George III., 1760-1820.		

## DEVELOPMENT OF A COMMONWEALTH.

The first permanent settlement made in America under the auspices of England was under the following charter:—

**April 10, 1606.** King James I. of England issued to an association of nobles, gentlemen, and merchants residing at London, called the "LONDON COMPANY," a patent authorizing them to possess and colonize the land lying between the 34 and 41st degrees of north latitude.

The intervening coast between latitude 38° and 41°, or between the present Rappahannock and the Hudson rivers, was to be common to both the "London Company" and the "Plymouth Company," but neither was to plant a settlement within 100 miles of a previous settlement of the other.

**April 10, 1606.** The King issued a second instrument to a similar body, organized at Plymouth, in southwest England, called the "PLYMOUTH COMPANY," covering the territory between the parallels 38th and 45th degree of north latitude.

**May 23, 1609.** The patent of 1606 to the London Company proving unsatisfactory, a new charter granted under the name of "THE TREASURER AND COMPANY OF ADVENTURERS AND PLANTERS OF THE CITY OF LONDON FOR THE FIRST COLONY IN VIRGINIA."

That space of land 200 miles north and 200 miles south of Point Comfort and all territory within parallel lines from sea to sea (34° to 40°). From Cape Fear to Sandy Hook.

Dissolved June 16, 1624.

**November 3, 1620.** The "Great Patent" of James I. issued to the "Council of Plymouth" or "The Council established at Plymouth, in the County of Devon, for the 'planting, ruling, ordering and governing of New England in America'" [from parallel 41 to 48 north latitude].

Substantially a reincorporation of the Plymouth Company charter of 1606, with additional privileges to place them on a footing with the Southern Colony charter of 1609.

Dissolved in 1635.

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These two charters established the geographical limits of the future thirteen states and their territories.

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The validity of the Dutch and French claims were never recognized by England.

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The "Virginia Company" and "Council of New England" could issue grants within their charter limits, but only a charter from the crown could confer powers of government.

**1622.** The Plymouth Company granted to Sir Fernando Gorges and John Mason the territory between the Merrimac and Kennebec Rivers, the sea and St. Lawrence. It was called "Laconia." When the Plymouth Company was dissolved in 1635, the section east of the Piscataqua took the name of *Maine*.

**March 19, 1628.** The council for New England sold to six residents of Dorchester, England, the territory extending three miles south of the Charles River, and Massachusetts Bay, and three miles north of every part of the Merrimac River from ocean to ocean.

**March 4, 1629.** The Massachusetts Company of Dorchester, England, under their purchase of March 19, 1628, obtained a charter from King Charles I. by which a company was incorporated as "*The Governor and Company of the Massachusetts Bay in New England.*"

It was under this charter that Massachusetts claimed territory as far west as the Mississippi.

**November 7, 1629.** Partnership with Gorges dissolved, Mason obtained the region between the mouth of the Merrimac River, Cape Ann, and the mouth of the Piscataqua, up into the country sixty miles, from which point to cross overland to the head of the Piscataqua, sixty miles from its mouth. This he called *New Hampshire*.

**June 28, 1632.** King Charles I. granted George Calvert — by his death the patent was actually issued to his son, Cecilius Calvert, second Lord Baltimore — the tract of land bounded by the ocean, the fortieth degree of latitude, the meridian of the western head of the Potomac, the river itself from its source to its mouth, and a line drawn due east from Watkin's Point to the Atlantic. Called by Lord Baltimore, *Maryland*.

**April 23, 1662.** "*Connecticut Colony*" granted a charter by Charles II. ; "all that part of our dominions in New England . . . bounded on the east by the Narrogancett River, . . . on the north by the line of the Massachusetts Plantation, and on the south by the sea, . . . from the said Narrogancett Bay, on the east, to the South Sea, on the west part."

**March 24, 1663.** "The Lords Proprietary of the Province of South Carolina" granted a charter by Charles II. of all the territory lying between 30° 30' and 29° of latitude, from sea to sea.

This embraced part of the Province of Florida and Virginia; it was divided in 1670 into *North and South Carolina*.

**November 24, 1663.** King Charles II. conferred a charter on "*Rhode Island and Providence Plantations.*"

**March 12, 1664.** A patent issued by Charles II. to the Duke of York; "a line from the head of Connecticut River to the source of the Hudson's River, thence to the head of the Mohawk branch of Hudson's

River, and thence to the east side of Delaware Bay." This was the *Province of New York*.

In June, the present section "*New Jersey*" transferred to Berkeley, Stratton, and Carteret.

**March 4, 1681.** Charles II. gave to William Penn a patent of the "tract of land in America lying north of Maryland, on the east bounded with Delaware River, on west limited as Maryland, and northward to extend as far as plantable." Now known as "*Pennsylvania*."

*Delaware* purchased from the Duke of York by Penn in 1682.

**June 9, 1732.** "The Trustees for establishing the *Colony of Georgia in America*" received a royal charter from George II. for the territory between the Savannah and Altamaha rivers, and westward from the upper fountains of "said" rivers to the Pacific Ocean.

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## "THE GOING" OF THE NATIONS.

**October 1, 1664.** "New Sweden" — land of the Swedes — seized by the Dutch.

**October 31, 1674.** "New Netherlands" — Dutch possessions — surrendered to the English through the fall of New Amsterdam.

**September 17, 1759.** "French Florida" and "New France" lost to the French at their defeat by the English on the Plains of Abraham, Quebec.

**October 19, 1781.** England lost her colonies and their territories upon the defeat of Cornwallis at Yorktown, Virginia.

## THE CESSION OF TERRITORY TO THE UNITED STATES.

BY CONQUEST AND PURCHASE.

Ceded by Great Britain, Conquest, 827,844 Square  
Miles.

Result of the "War of the Revolution."

November 30, 1782. Provisional articles between the United  
States of America and His Britannic Majesty concluded at Paris.

September 3, 1783. Definite treaty concluded at Paris.

### Boundaries of Cession Established.

#### ARTICLE II.

\* \* \* \* \*  
\* \* \* \* \*

"From the northwest angle of Nova Scotia, viz.: that angle which is formed by a line drawn due north from the source of the St. Croix River to the Highlands; along the Highlands which divide those rivers that empty themselves into the River St. Lawrence, from those which fall into the Atlantic Ocean, to the northernmost head of the Connecticut River; thence down along the middle of that river to the 45th degree of north latitude; from thence by a line due west on said latitude, until it strikes the River Iroquois or Cataraugus; thence along the middle of said river into Lake Ontario, through the middle of said lake, until it strikes the communication by water between that lake and Lake Erie; thence along the middle of said communication into Lake Erie, through the middle of said lake, until it arrives at the water communication between that lake and Lake Huron; thence along the middle of said water communication into the Lake Huron; thence through the middle of said lake to the water communication between that lake and Lake Superior; thence through Lake Superior northward of the Isles Royale and Phillippeaux to the Long Lake; thence through the middle of said Long Lake and the water communication between it and the Lake of the Woods to the said Lake of the Woods; thence through the said lake to the most northwestern point thereof; and from thence on a due west course to the River Mississippi; thence by a line to be drawn along the middle of the said River Mississippi until it shall intersect the northernmost part of the 31st degree of north latitude. Southerly by a line to be drawn due east from the detourment of the line last mentioned, in the latitude of 31 degrees north of the equator to the middle of the river Apalachicola or Catahouche; thence along the middle thereof to its junction with the Flint River; thence straight to the head of St. Mary's River; and thence down along the middle of St. Mary's River to the Atlantic Ocean. East, by a line to be drawn along the middle of the River St. Croix, from its mouth in the Bay of Fundy to its source, and from its source directly north to the aforesaid Highlands which divide the rivers that fall into the Atlantic Ocean; from those which fall into the River St. Lawrence, comprehending all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries between Nova Scotia on the one part, and East Florida on the other, shall respectively touch the Bay of Fundy and the Atlantic Ocean; excepting such islands as now are, or heretofore have been, within the limits of the said province of Nova Scotia."

December 24, 1814. Treaty of Ghent.

Article II. Interior northeast boundary.

Article IV. Certain territory in vicinity of Nova Scotia.

Article VI. North latitude at 45° westward.

**November 24, 1817.** Declaration of Commissioners at New York on Article IV., Treaty of Ghent.

\* \* \* \* \*  
 "Moose Island, Dudley Island, and Frederick Island, in the Bay of Passamaquoddy, which is part of the Bay of Fundy, do, and each of them does, belong to the United States of America; and we have also decided, and do decide, that all the other islands, and each and every of them, in the said Bay of Passamaquoddy, which is part of the Bay of Fundy, and the Island of Grand Menan, in the said Bay of Fundy, do belong to his said Britannic Majesty. . . ."

**January 30, 1819.** Ratifications exchanged. (Convention concluded at London, October 20, 1818.)

Definition of the northern boundary from the Lake of the Woods to the "Stoney" Mountains. Article II.

**June 18, 1822.** Decision of Commissioners at Utica, New York, on Article VI., Treaty of Ghent.

From the 45th degree of north latitude and the Iroquois River, on St. Lawrence River, through Lake Ontario, Erie, Huron, to the water communication with Lake Superior, to determine the national ownership in the various islands.

**November 10, 1842.** Proclaimed. (Treaty concluded, August 9, 1842; ratifications exchanged, October 13, 1842.) Article II., Treaty of Ghent.

Article I. The northeastern or St. Croix boundary.

Article II. and Article VI. of the Treaty of Ghent. From the water communication between Lake Huron and Lake Superior (see June 18, 1822), through Lake Superior and waters to the

"most northwestern point of the Lake of the Woods; thence along the said line, to the said most northwestern point, being in latitude  $49^{\circ} 23' 55''$  north, and in longitude  $95^{\circ} 14' 38''$  west from the observatory at Greenwich; thence, according to existing treaties, due south to its intersection with the 49th parallel of north latitude, and along that parallel to the Rocky Mountains."

**August 5, 1846.** Proclaimed. (Treaty concluded at Washington, June 15, 1846; ratifications exchanged, July 17, 1846.)

Boundary line west of the Rocky Mountains,

"along said forty-ninth parallel of north latitude to the middle of the channel which separates the continent from Vancouver's Island, and thence southerly through the middle of the said channel, and of Fuca's Straits to the Pacific Ocean: . . ."

**March 10, 1873.** Protocol proclaimed at Washington.

The channel of Fuca Straits not being determined, Great Britain claiming the line be run through the Rosario Straits; the United States alleging the Canal de Haro, by Article XXXIV. Treaty done in Washington, May 8, 1871, it was agreed to submit to the arbitration and award of His Majesty the Emperor of Germany. Emperor William I. decided, October 21, 1872, in favor of the Canal de Haro.

The Emperor referred the arguments on both sides to three experts, Dr. Grimm, Dr. Kiepert, and Dr. Goldschmidt, personages among the

most eminent of his subjects in jurisprudence and in science, and upon their report he gave his decision.

**From France, Purchase, 864,931 Square Miles,  
\$15,000,000.**

**Cause.** It grew out of the necessity of a seaport for the Northwestern Territory and the Mississippi Territory ; assisted (1803) through a possible war between France and England. Napoleon, who was then Consul, unable to care for the " Province," with all his soldiery wanted at home, considered its sale a means of furnishing needed money, at the same time creating a friendly power of the United States, perhaps make it a threatening maritime rival of England.

The United States had in mind the possible conquest of Louisiana and control of the Mississippi River by England in the event of war with France, and with England on the west of the United States (in control of the Mississippi), also on the north, there might be either a bitter struggle or a compulsory alliance, the result of which would be impossible to foresee on the part of the United States.

The purchase of Louisiana was the first acquisition of foreign territory.

**April 9, 1682.** Robert Cavalier de la Salle, basing his claim upon discovery and occupation, took possession of the valley of the Mississippi, Ohio, Missouri, and Illinois rivers in the name of the French monarch, Louis XIV., as "*The Government of Louisiana.*" In 1703 Pontchartrain designated the province as "*The Colony of Mississippi.*"

**September 14, 1712.** Granted to Sieur Anthony Crozat by King Louis XIV., for fifteen years, as a separate colony, subordinate to the government of New France.

Bounded by the lands of the English of Carolina, by New Mexico from the edge of the sea as far as the Illinois River, together with the River of St. Philip (Missouri), and the River of St. Jerome (Wabash), with all the countries, territories, lakes within land, and the rivers which fall directly or indirectly into that part of the River St. Louis (Mississippi).

**1755.** French claimed watershed of St. Lawrence and the Great Lakes, the Mississippi River and tributaries.

English conceded a southern limit following St. Lawrence and Ottawa rivers, thence across Lakes Huron and Michigan to the Illinois, descending to Mississippi River, with western watershed of that stream.

**1763.** France ceded to Great Britain all that portion of Louisiana lying east of the middle of the Mississippi River down to the Spanish possession of Florida. (Also Canada.)

**February 10, 1763.** France transferred to Spain all territory on the western side of the Mississippi River to repay that power for what it had lost, as an aid in the fight with Great Britain.

**October 1, 1800.** Secret treaty of San Ildefonso, under which Spain retroceded to France

“the colony or province of Louisiana, with the same extent that it now has in the hands of Spain, and that it had when France possessed it, and such as it should be, after the treaties subsequently entered into between Spain and other States.”

**March 22, 1801.** Treaty confirmed at Madrid.

This cession was in consideration of the elevation of the Duke of Parma to the rank of king, and the enlargement of his territory.

**April 30, 1803.** Treaty concluded at Paris. Article I. ceding to the United States the territory as acquired from Spain October 1, 1800.

The agreements of two conventions (April 30, 1803). The first convention fixed the purchase price at a sum equivalent to \$15,000,000, *i.e.* 60,000,000 francs; a stock of \$11,250,000, bearing interest of six per cent per annum, payable half-yearly in London, Amsterdam, or Paris; the principal to be reimbursed at the Treasury of the United States in annual payments of not less than \$3,000,000 each. The first payment to commence fifteen years after date of the exchange of ratifications, the stock to be transferred to the government of France, or its representatives, three months after treaty ratifications, and possession of Louisiana taken by the United States. (The dollar fixed at five francs  $\frac{3333}{10000}$ , or five livres eight sous Tournois.)

Treaty originally agreed on and written in the French language; later in the English and the French languages.

The second convention assumed to pay the debts due by France to American citizens.

**October 17, 1803.** Purchase of Louisiana officially communicated to the House by the President.

**November 10, 1803.** Passed the House with vote 89 to 23; the Senate 26 to 5.

**December 20, 1803.** New Orleans formally delivered to the United States, possession being taken by a public act. General Wilkinson, with Governor Claiborne of the Territory of Louisiana, authorized to take possession. See “Florida,” February 22, 1819.

### Oregon Country, by Discovery, 307,000 Square Miles.

The only acquisition was through discovery and occupation, the trapper and fur trader being the pioneers who carried the country's western boundary to the Pacific.



**May 7, 1792.** Captain Gray of the American ship "Columbia," of Boston, entered the Columbia River.

**April 30, 1803.** By purchase, France surrendered her claims west of the Mississippi River, possibly the Rocky Mountains a limit.

**October 20, 1818.** Convention with Great Britain concluded at London. (Ratifications exchanged January 30, 1819.) Definition of boundary from Lake of the Woods to the Stony Mountains.

**February 22, 1819.** Spain in a treaty (see "Florida") released all claims to the Pacific coast (South Sea) north of latitude 42°, the northern boundary of Spanish California.

**April 5-17, 1824.** Convention between the United States and Russia concluded at St. Petersburg. (Ratifications exchanged December 30, 1824; January 11, 1825; proclaimed January 12, 1825.)

No establishment to be formed "upon the northwest coast of America, nor in any of the islands adjacent, to the north of fifty-four degrees and forty minutes of north latitude"; and Russia to be similarly governed to the south. Article III.

For Great Britain's boundary agreements, see (this chapter) "Cessions of Great Britain." For Spanish and Mexican limit of territory, see "Florida" and "Mexican Sessions." [Oregon Country is now marked by Washington, Oregon, Idaho, and parts of Wyoming and Montana.]

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### From Spain, Purchase, 59,268 Square Miles, \$6,500,000.

**Object.** The Province of Florida was a menace to the southern people, as it furnished a base, and was a temptation to assist invasion on the part of foreign governments; also it became a refuge for the "run-away property" of the slave owners of Georgia and Alabama; besides, its acquisition would finish out the southeastern portion of the United States, carrying an unbroken coast from the St. Croix to the Sabine River.

**April 2, 1512.** Juan Ponce de Leon discovered and named Florida (see Index), taking possession in the name of the Spanish Monarch.

**February 10, 1763.** Ceded by Spain to England in exchange for Cuba, which England had captured in 1762. England divided the territory into East and West Florida, with the Appalachian River as the dividing line (October 7, 1763); the western limit assumed to be the Mis-

Mississippi River. Northern boundary by royal proclamation named as 31° north latitude. In 1764 the northern boundary of West Florida placed at 32° 25' north latitude.

**January 20, 1783.** England under treaty ceded Florida to Spain, with no bounds mentioned; the contention was for the English bounds as 32° 30' north latitude. This treaty was to return Florida to its original owner, and was made at the same time as the English treaty of cession made to the United States.

**October 27, 1795.** Treaty concluded at San Lorenzo el Real (ratifications exchanged April 25, 1796; proclaimed August 2, 1796) between Spain and the United States.

*Southern boundary of the United States*, "a line beginning on the River Mississippi, at the northernmost part of the thirty-first degree of latitude north of the equator, which from thence shall be due east to the middle of the river Apalachicola, or Catahouche, thence along the middle thereof to its junction with the Flint; thence straight to the head of St. Mary's River, and thence down the middle thereof to the Atlantic Ocean." — Article II.

*Western boundary of the United States*, "is in the middle of the channel or bed of the River Mississippi, from the northern boundary of the said States to the completion of the thirty-first degree of latitude north of the equator." Article IV.

**February 22, 1819.** Treaty concluded at Washington (ratifications exchanged and proclaimed February 22, 1821; ratified by the King of Spain, Ferdinand VII., at Madrid, October 24, 1820) between Spain and the United States.

#### Article II. cedes

"All territories which belong to him situated to the eastward of the Mississippi, known by the name of East and West Florida."

#### Article III.

"The boundary line between the two countries west of the Mississippi shall begin on the Gulph of Mexico, at the mouth of the river Sabine, in the sea, continuing north, along the western bank of that river, to the 32d degree of latitude; thence by a line due north, to the degree of latitude where it strikes the Rio Roxo of Nachitoches, or Red River; then following the course of the Rio Roxo westward, to the degree of longitude 100 west from London, and 23 from Washington; then, crossing the said Red River, and running thence, by a line due north, to the river Arkansas; thence following the course of the southern bank of the Arkansas to its source, in latitude 42 north; and thence, by that parallel of latitude, to the South Sea. The whole being as laid down in Melish's map of the United States, published at Philadelphia, improved to the first of January, 1818. But if the source of the Arkansas River shall be found to fall north or south of latitude 42, then the line shall run from the said source due south or north, as the case may be, till it meets the said parallel of latitude 42, and thence along the said parallel, to the South Sea."

Further, "the United States hereby cede to His Catholic Majesty, and renounce forever, all their rights, claims, and pretensions to the territories lying west and south of the above described line; and in like manner, His Catholic Majesty cedes to the said United States all his rights, claims, and pretensions to any territories east and north of the said line, etc." . . .

The treaty, Article XI., stipulated the United States should satisfy claims of their citizens to the amount of \$5,000,000, which did not prove a sufficient sum.

**July 17, 1821.** Full possession of Florida obtained by the United States.

Texas, Annexation, 375,239 Square Miles,  
\$10,000,000.

**Object.** A desire on the part of the slave states to increase its area, in order to keep southern influence predominant in the government of the country.

**February 18, 1685.** Robert Cavalier de La Salle, sailed from France, landed near the entrance of Matagorda Bay.

**October 21, 1803.** Texas included in cession of Louisiana by France to the United States.

**February 22, 1819.** Sabine River agreed upon as the boundary between Spain's possessions and the United States. See "Florida."

**May 7, 1824.** By decree of the Constituent Mexican Congress, Coahuila and Texas united in one state.

**March 11, 1827.** Proclamation of constitution of the state of Coahuila and Texas framed by a state congress.

**January 12, 1828.** Treaty of Limits between the United States of America and the United Mexican States concluded at Mexico City. (Ratifications exchanged and proclaimed April 5, 1832). Article II. repeats Article III. of the "Treaty with Spain," February 22, 1819. See "Florida."

**March 26, 1835.** Secretary of State Clay instructed the United States minister to Mexico to procure from Mexico the re-transfer of Texas.

**November, 1835.** Provisional government established by Texas under an assembly at San Felipe de Austin, known as "*The General Consultation of Texas.*"

**March 26, 1836.** Declaration of independence issued. (Mexico never acknowledged the independence of Texas.)

**March 17, 1836.** A convention of delegates adopted a constitution and elected officers.

**March 1, 1837.** Independence of Texas recognized by the United States.

**April 25, 1838.** Convention between the republic of Texas and the United States for marking a boundary between them. Ratifications exchanged October 12, 1838 ; proclaimed October 13, 1838.

**March 3, 1845.** Joint resolution of Congress for the admission of Texas to the Union.

(Mexico claimed the River Nueces as the western limit ; the United States claimed the land to the Rio Grande, by doing which it annexed a

large strip of territory on which neither an American nor Texan had a single settlement, and which included a part of the Mexican state of New Mexico.)

**February 2, 1848.** Title to Texas confirmed by Mexico. See "Mexican Cession."

**Mexican Cession, Conquest, 545,783 Square Miles,  
\$15,000,000.**

In consideration of the extension acquired by the boundaries of the United States under a treaty of peace.

**February 2, 1848.** Treaty between the United States and the Republic of Mexico concluded at the City of Guadalupe Hidalgo. (Ratifications exchanged at Queretaro, May 30, 1848; proclaimed July 4, 1848.)

"The boundary line between the two republics shall commence in the Gulf of Mexico, three leagues from land, opposite the mouth of the Rio Grande, otherwise called Rio Bravo del Norte, or opposite the mouth of its deepest branch, if it should have more than one branch emptying into the sea; from thence up the middle of that river, following the deepest channel, where it has more than one, to the point where it strikes the southern boundary of New Mexico; thence, westwardly, along the whole southern boundary of New Mexico (which runs north of the town called Paso), to its western termination; thence northward along the western line of New Mexico, until it intersects the first branch of the river Gila (or if it should not intersect any branch of that river, then to the point on the said line nearest to such branch, and thence in a direct line to the same); thence down the middle of the said branch and said river, until it empties into the Rio Colorado; thence across the Rio Colorado, following the division line between Upper and Lower California to the Pacific Ocean."

Also, in reference to tracing the limit separating Upper and Lower California,

"Said limit shall consist of a straight line drawn from the middle of the Rio Gila where it unites with the Colorado, to a point on the Pacific Ocean distant one marine league due south of the southernmost point of the fort of San Diego, according to the plan of said fort made in the year 1782 by Don Juan Pantoja. . . ." Article V.

**"Gadsden Purchase" from Mexico, 45,535 Square  
Miles, \$10,000,000.**

**Cause.** The result of a disputed boundary under the treaty of February 2, 1848. The boundary commissioners set off the "Mesilla Valley," or the southern watershed of the Gila River, as belonging to Mexico, whereupon the governor of New Mexico objected, claiming they were in error, and proceeded to take possession of the disputed territory, irrespective of the protests of Mexico.

Negotiations for its purchase completed by General James Gadsden of South Carolina, Envoy Extraordinary and Minister Plenipotentiary to Mexico.

**December 30, 1853.** Treaty with Mexico concluded in Mexico City. (Ratifications exchanged and proclaimed June 30, 1854.)

Agreeable to Article 5, treaty February 2, 1848 (*q.v.*), up the Rio Grande,

“To the point where the parallel of  $31^{\circ} 47'$  north latitude crosses the same; thence due west one hundred miles; thence south to the parallel of  $31^{\circ} 20'$  to the 111th meridian of longitude west of Greenwich; thence in a straight line to a point on the Colorado River twenty English miles below the junction of the Gila and Colorado rivers; thence up the middle of the said river Colorado until it intersects the present line between the United States and Mexico.” Article 1.

Report of a Conference Committee of various United States departments “upon the Boundaries of the Successive Acquisitions of Territories by the United States,” under date of April 5, 1900, is summarized as follows in Census Bulletin No. 74, issued July 20, 1901:—

1. The region between the Mississippi River and lakes Maurepas and Pontchartrain to the west, and the Perdido River to the east, should not be assigned either to the Louisiana Purchase or to the Florida Purchase, but indicated that title to it between 1803 and 1819 was in dispute.

2. The line between the Mississippi River and the Lake of the Woods, separating the territory of the United States prior to 1803 from the Louisiana Purchase, should be drawn from the most northwestern point of the Lake of the Woods to the nearest point on the Mississippi River, in Lake Bemidji.

3. The western boundary of the Louisiana Purchase between  $49^{\circ}$  and  $42^{\circ}$  north followed the watershed of the Rocky Mountains; thence it ran east along the parallel of  $42^{\circ}$  north to a point due north of the source of the Arkansas River, and thence south to that source.

4. The northwestern boundary of Texas, as annexed, extended up the principal stream of the Rio Grande to its source, and thence due north to the parallel of  $42^{\circ}$  north.

5. The southern boundary of the Mexican Cession of 1848 should be drawn from a point on the Rio Grande eight miles north of Paso, instead of from one about thirty miles further north, as is the usual practice at present, west three degrees, and thence north to the first branch of the Gila River.

**Alaska, Purchase from Russia, 577,390 Square Miles,  
\$7,200,000.**

**Object.** Financial or commercial reasons, principal among which, the fisheries. It was the first acquisition of foreign or disconnected territory, domain not contiguous to the States.

**March 30, 1867.** Convention for the cession of the Russian possessions in North America to the United States concluded at Washington, March 30, 1867. (Ratifications exchanged and proclaimed June 20, 1867.)

The eastern limit is the line of demarcation between the Russian and the British possessions in North America, as established by the convention between Russia and Great Britain, of February 28–16, 1825, and described in Articles III. and IV. of said convention, in the following terms:—

“Commencing from the southernmost point of the island called Prince of Wales Island, which point lies in the parallel of 54 degrees 40 minutes north latitude and between the 131st and 133d degree of west longitude (meridian of Greenwich), the said line shall ascend to the north along the channel called Portland Channel as far as the point of the continent where it strikes the 56th degree of north latitude; from this last mentioned point the line of demarcation shall follow the summit of the mountains situated parallel to the coast, as far as the point of intersection of the 141st degree of west longitude (of the same meridian); and finally, from the said point of intersection, the said meridian line of the 141st degree in its prolongation as far as the Frozen Ocean.”

With reference to the line of demarcation laid down in the preceding article, it is understood

"1st. That the island called Prince of Wales Island shall belong wholly to Russia (now, by this cession to the United States).

"2d. That whenever the summit of the mountains which extend in a direction parallel to the coast from the 56th degree of north latitude to the point of intersection of the 141st degree of west longitude shall prove to be at the distance of more than ten marine leagues from the ocean, the limit between the British possessions and the line of the coast which is to belong to Russia as above mentioned (that is to say, the limit to the possessions ceded by this convention), shall be formed by a line parallel to the winding of the coast and which shall never exceed the distance of ten marine leagues therefrom.

"The western limit within which the territories and dominion conveyed are contained passes through a point in Behring's Straits on the parallel of 65 degrees 30 minutes north latitude, at its intersection by the meridian which passes midway between the Islands of Krusenstern or Ignalook, and the Island of Ratmanoff or Noonarbook, and proceeds due north without limitation, into the same Frozen Ocean.

"The same western limit, beginning at the same initial point, proceeds thence in a course nearly southwest, through Behring's Straits and Behring's Sea, so as to pass midway between the northwest point of the Island of St. Lawrence and the southeast point of Cape Choukotski, to the meridian of one hundred and seventy-two west longitude: thence from the intersection of that meridian, in a southwesterly direction so as to pass midway between the Island of Atou and the Copper Island of the Kormandorski couplet or group, in the North Pacific Ocean, to the meridian of 193 degrees west longitude, so as to include in the territory conveyed the whole of the Aleutian Islands east of that meridian." Article I.

Treaty at Washington, January 30, 1897, for appointment of commissioners to determine and mark, and permanently define, the 141st meridian of west longitude mentioned in the treaty of March 30, 1867, between the United States and Russia, and in the treaty of February 28, 1825, between Great Britain and Russia.

*Modus vivendi* negotiated between the State Department of the United States and the British Foreign Office, October 20, 1899.

Provisional adjustment of the boundary line in the region about the head of Lynn Canal.

"In the region of the Dalton trail; a line beginning at the peak west of Porcupine Creek, thence to the Klehini River in the direction of the peak north of the river, thence following the high or right bank of the Klehini River to the junction with the Chilkat River, a mile and a half, more or less, north of Klukwan, and from said junction to the summit of the peak east of the Chilkat River. The summit of the Chilkoot and White passes on the Dyea and Skaguay trails."

The temporary line to be marked by posts, stakes, or other appropriate marks.

April 9, 1867. Treaty ratified by the Senate.

August 1, 1867. Purchase money paid.

October 9, 1867. Transfer formally completed at New Archangel, Alaska.

October 18, 1867. General L. H. Rousseau assumed control for the United States.

**April 13, 1868.** Established as a military district under command of General Jefferson C. Davis, U.S.A.

**May 17, 1884.** Under naval rule, the senior naval officer as commandant.

**May 17, 1884.** Organized as a district by Act of Congress.

**September 15, 1884.** Civil government inaugurated. The first governor by presidential appointment was John H. Kinkead of Nevada, a Republican. Term of office, September 15, 1884, to September 15, 1885.

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### Hawaii, Annexation, 6740 Square Miles.

**Cause.** Political reasons, justified on naval grounds, or to protect American interests, already paramount in the islands, based on supposed necessities arising out of the situation incident to the Spanish-American War in 1898.

**July 4, 1894.** The Hawaiian, or Sandwich Islands became a republic, followed by an agitation for annexation to the United States.

**June 16, 1897.** Treaty of annexation signed by plenipotentiaries of the United States and the *Republic of Hawaii*.

**June 11, 1898.** Joint resolution for annexation presented to the House of Representatives, Washington, by its Committee on Foreign Affairs.

**June 15, 1898.** Joint resolution passed by the House of Representatives; ayes 201, nays 19, not voting 49.

**July 6, 1898.** Resolution passed the Senate; ayes 42, nays 21.

**July 7, 1898.** Resolution signed by President McKinley.

**August 12, 1898.** Transfer of the sovereignty of the islands to the United States by Sanford R. Dole, President of the Republic of Hawaii.

**April 30, 1900.** An act to provide a government for the territory of Hawaii enacted by the first session of the Fifty-sixth Congress, and approved by the President (April 30, 1900). The act to take effect June 14, 1900.

**June 14, 1900.** New territorial government inaugurated at Honolulu. Inauguration of Governor Sanford R. Dole on the steps of the Capitol at 10 A.M.

## THE HAWAIIAN ISLANDS.

- Hawaii (Ha-wye-e), 4210 square miles.  
 Maui (Mow-e), 760 square miles.  
 Oahu (O-ah-hoo), 600 square miles.  
 Kauai (Kow-e or Koy-eye), 590 square miles.  
 Molokai (Moh-loh-kay), 270 square miles.  
 Lanai (Lah-nay), 150 square miles.  
 Niihau (Ne-e-hoh), 97 square miles.  
 Kahoolawe (Kah-hoo-lah-way), 63 square miles.

The *uninhabited islands* are, Ni-ho-a, Ka-u-la, Le-hu-a, and Mo-lo-ki-ni.

The *acquired territory* of Hawaii includes Nihas or Bird Island, 1822 ; Stewart, 1855 ; Laysan, 1857 ; Palmyra, 1862 ; Ocean, 1886 ; Necker, 1894 ; French Frigate Shoal, 1895 ; and Gardner Island, Mara or Moro Reef, Pearl and Hermes Reef, Gambia Bank, and Johnston or Cornwallis Island.

Porto Rico, Philippine Islands, Guam, and Isle of Pines  
 (Spanish Territory).

Acquired as result of the Spanish-American War.  
 Decision of Treaty at Paris, December 10, 1898.  
 119,868 square miles.

Porto Rico, 3668 Square Miles.

The Island of *Puerto Rico*, including *Isla Culebra* and *Isla de Vieques*.  
 Island of Porto Rico, 108 miles long and 43 miles in width.

**October 18, 1898.** Formal possession taken by the United States.

**April 12, 1900.** An Act providing a civil government.

Passed Senate, April 4, 1900 ; ayes 40, nays 31.

Passed House of Representatives, April 11 ; ayes 161, nays 153.

Bill signed by President McKinley, April 12, 1900.

**May 1, 1900.** Military government ceased ; civil government went into effect.

**May 27, 1901.** Supreme Court of the United States decided Porto Rico as *acquired territory*, and subject to special action of Congress. See "Constitution" in "Political Vocabulary."



## Philippine Islands, 115,300 Estimated Square Miles.

[No government survey has been made. In the "Guía Oficial de las Islas Filipinas para 1898 : Publicada por la Secretaría del Gobierno General ; Manila, 1898," the area of the Archipelago is given as 355,000 square kilometers (137,057 square miles). This does not include the Jolo (Sulu) group.]

Extract from Article III. of the Treaty at Paris, December 10, 1898, outlines the Philippine Islands.

"A line running from west to east along or near the twentieth parallel of north latitude and through the middle of the navigable channel of Bachi, from the one hundred and eighteenth (118th) to the one hundred and twenty-seventh (127th) degree meridian of longitude east of Greenwich, thence along the one hundred and twenty-seventh (127th) degree meridian of longitude east of Greenwich to the parallel of four degrees and forty-five minutes (4.45) north latitude to its intersection with the meridian of longitude one hundred and nineteen degrees and thirty-five minutes (119.35) east of Greenwich, thence along the meridian of longitude one hundred and nineteen degrees and thirty-five minutes (119.35) east of Greenwich to the parallel of latitude seven degrees and forty minutes (7.40) north, thence along the parallel of latitude seven degrees and forty minutes (7.40) north to its intersection with the one hundred and sixteenth (116th) degree meridian of longitude east of Greenwich, thence by a direct line to the intersection of the tenth (10th) degree parallel of north latitude with the one hundred and eighteenth (118th) degree meridian of longitude east of Greenwich, and thence along the one hundred and eighteenth (118th) degree meridian of longitude east of Greenwich to the point of beginning.

"The United States to pay to Spain the sum of twenty million dollars (\$20,000,000) within three months after the exchange of the ratifications of the treaty."

When the Peace Commissioners, in lieu of "the Philippine Archipelago," to avoid loose definition, drew the above geographical boundary line on basis of fixed meridians of longitude and parallels of latitude, they described parallelograms, causing an inset at the southwest corner which excluded some of the islands off the coast of Borneo. The southern boundary started at the eastern end, at the 127th meridian, along parallel 4 degrees 45 minutes westward to meridian 119 degrees 35 minutes, thence north to latitude 7 degrees 40 minutes, when deflected westward to meridian 116. A year following signature of treaty it was discovered the islands of Cibitu and Cagayan (Sulu) were excluded by the inset.

According to the principles of common law an exact boundary, not a general terminology, was essential, upon which a treaty entered into with Spain, November 7, 1900, for the purchase of the two islands for \$100,000. Ratified by the Senate, January 22, 1901, by a vote of 38 to 19.

Ratifications of the treaty exchanged, March 23, 1901, at Washington, D.C., by the Duke d'Arcos, the Spanish minister, and Secretary of State Hay, payment being made by a Treasury warrant for \$100,000.

President McKinley issued a proclamation, March 25, 1901, announcing the purchase of Cibitu and Cagayan of the Jolo Archipelago.

The islands number between 1000 and 2000 : the "Guía" previously referred to notes 1200 ; the "Derrotero del Archipelago Filipino,"

Madrid, 1879, *i.e.* the "Coast Pilot," describes 583. These islands are within a land and sea area of 1200 miles latitude and 2400 miles longitude.

The Philippines were gained to Spain through the discovery of Magellan. The treaty of 1494 gave Spain, as her half of the world, all beyond the meridian of 370 leagues west of Ferro. The Philippines when discovered were moved on the maps twenty-five degrees east of their true position on the globe, when the islands in fact lay within the half of the world belonging to Portugal. The Spaniards made the maps and were thus enabled to bring the islands within their half.

**May 1, 1898.** Destruction of Spanish fleet in Manila harbor and possession taken of the city of Manila by Commodore Dewey of the United States Navy.

**December 10, 1898.** Treaty of Peace signed at Paris, covering surrender and indemnity for full possessions of the Philippines.

**July 4, 1901.** Civil government inaugurated at Manila.

### Guam, Guajam, or Guahn, 900 Square Miles.

One of the Mariana or Ladrone Islands in the Pacific, about thirty miles in length and about ten miles in width.

**December 10, 1898.** Ceded by Article II. of the Treaty of Peace at Paris.

**February 1, 1899.** Taken possession of by Commander Taussig of the United States gunboat "Remington."

### Isle of Pines, Greater Antilles (Isla de Pinos).

Ceded to the United States under the Spanish-American Treaty of Peace, December 10, 1898.

Article II. — Spain ceded to the United States the island of Porto Rico, and *other islands* now under Spanish sovereignty in the West Indies, and the island of Guam, in the Mariannes or Ladroneas.

Article I. reads "Spain relinquishes all claim of sovereignty over and title to Cuba."

\* \* \* \* \*

The treaty specifically ceding all the Spanish West India islands, except Cuba, to the United States.

### Tutuila, Annexation, 54 Square Miles.

One of the Samoan Islands, and its islets, which became a possession by virtue of a tripartite treaty with Great Britain and Germany in 1899.

See Index, "Other Lands under the Protection of the United States."

### RECAPITULATION.

Original thirteen States.		Square miles.
1783.	Cession of Great Britain . . . . .	827,844
BY EXPANSION.		
1803.	Louisiana Purchase . . . . . President Jefferson . . . . .	864,931
1803.	Oregon Country . . . . . " Jefferson . . . . .	307,000
1819.	Florida Purchase . . . . . " Monroe . . . . .	59,268
1845.	Annexation of Texas . . . . . " Polk . . . . .	375,239
1848.	Guadalupe Hidalgo . . . . . " Polk . . . . .	545,783
1853.	Gadsden Purchase . . . . . " Pierce . . . . .	45,535
1867.	Alaska Purchase . . . . . " Johnson . . . . .	577,390
1898.	Republic of Hawaii . . . . . " McKinley . . . . .	6,740
1898.	Spanish Territory . . . . . " McKinley . . . . .	119,868
1899.	Tutuila . . . . . " McKinley . . . . .	54
TOTAL . . . . .		3,729,652

## THE BIRTH OF THE STATES.

### CESSION OF GREAT BRITAIN.

From the previously named patents, charters, and grants grew the thirteen colonies. When they became States, Massachusetts, Connecticut, Virginia, North Carolina, South Carolina, and Georgia, having no defined western limit (only latitudinal lines being mentioned), their territorial extension ended with the lands of Great Britain, the Mississippi River, the only intervening lands excepted being those "actually possessed by any Christian prince or people."

When the Revolution ceased, it was contended by the "non-vacant lands," States, or those having no chartered extension to the west, that in justice to them, on the ground they had made common cause in securing independence, the land wrested by joint effort, the "western lands," should be considered territories of the General Government, to be shared in common for the benefit of all; that is, be joint property.

The "claimant States" were Massachusetts, Connecticut, Virginia, North Carolina, and South Carolina, boundaries unlimited westerly.

The "non-claimant States" were New Hampshire, Rhode Island, New Jersey, Pennsylvania, Delaware, and Maryland, boundaries exactly defined. New Jersey, Delaware, and Maryland had fixed western boundaries, consequently no legal claim to a share in the western extension; they were called the "recalcitrant States."

*Massachusetts* based claim on charter of William and Mary, 1691.

*Connecticut*, on charter, Charles II., 1662.

*Virginia*, on charter, James I., 1609.

*New York*, on her treaty with the Six Indian Nations and allies, of lands lying between Lake Erie and the Cumberland Mountains, the Ohio River and a portion of Kentucky.

"Claimant States" expected great revenues from their western lands by which to pay their debts.

"Non-claimant States," being landless, regarded with jealousy the wealth of the others.

The "claimants" secured the insertion of a provision in the Articles of Confederation, that no State should be deprived of territory for the benefit of the United States.

Maryland positively refused to sign the Articles while the above provision was retained.

**May 21, 1779.** Protest of Maryland laid before Congress.

**Tuesday, October 10, 1780.** Congress passed an Act, "Resolved, That the unappropriated lands that may be ceded or relinquished to the United States, by any particular State" (pursuant to the recommendation of Congress of September 6, 1780), "shall be disposed of for the common benefit of the United States, and be settled and formed into distinct Republican States, which shall become members of the Federal Union, and have the same right of sovereignty, freedom, and independence, as the other States; that each State which shall be so formed shall contain a suitable extent of territory, not less than one hundred nor more than one hundred and fifty miles square, or as near thereto as circumstances will admit: that the necessary and reasonable expenses which any particular State shall have incurred since the commencement of the present war, in subduing any part of the territory that may be ceded or relinquished to the United States, shall be reimbursed.

That said lands shall be granted or settled at such times, and under such regulations, as shall hereafter be agreed on by the United States, in Congress assembled, or any nine or more of them."

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The cession or relinquishment by the States, of territory to the "United States" was made:—

**New York, March 1, 1781.** No conditions. Agreeing to the marking of her western limit by a longitudinal line crossing the western end of Lake Ontario.

**Virginia, March 1, 1784.** Reserving 3,709,848 acres south and east of the Ohio.

**Massachusetts, April 19, 1785.** No conditions.

**Connecticut, September 14, 1786.** Conveyed lands 120 miles west of the Pennsylvania line, reserving 4,000,000 acres along the shore of Lake Erie, known as the "Western Reserve" (*q.v.*).

**South Carolina, August 9, 1787.** No conditions (surrendering her 12 mile (wide) strip).

**North Carolina, February 25, 1790.** Stipulating "no regulation made or to be made by Congress, shall tend to the emancipation of slaves."

**Georgia, April 24, 1802.** Conditioning, that the United States should extinguish the Indian title to the east of its western line, as soon as could be done peaceably and on reasonable terms.

The sections ceded were made dependent territories; the Georgia cession as *The Mississippi Territory*, the North and South Carolina cession as *The Southwest Territory*; that north of the Ohio River as *The Northwest Territory*, the latter being the subject of special legislation of the "Confederation"; first, by the passage of a resolution for its government (April 23, 1784), and then by the adoption of an ordinance, July 13, 1787, of the Northwest Territory. Commonly known as "The Public Domain."

The Thomas Jefferson scheme of division of the Northwest Territory was, as far as possible, two degrees of latitude in width, arranged in two tiers; the Mississippi, and the meridian through the falls of the Ohio, included in the Western Territory; the meridian through the falls of the Ohio, and a second through the mouth of the Great Kanawha River, boundaries of the middle tier; between this and Pennsylvania, the third tier.

An ordinance was accordingly drawn up in 1784 by a committee, of which Jefferson was chairman, the original draft reading:—

"The territory northward of the 45th degree, that is to say, of the completion of the 45th degree from the equator and extending to the Lake of the Woods shall be called Sylvania.

"Of the territory under the 45th degree and 44th degree which lies westward of Lake Michigan, shall be called Michigania; and that which is eastward thereof, within the peninsula formed by the lakes and waters of Michigan, Huron, St. Clair, and Erie shall be called Chersonesus, and shall include any part of the peninsula which may extend above the 45th degree.

"Of the territory under the 43d degree and 42d degree that to the westward, through which the Assenisipi or Rock River runs, shall be called Assenisipia; and that to the eastward in which are the fountains of the Muskingum, the two Miamis of the Ohio, the Wabash, the Illinois, the Miamis of the Lake, and the Sandusky rivers, shall be called Metropotamia.

"Of the territory which lies under the 41st degree and 40th degree, the western, through which the river Illinois runs, shall be called Illinoia; that next adjoining to the eastward, Saratoga; and that between this last and Pennsylvania, and extending from the Ohio to Lake Erie, shall be called Washington.

"Of the territory which lies under the 39th degree and 38th degree, to which shall be added so much of the point of land within the fork of the Ohio and Mississippi as lies under the 37th degree, that to the westward within and adjacent to which are the confluences of the rivers Wabash, Shawnee, Tanisee, Ohio, Illinois, Mississippi, and Missouri shall be called Polypotamia, and that to the eastward further up the Ohio, otherwise called the Pelisipi, shall be called Pelisipia."

**Sylvania.** The "woody" section, forests of pine, hickory, and oak.

**Michigania.** An allusion to lands bordering Lake Michigan.

**Chersonesus.** A Greek geographical term, equivalent in meaning to the Latin "peninsula."

**Assenisipia.** From Assenisipi, the Indian title of Rock River.

**Metropotamia.** "Mother of rivers," from the belief that within its boundary were the fountains of the Muskingum, the two Miamis of the Ohio, the Wabash, the Illinois, the Sandusky, and the Miami of the Lake.



**Illinoia.** From the river which waters it.

**Saratoga.** Celebrated battleground in New York.

**Washington.** In honor of George Washington.

**Polypotamia.** "Many waters." Within its confines the waters of the Wabash, Sawana, Tanisee, the Illinois, and the Ohio mingled with the waters of the Mississippi and Missouri, "the committee therefore judging this a fitting name."

**Pelisia.** From the Cherokee Indian name applied to the Ohio River — Pelisipi.

**April 26, 1787.** Committee reported "An ordinance for the government of the Western Territory."

**May 10, 1787.** After various amendments, transcribed for a third reading.

**July 9, 1787.** Referred to a new committee.

**July 11, 1787.** Committee reported.

**July 13, 1787.** Ordinance passed. One voice against it, Yates of New York.

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Nathan Dane, Thomas Jefferson, and Manasseh Cutler are alleged to be authors of the principal portion of the ordinance.

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[The following Ordinance was the beginning and the foundation of the system of territorial government.]

AN ORDINANCE FOR THE GOVERNMENT OF THE TERRITORY OF THE UNITED STATES, NORTHWEST OF THE RIVER OHIO.

*Be it ordained by the United States in Congress assembled,* That the said territory, for the purposes of temporary government, be one district; subject, however, to be divided into two districts, as future circumstances may, in the opinion of Congress, make it expedient.

Be it ordained by the authority aforesaid, That the estates both of resident and non-resident proprietors in the said territory, dying intestate, shall descend to and be distributed among their children and the descendants of a deceased child in equal parts; the descendants of a deceased child or grandchild to take the share of their deceased parent in equal parts among them; and where there shall be no children or descendants, then in equal parts to the next of kin, in equal degree; and among collaterals, the children of a deceased brother or sister of the intestate shall have in equal parts among them their deceased parents' share; and there shall in no case be a distinction between kindred of the whole and half blood; saving in all cases to the widow of the intestate her third part of the real estate for life, and one third part of the personal estate; and this law relative to descents and dower shall remain in full force until altered by the legislature of the district. And until the governor and judges shall adopt laws as hereinafter mentioned, estates in the said territory may be devised or bequeathed by wills in writing, signed and sealed by him or her in whom the estate may be (being of full age), and attested by three witnesses; and real estates may be conveyed by lease and release, or bargain and sale, signed, sealed, and delivered by the person, being of full age, in whom the estate may be, and attested by two witnesses, provided such wills be duly proved, and such convey-



ances be acknowledged, or the execution thereof duly proved, and be recorded within one year after proper magistrates, courts, and registers shall be appointed for that purpose; and personal property may be transferred by delivery, saving, however, to the French and Canadian inhabitants, and other settlers of the Kaskaskias, St. Vincents, and the neighboring villages, who have heretofore professed themselves citizens of Virginia, their laws and customs now in force among them relative to the descent and conveyance of property.

*Be it ordained by the authority aforesaid* that shall be appointed from time to time, by Congress, a governor, whose commission shall continue in force for the term of three years, unless sooner revoked by Congress; he shall reside in the district, and have a freehold estate therein, in one thousand acres of land, while in the exercise of his office. There shall be appointed from time to time, by Congress, a secretary, whose commission shall continue in force for four years, unless sooner revoked; he shall reside in the district, and have a freehold estate therein, in five hundred acres of land, while in the exercise of his office. It shall be his duty to keep and preserve the acts and laws passed by the legislature, and the public records of the district, and the proceedings of the governor in his executive department, and transmit authentic copies of such acts and proceedings every six months to the secretary of Congress. There shall also be appointed a court, to consist of three judges, any two of whom to form a court, who shall have a common law jurisdiction, and reside in the district, and have each therein a freehold estate in five hundred acres of land, while in the exercise of their offices; and their commissions shall continue in force during good behavior.

The governor and judges, or a majority of them, shall adopt and publish in the district such laws of the original States, criminal and civil, as may be necessary and best suited to the circumstances of the district, and report them to Congress from time to time, which laws shall be enforced in the district until the organization of the general assembly therein, unless disapproved of by Congress; but afterwards, the legislature shall have authority to alter them as they shall think fit.

The governor, for the time being, shall be commander-in-chief of the militia, appoint and commission all officers in the same below the rank of general officers; all general officers shall be appointed and commissioned by Congress.

Previous to the organization of the general assembly, the governor shall appoint such magistrates and other civil officers, in each county or township, as he shall find necessary for the preservation of the peace and good order in the same. After the general assembly shall be organized, the powers and duties of magistrates and other civil officers shall be regulated and defined by the said assembly; but all magistrates and other civil officers, not herein otherwise directed, shall,

during the continuance of this temporary government, be appointed by the governor.

For the prevention of crimes and injuries, the laws to be adopted or made shall have force in all parts of the district, and for the execution of process, criminal and civil, the governor shall make proper divisions thereof; and he shall proceed from time to time, as circumstances may require, to lay out the parts of the district in which the Indian titles shall have been extinguished into counties and townships, subject, however, to such alterations as may thereafter be made by the legislature.

So soon as there shall be five thousand free male inhabitants, of full age, in the district, upon giving proof thereof to the governor, they shall receive authority, with time and place, to elect representatives from their counties or townships, to represent them in the general assembly; *provided*, that for every five hundred free male inhabitants, there shall be one representative, and so on progressively with the number of free male inhabitants shall the right of representation increase, until the number of representatives shall amount to twenty-five, after which the number and proportion of representatives shall be regulated by the legislature; *provided*, that no person be eligible or qualified to act as a representative unless he shall have been a citizen of one of the United States three years, and be a resident in the district, or unless he shall have resided in the district three years, and in either case shall likewise hold in his own right, in fee simple, two hundred acres of land within the same: *Provided also* that a freehold in fifty acres of land in the district, having been a citizen of one of the States, and being resident in the district, or the like freehold and two years' residence in the district, shall be necessary to qualify a man as an elector of a representative.

The representatives thus elected, shall serve for the term of two years, and, in case of the death of a representative, or removal from office, the governor shall issue a writ to the county or township for which he was a member to elect another in his stead, to serve for the residue of the term.

The general assembly, or legislature, shall consist of the governor, legislative council, and a house of representatives. The legislative council shall consist of five members, to continue in office five years, unless sooner removed by Congress, any three of whom be a quorum, and the members of the council shall be nominated and appointed in the following manner, to wit: as soon as representatives shall be elected, the governor shall appoint a time and place for them to meet together, and when met, they shall nominate ten persons, residents in the district, each possessed of a freehold in five hundred acres of land, and return their names to Congress; five of whom Congress shall appoint and commission to serve as aforesaid; and whenever a vacancy shall happen in the council, by death or removal from office, the house of representatives shall nominate two persons, qualified as aforesaid, for each vacancy, and return their names to Congress;

one of whom Congress shall appoint and commission for the residue of the term ; and every five years, four months at least before the expiration of the time of service of the members of council, the said house shall nominate ten persons, qualified as aforesaid, and return their names to Congress, five of whom Congress shall appoint and commission to serve as members of the council five years, unless sooner removed. And the governor, legislative council, and house of representatives, shall have authority to make laws in all cases for the good government of the district, not repugnant to the principles and articles in this ordinance established and declared. And all bills having passed by a majority in the house, and by a majority in the council, shall be referred to the governor for his assent ; but no bill or legislative act whatever, shall be of any force without his assent. The governor shall have power to convene, prorogue, and dissolve the General Assembly, when in his opinion it shall be expedient.

The governor, judges, legislative councils, secretary, and such other officers as Congress shall appoint in the district, shall take an oath or affirmation of fidelity, and of office — the governor before the president of Congress, and all other officers before the governor. As soon as a legislature shall be formed in the district, the council and house assembled in one room, shall have authority, by joint ballot, to elect a delegate to Congress, who shall have a seat in Congress, with the right of debating, but not of voting during this temporary government.

And for extending the fundamental principles of civil and religious liberty, which form the basis whereon these republics, their laws and constitutions are erected ; to fix and establish these principles as the basis of all laws, constitutions and governments, which forever hereafter shall be formed in the said territory ; to provide, also, for the establishment of States, and permanent government therein, and for their admission to a share in the federal councils on an equal footing with the original States, at as early periods as may be consistent with the general interest :

*It is hereby ordained and declared*, by the authority aforesaid, that the following articles shall be considered as articles of compact, between the original States and the people and States in said territory, and forever remain unalterable, unless by common consent, to wit :

ARTICLE I. No person, demeaning himself in a peaceable and orderly manner, shall ever be molested on account of his mode of worship or religious sentiments in the said Territory.

ARTICLE II. The inhabitants of the said Territory shall always be entitled to the benefit of the writ of habeas corpus, and of the trial by jury ; of a proportionate representation of the people in the legislature, and of judicial proceedings according to the course of the common law. All persons shall be bailable unless for capital offences, where the proof shall be evident or the presumption great. All fines shall be moderate, and no cruel or unusual punishments shall be inflicted. No man shall be

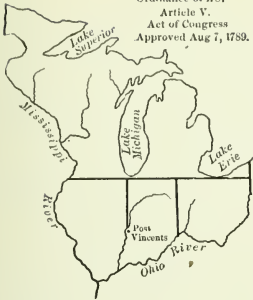
deprived of his liberty or property, but by the judgment of his peers, or the law of the land, and should the public exigencies make it necessary for the common preservation to any person's property, or to demand his particular services, full compensation shall be made for the same. And in the just preservation of rights and property, it is understood and declared, that no law ought ever to be made, or have force in the said Territory, that shall in any manner whatever, interfere with, or affect private contracts or engagements, *bona fide* and without fraud previously formed.

ARTICLE III. Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged. The utmost good faith shall always be observed toward the Indians; their lands and property shall never be taken from them without their consent; and in their property, rights, and liberty, they shall never be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity, shall from time to time, be made, for preventing wrongs being done to them, and for preserving peace and friendship with them.

ARTICLE IV. The said Territory, and the States which may be formed therein, shall forever remain a part of this confederacy of the United States of America, subject to the Articles of Confederation, and to such alteration therein, as shall be constitutionally made; and to all the acts and ordinances of the United States, in Congress assembled conformable thereto. The inhabitants and settlers in the said Territory shall be subject to pay a part of the federal debts contracted or to be contracted, and a proportional part of the expenses of government, to be apportioned on them, by Congress, according to the same common rule and measure by which appointments thereof shall be made on the other States; and the taxes for paying their proportion, shall be laid and levied by the authority and direction of the legislatures of the district or districts, or new States, as in the original States, within the time agreed upon by the United States, in Congress assembled. The legislatures of those districts, or new States, shall never interfere with the primary disposal of the soil by the United States, in Congress assembled, nor with any regulations Congress may find necessary, for securing the title in such soil to the *bona fide* purchasers. No tax shall be imposed on lands the property of the United States; and in no case shall non-resident proprietors be taxed higher than residents. The navigable waters leading into the Mississippi and St. Lawrence, and the carrying places between the same shall be common highways, and forever free, as well to the inhabitants of the said Territory, as to the citizens of the United States, and those of any other States that may be admitted into the confederacy, without any tax, impost, or duty therefor.

ARTICLE V. There shall be formed in the said territory, not less than three, nor more than five States; and the boundaries of the States, as soon as Virginia shall alter her act of session and consent to the same,

Ordinance of 1787  
Article V.  
Act of Congress  
Approved Aug 7, 1789.



Act of Congress  
Approved May 7, 1800



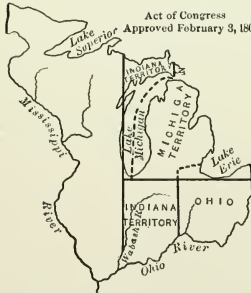
Eastern Division  
State of Ohio.  
Act of Congress  
Approved February 19, 1803.



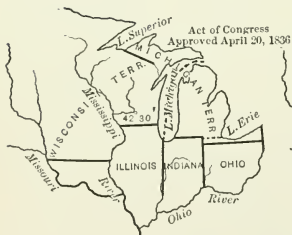
Act of Congress  
Approved January 11, 1805.  
Incorrect Latitude  
 $41^{\circ} 37' 07.9''$   
Proper Ohio Line  
 $41^{\circ} 44' 02.4''$



Act of Congress  
Approved February 3, 1809.



NORTHWEST TERRITORY, 1787-1809.



NORTHWEST TERRITORY, 1818-1848.

shall become fixed and established as follows, to wit: The western State in the said Territory shall be bounded by the Mississippi, and Ohio, and Wabash rivers; a direct line drawn from the Wabash and Post Vincents due north, to the territorial line between the United States and Canada, and by the said territorial line to the Lake of the Woods and Mississippi. The middle State shall be bounded by the said direct line, the Wabash, from Post Vincents to the Ohio, by the Ohio, by a direct line drawn due north from the mouth of the Great Miami to the said territorial line, and by the said territorial line. The eastern State shall be bounded by the last-mentioned direct line, the Ohio, Pennsylvania, and the said territorial line; provided, however, and it is further understood and declared, that the boundaries of these three States shall be subject so far to be altered, that if Congress shall hereafter find it expedient, they shall have authority to form one or two States in that part of the said territory which lies north of an east and west line drawn through the southerly bend or extreme of Lake Michigan. And whenever any of the said States shall have sixty thousand free inhabitants therein, such States shall be admitted by its delegates, into the Congress of the United States, on an equal footing with the original States, in all respects whatsoever; and shall be at liberty to form a permanent constitution and State government:

*Provided*, the constitution and government so to be formed, shall be republican, and in conformity to the principles contained in these articles; and so far as it can be consistent with the general interest of the confederacy, such admission shall be allowed at an earlier period, and when there may be a less number of free inhabitants in the State than sixty thousand.

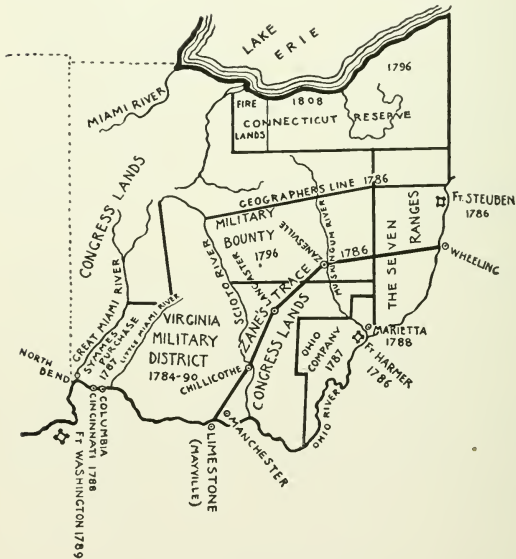
ARTICLE VI. There shall be neither slavery nor involuntary servitude in the said Territory, otherwise than in the punishment of crimes whereof the party shall have been duly convicted; *Provided*, always, that any person escaping into the same, from whom labor or service is lawfully claimed in any one of the original States, such fugitive may be lawfully reclaimed and conveyed to the person claiming his or her labor or service as aforesaid.

*Be it ordained*, by the authority aforesaid, that the resolutions of the 23d of April, 1784, relative to the subject of this ordinance, be, and the same are hereby repealed and declared null and void.

## FIRST PARTITIONS OF PUBLIC LANDS.

**Symmes Purchase.** One million acres on the north side of the Ohio River, between the Great and Little Miami. The speculation proved a failure. Congress was later obliged to take back two-thirds of the purchase. John Cleves Symmes was Chief Justice of the State of New Jersey. Original price, 66 cents per acre.

**Ohio Company of Associates.** Purchase, 2,000,000 acres, north of the Ohio River, beginning on the west line of the seven ranges, extending to the eighteenth range, and far enough back from the river to make the full amount of acres. Through default on payment purchase reduced to a little over 1,000,000 acres. Original price, 70 cents per acre.



**Military Bounty Lands.** 4000 acres reserved by the United States to redeem bounty certificates. Townships made five miles square.

**Western Reserve, Connecticut Reserve.** Connecticut reserved a tract lying between forty-first parallel and the northern boundary



line of the United States, extending 120 miles west from the Pennsylvania State line, for sustaining schools and churches. Later sold to the Connecticut Land Company.

**Fire Lands.** In 1792 Connecticut, by an act of the State legislature, gave the western end of the Reserve, a half million acres, to the inhabitants of New London and other Connecticut towns whose property had been destroyed by British raids during the Revolution. Also known as "*The Fire Sufferers' Land.*"

**Congress Lands.** The lands unsold.

**Virginia Military District.** Lest the land in Kentucky, as set apart by Virginia for the redemption of her bounty certificate, might prove insufficient, she reserved this district north of the Ohio River of over 6000 square miles.

**Zane's Trace.** A cutting of the undergrowth and blazing of the trees sufficient to allow the passage of a wagon. It was done under authority of Congress to cut a road from Wheeling in a southwesterly direction to the Ohio River at Limestone (now Maysville), Kentucky.

## NORTHWEST TERRITORY.

**August 7, 1789.** General Anthony St. Clair, then president of Congress, appointed governor.

**August 8, 1789.** Washington designated the country as "The Western Territory."

**May 7, 1800.** Divided into "Indian Territory," capital at Vincennes, and "Territory Northwest of the River Ohio," capital at Chillicothe. Gen. W. H. Harrison appointed governor of the Territory of Indiana.

**May 13, 1800.** Connecticut resigned jurisdiction over the Western Reserve (*q.v.*).

**November 29, 1802.** Ohio admitted as a State, per United States census reports.

**January 11, 1805.** Territory of Indiana subdivided; Territory of Michigan formed.

**February 3, 1809.** Territory of Indiana again divided; Territory of Illinois formed.

**February 27, 1815.** Western boundary of Territory of Illinois declared to include the islands between the middle and eastern margin of Mississippi River.

**December 11, 1816.** INDIANA admitted as a State.

**April 18, 1818.** A section of Territory of Illinois added to Territory of Michigan.

**December 3, 1818.** ILLINOIS admitted as a State.

**June 28, 1834.** Territory west of the Mississippi River and north of Missouri River attached to the Territory of Michigan.

**January 12, 1836.** Boundary of Ohio and Territory of Michigan established. Ohio's gain.

**April 20, 1836.** Territory of Wisconsin formed from Territory of Michigan.

**January 26, 1837.** MICHIGAN admitted as a State.

**June 12, 1838.** Territory of Iowa cut out of the trans-Mississippi section of Territory of Wisconsin.

**June 12, 1838.** Boundary between Michigan and Territory of Wisconsin established.

**May 25, 1840.** Southern boundary of Territory of Wisconsin established.

**December 28, 1846.** IOWA admitted as a State.

**May 29, 1848.** WISCONSIN admitted as a State.

**March 3, 1849.** Part of northwestern section of Wisconsin annexed to the Territory of Minnesota; St. Croix River made the boundary.

**May 11, 1858.** MINNESOTA admitted as a State.

## SOUTHWEST TERRITORY.

**August 9, 1787.** Cession of South Carolina.

**February 25, 1790.** Cession of North Carolina.

**May 26, 1790.** Act of Congress for government of the Territory.

**June 1, 1796.** TENNESSEE admitted as a State.

**March 27, 1804.** South Carolina cession added to Territory of Mississippi.

## TERRITORY OF MISSISSIPPI.

**April 7, 1798.** Act of Congress provided for government.

**April 24, 1802.** Cession of Georgia.

**March 27, 1804.** Cession of South Carolina, August 9, 1787, added on the north.

**May 14, 1812.** Southern boundary enlarged.

**June 17, 1812.** Congress's request on Georgia to assent to formation of two States.

**March 3, 1817.** Eastern part made a separate Territory ; Territory of Alabama.

**December 10, 1817.** MISSISSIPPI admitted as a State.

**December 14, 1819.** ALABAMA admitted as a State.

### PURCHASE FROM FRANCE.

**March 26, 1804.** That portion of Louisiana south of  $33^{\circ}$  N. lat. set up as the Territory of Orleans.

The trans-Mississippi region north of  $31^{\circ}$  known as the District of Louisiana.

**March 3, 1805.** The District of Louisiana known as the Territory of Louisiana.

**June 4, 1812.** The Territory of Louisiana called the Missouri Territory.

**April 30, 1812.** State of Louisiana formed.

**March 2, 1819.** Territory of Arkansas formed south of  $36^{\circ} 30'$ .

**August 10, 1821.** State of Missouri formed.

**June 28, 1834.** Northern portion of Louisiana purchase attached to the Territory of Michigan.

For further division in territory and States of the Louisiana purchase and other acquired lands of the United States, see table "United States and Territories" and "Changes in the Areas of the States and Territories."

## THE UNITED STATES AND TERRITORIES.

NOTE. — For Guam, Hawaii, Philippines, and Porto Rico see "Index."

STATES AND TERRITORIES	AREA	ORDER	SETTLED	WHERE SETTLED	BY WHOM SETTLED	ORIGINAL NAMES (or territory from which derived)	ACT ORGANIZING TERRITORY	ACT ADMITTING AS A STATE	ADMISSION TOOK EFFECT	No. OF SQUARE MILES	POPULATION
Alabama	24	22	1713	Bienville	French	Dist. of Louisiana, Georgia, Florida, and Miss. Ter.	Mar. 3, 1817 July 24, 1868 Feb. 24, 1868	Dec. 14, 1819	Dec. 14, 1819	52,250 377,390 113,020	127,991
Alaska, <i>Est.</i>											
Arizona	23	25	1685	Arkansas Post	French	Dist. of Louisiana, Missouri Territory, Arkansas Territory	Mar. 2, 1819	June 15, 1826	June 15, 1836	58,850	52,240
California	23	1	1769	San Diego	Spanish	New Albion, Upper California	From Mexico	Sept. 9, 1850	Sept. 9, 1850	158,360	92,587
Colorado	43	5	1623	Windsor	French	Dist. Louisiana & Mexican Cession	Feb. 28, 1861	Mar. 8, 1875	Jan. 1, 1876	103,925	150,000
Connecticut	43	5	1623	Windsor	Em. from Mass.	North Va. New England				4,990	237,406
Delaware	44	1	1627	C. Henlopen	Swedes & Finns	New Netherland. The three lower counties on Delaware.				2,050	59,096
Dis. Columbia						Maryland & Virginia	July 16, 1790 Mar. 2, 1791			70	
Florida	19	27	1565	St. Augustine	Spanish	Florida Territory	Mar. 30, 1822	Mar. 8, 1845	Mar. 8, 1845	55,080	54,477
Georgia	17	4	1733	Savannah	English	North Va. New England			Jan. 2, 1788	59,475	82,548
Guam	152	1	1521	San Ignacio	Spaniards	Ladrones Islands				900	
Hawaii					Polynesians		June 14, 1900			6,740	
Idaho	8	43	1720	Kaskaskia	French	Dist. Louisiana, Dakota, Wash'g'n	Mar. 8, 1863	April 8, 1890	July 8, 1890	84,800	84,385
Illinois	20	21	1720	Kaskaskia	French	N. W. and Ill. Ter.	Feb. 8, 1809	Dec. 8, 1818	Dec. 8, 1818	50,650	34,620
Indiana	34	19	1730	Vincennes	French	Northwest Ter., Indiana Ter.	June 30, 1834			31,400	
Indiana	34	19	1730	Vincennes	Em. from N. E.	Northwest Ter., Indiana Ter.	May 7, 1800	Dec. 11, 1816	Dec. 11, 1816	36,350	68,805
Iowa	22	29	1825	Burlington	Em. from N. E.	Missouri Ter., Michigan Ter., Wisconsin Ter.	June 12, 1838	Mar. 8, 1845	Dec. 28, 1846	50,025	81,920
Kansas	10	34	1820	Pt. Leavenworth	Em. from W. States	Dist. of Louisiana & Kansas Ter.	May 30, 1854	Jan. 29, 1861	Jan. 29, 1861	82,080	107,206
Kentucky	33	15	1775	Boonesboro	Em. from Va.	Virginia	Out of Va.	Feb. 4, 1791	June 1, 1792	40,400	73,077
Louisiana	27	18	1699	Biloxi	French	Dist. Louisiana (Mar. 26, 1804) Ter. of New Orleans (Mar. 26, 1804)	Mar. 3, 1805	April 8, 1812	Apr. 30, 1812	48,720	76,556
Maine	35	23	1630	Bristol	English	N. England, Laconia, Mass.				33,040	298,269
Maryland	38	7	1634	St. Mary's	English	North Va., New England				12,210	319,128
Massachusetts	41	6	1620	Plymouth	Eng. Puritans	Northwest Ter., Indiana Ter.	Mar. 8, 1820	Apr. 28, 1788	Apr. 28, 1788	8,315	378,787
Michigan	18	26	1670	Detroit	French	Michigan Ter.			Feb. 6, 1788		
Minnesota	9	32	1819	Pt. Snelling	Em. from N. E.	Dist. of Louisiana, Minn. Ter.	Jan. 11, 1805 March 8, 1849	Jan. 26, 1857 Feb. 26, 1857	Jan. 26, 1857 May 11, 1858	58,915 83,365	212,207 172,023

State	Year	City	Language	Origin	Event	Date	Population
Mississippi	1716	Ft. Koslile	French	Dist. of Louisiana, Georgia, Mississippi Ter.	April 7, 1795	Dec. 10, 1817	46,810
Missouri	14 24	St. Genevieve	French	Dist. Louisiana, Missouri Ter.	June 4, 1812	Aug. 10, 1821	75,512
Montana	3 41			Dist. Louisiana, Idaho Ter.	May 26, 1864	Oct. 1, 1889	69,415
Nebraska	12 37			Dist. Louisiana, Nebraska Ter.	May 30, 1854	Feb. 3, 1867	146,980
Nevada	4 36	Genoa	Em. from Cal.	Upper California	Mar. 1, 1867	Mar. 1, 1867	17,510
N. Hampshire	40 9	Dover	English	No. Virginia, Laconia, N. E.	Mar. 2, 1861	Mar. 21, 1864	110,700
N. Jersey	42 3	Bergen	Dutch & Danes	New Netherland	June 21, 1788	June 21, 1788	9,305
N. Mexico	42 3	Santa Fe	Spanish	New Netherland	Sept. 9, 1850	Sept. 9, 1850	141,885
New York	26 11	Manhattan	Dutch	N. Virginia, N. Netherlands	July 26, 1788	July 26, 1788	122,880
N. Carolina	25 12	Roanoke Albemarle	English	Albemarle Colony	Nov. 21, 1789	Nov. 21, 1789	49,170
N. Dakota	13 39	N. Pembina	Fr. Canadians	Dist. Louisiana, Minnesota Ter., Dakota Ter.	Mar. 2, 1861	Oct. 1, 1889	52,250
Ohio	32 17	Marietta	Em. from N. E.	Northwest Territory	Ordinance 1787	Apr. 30, 1802	182,719
Oklahoma				Indian Ter., Cherokee and No. Man's Land	May 2, 1890	Feb. 14, 1889	41,060
Oregon	6 33	Fort Astoria	Em. from N. Y.	Dist. Louisiana, Oregon Ter.	Aug. 14, 1848	Feb. 14, 1889	39,080
Pennsylvania	29 2	Chester	English	St. Lazarus Islands	Dec. 12, 1757	Dec. 12, 1757	96,080
Philippines							52,465
Porto Rico							45,215
Rhode Island	45 13	Providence	English	No. Virginia, New England, Aquidav, Providence and Rhode Island Plantations	May 29, 1790	May 29, 1790	68,825
S. Carolina	36 8	Port Royal	French	Dist. Louisiana, Minnesota Ter., Dakota Ter.	May 23, 1788	May 23, 1788	30,570
S. Dakota	11 40	N. Pembina	Fr. Canadians	Dakota Ter.	Mar. 21, 1861	Oct. 1, 1889	249,033
Tennessee	31 16	Fort Loudon	Em. from N. C.	Kentucky Ter.	June 1, 1796	June 1, 1796	77,650
Texas	1 28	San Antonio	Spanish	New Philippines	Sept. 9, 1850	July 10, 1894	928,808
Utah	7 45		Mormons	New Netherlands, New Hampshire, New England	June 1, 1796	June 1, 1796	42,050
Vermont	39 14	Ft. Dummer	Em. from Mass.	South Virginia	Mar. 1, 1845	Dec. 23, 1845	268,780
Virginia	30 10	Brattleboro	English	South Virginia	Feb. 18, 1791	Mar. 4, 1791	9,565
Washington	15 42	Jamestown	Emigrants	South Virginia, Virginia	Mar. 2, 1853	Oct. 1, 1889	85,889
West Virginia	37 35	Tunwater	Emigrants	Dist. of Louisiana, Illinois Ter., Michigan Ter.	April 20, 1886	Mar. 3, 1847	42,450
Wisconsin	21 30	Green Bay	French	Dist. of Louisiana, Nebraska Ter., Dakota Ter.	July 25, 1868	Mar. 27, 1890	69,180
Wyoming	16 44				July 10, 1890	July 10, 1890	349,380

<sup>1</sup> Excepting Ohio, Congress has passed a distinct and definite act of admission, or has provided for an admission on the issue of a proclamation by the President. The people of Ohio elected delegates to a convention, by whom a Constitution was formed (Nov. 29, 1802), which, in January, 1803, was submitted to Congress for ratification; and on the 19th of the following month the President approved the first act which recognized the new State (the U. S. Census gives the date of admission Nov. 29, 1802). <sup>2</sup> States, numbering one to thirteen, admitted on Ratification of the Constitution. <sup>3</sup> Rank of States and Territories according to square mile area. <sup>4</sup> Numerical order as States. <sup>5</sup> Population at census nearest date of admission. <sup>6</sup> Rank order determined in table by alphabetical order of prefix "North."

## CHANGES IN THE AREA OF THE STATES AND TERRITORIES. (See Map.)

*Arizona.* Surrendered in 1866 a triangular tract at the northwest to Nevada.

*Arkansas.* As a Territory surrendered in 1824 a section, and again in 1828.

*District of Columbia.* Re-ceded a part to Virginia in 1846. (See Index.)

*Georgia.* Ceded the country west of its present limits to the United States in 1802.

*Idaho.* In 1864 surrendered Montana, and in 1868 Wyoming.

*Illinois.* As a Territory in 1818 gave to Michigan Territory its northern portion.

*Indiana.* As a Territory received land from Ohio in 1803. In 1805 its northern section and east of its western State boundary added to Michigan Territory. In 1809 the remainder became Illinois Territory.

*Iowa.* In 1846, after its admission as a State, its northern and western boundaries changed.

*Kansas.* In 1861, at the time of its admission as a State, its western territorial section reduced, and its southwestern increased.

*Louisiana.* In 1812, at its admission as a State, the territorial section of Orleans received an addition on the eastern shore of the Mississippi River.

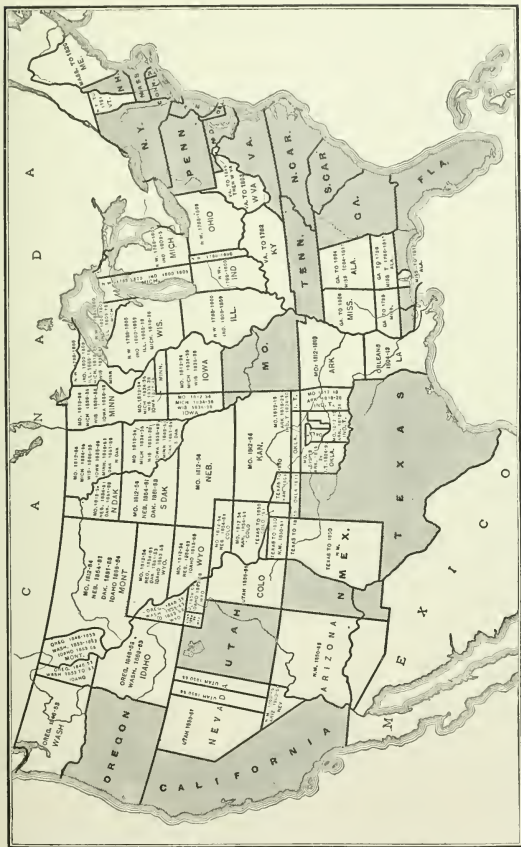
*Massachusetts.* Lost the District of Maine in 1820.

*Michigan.* As a Territory had its limit extended to the Mississippi River in 1818, and in 1834 to the Missouri River. In 1836 reduced to its present limits to the benefit of Wisconsin Territory. For changes in its southern border, see "Ohio" and "Indiana." Index, "Breaks and Recesses in State Lines," Michigan.

*Minnesota.* Three years subsequent to its admission as a State, in 1861, surrendered to Dakota Territory all its western territorial limits outside of its present boundary.

*Mississippi.* The Territory in 1804 had added the district between parallel  $31^{\circ}$  and  $35^{\circ}$  N. lat. In 1812 it had further added south of parallel  $31^{\circ}$  the Gulf spur. In 1817 it surrendered to Alabama Territory the present Alabama State area. Mississippi became a State as at present outlined.

*Missouri.* As a Territory, in 1819, it lost the Territory of Arkansas. In 1821 the State of Missouri was formed, bearing the present limit except the northern boundary, which was a meridian through the mouth of Kansas River, in 1836 made to follow the Missouri River. (See "Missouri," Index, "Breaks and Recesses in State Lines.") After the formation of the State the balance of the area continued to be called Missouri



STATE AND TERRITORY DIVISIONS AT DIFFERENT TIMES.

Parcels under original jurisdiction shown in shaded lines.





Territory. In 1834 the section east of the Missouri and White Earth rivers absorbed by Michigan Territory. In 1854 another district became Kansas and Nebraska Territory. The balance finally disappeared into Indian Territory.

*Nebraska.* As a Territory, in 1861, Colorado and Dakota Territory taken from it. In 1863, a small section absorbed by Wyoming. After it became a State, a small area on the north, taken from Dakota, was added in 1882.

*Nevada.* As a Territory it received in 1864 an addition from Utah. In 1866, two years after its admission as a State, a further addition made from Utah and Arizona.

*New Mexico.* In 1853 received the addition of the Gadsden purchase. In 1861 Colorado took the portion north of the thirty-seventh parallel. In 1863 Arizona taken, leaving its present area.

*New York.* Lost Vermont in 1791, and made some changes in the southeast. See Index, "Breaks and Recesses in State Lines," New York.

*North Dakota.* See "South Dakota."

*Ohio.* Slightly increased on the northern boundary in 1836. See Index, "Breaks and Recesses in State Lines," Ohio.

*Oklahoma.* In 1892 the western half of Indian Territory and No Man's Land (*q.v.*) added.

*Oregon.* As a Territory, in 1853, reduced by Washington Territory, and the section north of parallel 46° and Columbia River. When the State was formed in 1859 the section east of Snake River and a meridian through the mouth of Owyhee River taken away.

*South Dakota.* As Dakota Territory, in 1863, it lost Idaho Territory. In 1882 a small area in the southeast transferred to Nebraska. In 1889 divided into the States of North and South Dakota.

*Texas.* In 1850 sold to the United States for \$10,000,000 a section which forms part of New Mexico, Colorado, Kansas, and "No Man's Land" (now Oklahoma).

*Utah.* As a Territory, in 1861, lost Colorado in the east and Nevada in the west, with a further surrender to Nevada in 1864 and 1866. In 1863 the Territory of Idaho took a section from the northeast, followed by an increase in 1868 to be added to Wyoming.

*Virginia.* In 1792 lost Kentucky, and in 1863 West Virginia. In 1866 two northern counties were taken and added to West Virginia.

*Washington.* As a Territory increased in 1859 by Oregon Territory, lying east of the present Washington State limits. In 1863 this added section transferred to Idaho Territory.

*West Virginia.* See "Virginia."

*Wisconsin.* As a Territory reduced in 1838 by Iowa Territory, and in 1846 by a further reduction in the northwest, which three years later became a part of Minnesota.

Except in slight boundary line changes, or as in the case of Maryland, the District of Columbia (*q.v.*) incursion, and Pennsylvania (Erie County) (see "Breaks and Recesses in State Lines"), there has been no change in the following of the original thirteen States: Connecticut, Delaware, New Jersey, North Carolina, Maryland, Pennsylvania, Rhode Island, and South Carolina.

The following States have not been changed in area as States or Territories since they were so organized: Alabama, California, Colorado, Florida, Kentucky, Montana, Tennessee, Wyoming.

## COLONIAL FORMS OF GOVERNMENT.

All colonies at their organization received forms of constitutional government, their rights being specified in charters which stated the same privileges as if residents of England. Their governments were composed of a governor, a council, and a general assembly, the forms differing according to the circumstances of their settlement.

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**Provincial or Royal Rule.** The King appointed the governor, deputy-governor, and council for the province, the governor possessing broad powers, having charge of the courts and military, also convened the assembly or lower house of the legislature; his council constituting the upper house. The assembly was elected by the people.

The *Provincial or Royal Colonies* were Virginia, New Hampshire, New York, South Carolina, North Carolina, New Jersey, and Georgia.

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**Proprietary Rule.** Similar to the provincial, except the person or proprietor to whom the colony had been granted, exercised the powers which the King himself exercised in provincial governments; the assembly elected by the people.

The *Proprietary Colonies* were Maryland, Pennsylvania, and Delaware.

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**Charter Rule.** To these the King granted charters which gave them substantially the right of local self-government, the governor, council, and assembly being chosen by the people.

The *Charter Colonies* were Massachusetts, Connecticut, and Rhode Island.

## POLITICAL UNION.

## Compact of the Pilgrims.

In y<sup>e</sup> name of god Amen We whose names are vnderwritten  
 the loyal subjects of our dread soueraigne Lord King James  
 by y<sup>e</sup> graco of god, of great Britaine, France, & yreland King  
 defondor of y<sup>e</sup> faith, &c  
 Haueing vnderstakon, for y<sup>e</sup> glorio of god, and aduancement  
 of y<sup>e</sup> christian, and honou<sup>r</sup> of our king & countrie, a voyago to  
 plant y<sup>e</sup> first colonie in y<sup>e</sup> Northernd parts of Virginia. God  
 by these presents solemnly & mutuall<sup>y</sup> in y<sup>e</sup> presence of god, and  
 one of another, couenant, & combine our selues together into a  
 Ciuil body politick; for y<sup>e</sup> better ordering, & preservation & fur-  
 therance of y<sup>e</sup> ends aforesaid; and by vertue hereof, to enacte,  
 constitute, and frame such just & equal Lawes, ordinances,  
 Acts, constitutions, & offices, from time to time, as shall be thought  
 most neede & conuenient for y<sup>e</sup> generall good of y<sup>e</sup> Colonie: vnto  
 which we promise all due submission and obedienco. In witness  
 whereof we haue here vnder subscribed our names at Cap-  
 Codd y<sup>e</sup> 11. of Nouember, in y<sup>e</sup> year of y<sup>e</sup> raigne of our soueraigne  
 lord King James of England, France, & yreland y<sup>e</sup> eighteenth  
 and of scotland y<sup>e</sup> fiftie fourth. An: Dom. 1620.]

## THE MAYFLOWER COMPACT.

(From Bradford's History.)

It was signed on board the "Mayflower" in Cape Cod (Provincetown) Harbor, prior to landing, by the following forty-one subscribers, each one noting the number in his family, a total of one hundred and one persons:

John Carver, William Bradford, Edward Winslow, William Brewster, Isaac Allerton, Miles Standish, John Alden, Samuel Fuller, Christopher Martin, William Mullins, William White, Richard Warren, John Howland, Stephen Hopkins, Edward Tilley, John Tilley, Francis Cook, Thomas Rogers, Thomas Tinker, John Ridgedale, Edward Fuller, John Turner, Francis Eaton, James Chilton, John Crackstone, John Billington, Moses Fletcher, John Goodman, Degory Priest, Thomas Williams, Gilbert Winslow, Edward Margeson, Peter Brown, Richard Britteridge, George Soule, Richard Clarke, Richard Gardiner, John Allerton, Thomas English, Edward Doty, Edward Leister.

The above was the first instrument of civil government ever subscribed as the act of the whole people.

**1643-1683. New England Confederation.**

To bring the colonies in close relationship, securing by union better protection against the inroad made by the Indians, and other general welfare.

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**1754. Convention at Albany, New York.**

A plan of Union presented by Benjamin Franklin, to provide for a confederation with an executive head. The plan rejected, as each colony desired to preserve its individuality.

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**1765. Convention at New York City.**

An assertion of exclusive right to levy their own taxes.

This was the *First Colonial Congress*, nine colonies being represented. (See Index.)

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**1774. Convention at Philadelphia, Pennsylvania.**

This was the *First Continental Congress* (see Index). It decided upon

**September 22.** A non-importation and non-exportation agreement.

**October 14.** A Declaration of Rights (see Index).

**October 20.** A memorial to the inhabitants of British America.

**October 21.** An address to the people of Great Britain.

**October 26.** A loyal address to the King.

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**1776. Congress of the Colonies at Philadelphia.**

The Crown, being the Sovereign, claiming the supreme right to legislate on all subjects, asserting it in levying internal taxes, contrary to custom, for *reasons* as noted in the "Declaration of Rights" (*q.v.*), there was but one action left the colonies, to be independent of the Crown; and that was the adoption of the "Declaration of Independence" (*q.v.*).

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**1777. Congress of the Confederation of States.**

The Declaration of Independence having been proclaimed, the plan of confederation and perpetual union between the States promulgated (*q.v.*). The union to be a league of friendship between sovereign States. A Congress in which the States should have equal voice, to whom was delegated most of the rights of sovereignty to manage the Union. It was without power to execute, having only advisory authority, the States being privileged to ignore suggestions.

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**1786. Convention at Annapolis, Maryland.**

The Revolution having financially prostrated the country, some active measures being necessary in the matters of uniformity of duties, com-

mercial regulations, and currency, James Madison of Virginia caused to be proposed in the Virginia legislature, January, 1786, a convention of the States, "to digest and report the requisite augmentation of the powers of Congress over trade." Five States responded and sent commissioners to Annapolis in September, 1786. The light attendance postponed action for a general convention in Philadelphia in the spring.

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### 1787. Constitutional Convention at Philadelphia.

The convention organized May 25, 1787, and a Constitution — partly Federal, partly Republican — was adopted. Slightly Federal because, in a few instances, members and measures depend upon States; chiefly Republican because, in most instances, it acts directly upon the people.

The convention sent the completed Constitution, with a letter signed by Washington, to Congress under Resolution, September 12, 1787. The object of the Resolution was that its ratification should be the direct work of the people instead of that of State governments.

See article, "Constitution of the United States."

### FIRST COLONIAL CONGRESS.

Met at New York, Tuesday, October 7, 1765. Adjourned October 25, 1765. Session, 14 days.

**Object.** To bring together committees from the several colonial assemblies, "to consult together on the present circumstances of the colonies, and the difficulties to which they are and must be reduced by operation of the late acts of Parliament for levying duties and taxes on the colonies."

**Result.** The Congress prepared three papers, giving a clear, accurate, and calm statement of the position of the colonies. "A Declaration of Rights and Grievances," written by John Cruger. "An Address to the King," written by R. R. Livingston. "A Memorial to both Houses of Parliament," written by James Otis.

*New Hampshire*, from the peculiar situation of the colony, judged it imprudent to send Representatives, though they had written they would agree to whatever action Congress took.

*Georgia*, *Virginia*, and *North Carolina*, through their assemblies not being in session, the governors failed to act, refusing to call a special assembly for a principle deemed by them improper and unconstitutional.

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(This Congress was known as the "Stamp Act Congress," and "Day Star of the American Union.")

TIMOTHY RUGGLES of Massachusetts, *Chairman.*

JOHN COTTON, *Clerk.*

DELEGATES PRESENT :

*Connecticut.* — Eliphalet Dyer, David Rowland, Wm. S. Johnson.

*Delaware.* — Theo. McKean, Cæsar Rodney.

*Maryland.* — Wm. Murdock, Edward Tilghman, Thos. Ringgold.

*Massachusetts.* — Jas. Otis, Oliver Partridge, Timothy Ruggles.

*New Jersey.* — Robert Ogden, Hendrick Fisher, Jos. Borden.

*New York.* — Robt. R. Livingston, Jno. Cruger, Philip Livingston, Wm. Bayard, Leonard Lispenard.

*Pennsylvania.* — John Dickenson, John Morton, Geo. Bryan.

*Rhode Island.* — Metcalf Bowler, Henry Ward.

*South Carolina.* — Thos. Lynch, Christopher Gadsden, Jno. Rutledge.

BRITISH STAMPS (for the American market).



The English Parliament Stamp Act, passed March 8, 1765, repealed March 18, 1766.

FIRST CONTINENTAL CONGRESS.

The Boston Port Bill, designed by England as a punishment for the destruction of the tea in December, 1773, transferred the commerce of that city, commencing June 1, 1774, to Salem, Massachusetts. The political effect was to draw the colonies together, and various "town meetings" were held to choose delegates to a Continental Congress to be held at Philadelphia, September 5, 1774.

Rhode Island, town meeting, at	Providence, May 17, 1774.	Delegates elected	Aug. 10.
Pennsylvania, " "	Philadelphia, " 21, 1774.	" "	July 22.
New York, " "	New York, " 23, 1774.	" "	July 25.
Virginia, " "	Williamsburg, " 27, 1774.	" "	Aug. 1.
Maryland, " "	Baltimore, " 31, 1774.	" "	June 22.
Connecticut, " "	Norwich, June 6, 1774.	" "	June 6.
New Jersey, " "	Newark, " 11, 1774.	" "	July 23.
Massachusetts, " "	Boston, " 17, 1774.	" "	June 17.
Delaware, " "	New Castle, " 29, 1774.	" "	Aug. 1.
New Hampshire, " "	Portsmouth, July 6, 1774.	" "	July 21.
South Carolina, " "	Charleston, " 6-8, 1774.	" "	Aug. 2.
North Carolina, " "	Wilmington, " 21, 1774.	" "	Aug. 25.

Georgia remained silent.

Congress assembled Monday, September 5, 1774, at Carpenter's Hall, Philadelphia, Pennsylvania. Organized with Peyton Randolph as President, and Charles Thomson as Secretary. Twelve colonies represented by 54 delegates.

*New Hampshire.* — John Sullivan, Nathaniel Folsom.

*Massachusetts.* — Thos. Cushing, Sam'l Adams, Jno. Adams, Robt. Treat Paine.

*Rhode Island and Providence Plantations.* — Steph. Hopkins, Sam'l Ward.

*Connecticut.* — Eliphalet Dyer, Roger Sherman, Silas Deane.

*New York.* — Jas. Duane, Jno. Jay, Isaac Low, Jno. Alsop, Wm. Floyd, Philip Livingston, Henry Wisner.

*New Jersey.* — Jas. Kinsey, Stephen Crane, Wm. Livingston, Richard Smith, Jno. de Hart.

*Pennsylvania.* — Jos. Galloway, Jno. Morton, Chas. Humphreys, Thos. Mifflin, Sam'l Rhodes, Edward Biddle, Geo. Ross, Jno. Dickenson.

*Delaware.* — Cæsar Rodney, Thos. McKean, Geo. Read.

*Maryland.* — Robt. Goldsborough, Sam'l Chase, Thos. Johnson, Matthew Tilghman, Wm. Paca.

*Virginia.* — Peyton Randolph, Richard Henry Lee, Geo. Washington, Patrick Henry, Richard Bland, Benj. Harrison, Edmund Pendleton.

*North Carolina.* — Wm. Hooper, Jos. Hewes, Richard Caswell.

*South Carolina.* — Henry Middleton, Jno. Rutledge, Thos. Lynch, Christopher Gadsden, Edward Rutledge.

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**October 14, 1774.** Adoption of a "Declaration of Rights." (See Index.)

**October 20, 1774.** Articles of Association adopted, pledging in due time the country to non-importation, non-exportation, and non-consumption, so as to sever completely relations with England — "a determination to suppress luxury, encourage frugality, and promote domestic manufactures."

The commencement of the American Union inaugurated, October 20, 1774.

**October 21, 1774.** An address "To the People of Great Britain" adopted. [Written by John Jay.] Journals of Congress, Vol. I. p. 36.

**October 21, 1774.** An address "To the Inhabitants of the Several Anglo-American Colonies" adopted. [Written by William Livingston.] Journals of Congress, Vol. I. p. 43.

**October 26, 1774.** An "Address to the Inhabitants of the Province of Quebec" adopted. [Written by Jno. Dickenson.] Journals of Congress, Vol. I. p. 55.

**October 26, 1774.** A "Petition of Congress to the King" adopted. [Drawn up by Jno. Adams, corrected by Jno. Dickenson.] Journals of Congress, Vol. I. p. 63.

Congress adjourned, October 26, 1774, to meet, May 10, 1775. Length of session 52 days, actual session 31 days.

## THE DECLARATION OF COLONIAL RIGHTS.

ADOPTED BY THE FIRST CONTINENTAL CONGRESS, OCTOBER 14, 1774.

The demands of England resisted on three grounds:—

- I. The laws of nature according to which all men have equal rights.
- II. The principles of the English constitution, which were the most just and free then known.
- III. The charters which had been granted the colonies, and which recognized them as possessing all the rights of Englishmen, whether resident in any colony or in the realm itself.

WHEREAS, since the close of the last war, the British parliament claiming a power of right, to bind the people of America by statutes in all cases whatsoever, hath, in some acts, expressly imposed taxes on them, and in others, under various pretences, but in fact for the purpose of raising a revenue, hath imposed rates and duties payable in the colonies, established a board of commissioners, with unconstitutional powers, and extended the jurisdiction of courts of admiralty, not only for collecting the said duties, but for the trial of causes merely arising within the body of a country.

And whereas, in consequence of other statutes, judges, who before held only estates at will in their offices, have been made dependent on the crown alone for their salaries, and standing armies kept in times of peace: And whereas it has lately been resolved in parliament, that by force of a statute, made in the thirty-fifth year of the reign of king Henry the eighth, colonists may be transported to England, and tried there upon accusations for treasons and misprision, or concealments of treasons committed in the colonies, and by a late statute, such trials have been directed in cases therein mentioned.

And whereas, in the last session of parliament, three statutes were made; one entitled an "Act to discontinue in such manner and for such time as are therein mentioned, the landing and discharging, lading, or shipping of goods, wares and merchandise, at the town, and within the harbour of Boston, in the province of Massachusetts-Bay, in North-America;" another, entitled "An act for the impartial administration of justice, in the cases of persons questioned for any act done by them in the execution of the law, or for the suppression of riots and tumults, in the province of the Massachusetts-Bay, in New-England;" and another statute was then made "for making more effectual provision for the government of the province of Quebec, etc." All which statutes are impolitic, unjust and cruel, as well as unconstitutional, and most dangerous and destructive of American rights.

And whereas, assemblies have been frequently dissolved, contrary to the rights of the people, when they attempted to deliberate on grievances; and their dutiful, humble, loyal, and reasonable petitions to the crown for redress, have been repeatedly treated with contempt by his majesty's ministers of state:

The good people of the several colonies of New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania,



New-Castle, Kent, and Sussex, on Delaware, Maryland, Virginia, North-Carolina and South-Carolina, justly alarmed at these arbitrary proceedings of parliament and administration, have severally elected, constituted, and appointed deputies to meet, and sit in General Congress, in the city of Philadelphia in order to obtain such establishment as that their religion, laws, and liberties, may not be subverted. Whereupon the deputies so appointed being now assembled, in a full and free representation of these colonies, taking into their most serious consideration, the best means of attaining the ends aforesaid, do, in the first place, as Englishmen, their ancestors, in like cases have usually done for effecting and vindicating their rights and liberties **DECLARE,**

That the inhabitants of the English colonies in North-America, by the immutable laws of nature, the principals of the English constitution, and the several charters or compacts, have the following **RIGHTS:**

*Resolved*, N. C. D.<sup>1</sup> 1. That they are entitled to life, liberty, and property, and they have never ceded to any sovereign power whatever, a right to dispose of either without their consent.

*Resolved*, N. C. D. 2. That our ancestors, who first settled these colonies, were at the time of their emigration from the mother country, entitled to all the rights, liberties, and immunities of free and natural-born subjects, within the realm of England.

*Resolved*, N. C. D. 3. That by such emigration they by no means forfeited, surrendered, or lost any of these rights, but that they were, and their descendants now are, entitled to the exercise and enjoyment of all such of them, as their local and other circumstances enable them to exercise and enjoy.

*Resolved*, 4. That the foundation of English liberty, and of all free government, is a right in the people to participate in their legislative council; and as the English colonists are not represented, and from their local and other circumstances, cannot properly be represented in the British parliament, they are entitled to a free and exclusive power of legislation in their several provincial legislatures, where their right of representation can alone be preserved, in all cases of taxation and internal polity, subject only to the negative of their sovereign, in such manner as has been heretofore used and accustomed. But, from the necessity of the case, and a regard to the mutual interest of both countries, we cheerfully consent to the operation of such acts of the British parliament, as are bona fide, restrained to the regulation of our external commerce, for the purpose of securing the commercial advantages of the whole empire to the mother country, and the commercial benefits of its respective members; excluding every idea of taxation internal or external, for raising a revenue on the subjects in America, without their consent.

*Resolved*, N. C. D. 5. That the respective colonies are entitled to the common law of England, and more especially to the great and inestimable privilege of being tried by their peers of the vicinage, according to the course of that law.

*Resolved*, 6. That they are entitled to the benefit of such of the English statutes, as existed at the time of their colonization; and which they have, by experience, respectively found to be applicable to their several local and other circumstances.

*Resolved*, N. C. D. 7. That these, his majesty's colonies, are likewise entitled to all the immunities and privileges granted and confirmed to them by royal charters, or secured by their several codes of provincial laws.

*Resolved*, N. C. D. 8. That they have a right peaceably to assemble, consider of their grievances, and petition the King; and that all prosecutions, prohibitory proclamations and commitments for the same, are illegal.

*Resolved*, N. C. D. 9. That the keeping a standing army in these colonies, in times of peace, without the consent of the legislature of that colony, in which such army is kept, is against law.

*Resolved*, N. C. D. 10. It is indispensably necessary to good government, and rendered essential by the English constitution, that the constituent branches of the legislature be independent of each other; that, therefore, the exercise of legislative power in several colonies, by a council appointed, during pleasure, by the crown, is unconstitutional, dangerous and destructive to the freedom of American legislation.

All and each of which the aforesaid deputies, in behalf of themselves, and their constituents, do claim, demand, and insist on, as their indubitable rights and liberties; which cannot be legally taken from them, altered or abridged by any power whatever, without their own consent, by their representatives in their several provincial legislatures.

In the course of our inquiry, we find many infringements and violations of the foregoing rights, which from an ardent desire, that harmony and mutual intercourse of affection and interest may be restored, we pass over for the present, and proceed to state such acts and measures as have been adopted since the last war, which demonstrate a system formed to enslave America.

*Resolved*, N. C. D. That the following acts of parliament are infringements and violations of the rights of the colonists; and that the repeal of them is essentially necessary, in order to restore harmony between Great Britain and the American colonies, *viz.*:

The several acts of 4 Geo. III. ch. 15, and ch. 34. — 5 Geo. III. ch. 25. — 6 Geo. III. ch. 52. — 7 Geo. III. ch. 41 and ch. 46. — 8 Geo. III. ch. 22, which impose duties for the purpose of raising a revenue in America, extend the power of the admiralty courts beyond their

<sup>1</sup> N. C. D. *Nemine contradicente* (Lat.), no one speaking in opposition; that is, unanimously, often abbreviated *nem. con.*

ancient limits, deprive the American subject of trial by jury, authorize the judges' certificate to indemnify the prosecutor from damages, that he might otherwise be liable to, requiring oppressive security from a claimant of ships and goods seized, before he shall be allowed to defend his property, and are subversive of American rights.

Also 12 Geo. III. ch. 24, entitled "An act for the better securing his majesty's dock-yards, magazines, ships, ammunition and stores," which declares a new offence in America, and deprives the American subject of a constitutional trial by jury of the vicinage, by authorizing the trial of any person, charged with the committing any offence described in the said act, out of the realm, to be indicted and tried for the same in any shire or county within the realm.

Also the three acts passed in the last session of parliament, for stopping the port and blocking up the harbor of Boston, for altering the charter and government of Massachusetts-Bay, and that which is entitled "An act for the better administration of justice," etc.

Also the act passed in the same session for establishing the Roman Catholic religion, in the province of Quebec, abolishing the equitable system of English laws, and erecting a tyranny there, to the great danger (from so total a dissimilarity of religion, law and government) of the neighboring British colonies, by the assistance of whose blood and treasure the said country was conquered from France.

Also, the act passed in the same session, for the better providing suitable quarters for officers and soldiers in his majesty's service, in North America.

Also, that the keeping a standing army in several of these colonies, in time of peace, without the consent of the legislature of that colony, in which such army is kept, is against law.

To these grievous acts and measures, Americans cannot submit, but in hopes their fellow-subjects in Great Britain will, on a revision of them, restore us to that state, in which both countries found happiness and prosperity, we have for the present, only resolved to pursue the following peaceable measures :

1. To enter into a non-importation, non-consumption, and non-exportation agreement or association.

2. To prepare an address to the people of Great Britain, and a memorial to the inhabitants of British America: and

3. To prepare a loyal address to his majesty, agreeable to resolutions already entered into.

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## DECLARATION OF INDEPENDENCE.

North Carolina took the first progressive step for independence, April 22, 1776, "to concur with those in the other colonies in declaring independence."

Virginia, May 17, 1776, prepared the title of the document, by directing her representatives to propose a "Declaration of Independence."

Rhode Island in May, 1776, ordered that the name of the "Colony of Rhode Island" be the oath of allegiance, instead of to the "King of Great Britain."

Delegates to Congress of the various colonies, instructed as follows:—

*North Carolina*, concur in declaring independence.

*Massachusetts*, voice the sentiment of Congress.

*Virginia*, propose a declaration of independence.

*Rhode Island*, a declaration of independence.

*New York*, without instructions.

*Connecticut*, assent to a declaration of independence.

*New Hampshire*, favor a declaration of independence.

*New Jersey*, act as judgments dictated.

*Pennsylvania*, not instructed.

*Maryland*, forbidden to vote for independence.

*Georgia*, vote as they pleased.

*South Carolina*, free to their opinions.

*Delaware*, no restrictions.

**June 7, 1776.** The feeling for independence culminated in Congress, when Richard Henry Lee, of the Virginia delegation, moved "that these United Colonies are, and of right ought to be, free and independent States; that they are absolved from all allegiance to the British crown; and that all political connexion between them and the State of Great Britain is, and ought to be, totally dissolved; that measures should be immediately taken for procuring the assistance of foreign powers, and a confederation be formed to bind the colonies more closely together."

**June 8, 1776.** The resolution of June 7 taken into consideration and referred to a Committee of the Whole.

**June 10, 1776.** Resolution agreed to by Committee of the Whole read: *Resolved*, That the consideration of the first resolution be postponed to Monday, the first day of July next; and in the meanwhile, that no time be lost, in case the Congress agree thereto, that a committee be appointed to prepare a declaration to the effect of the said first resolution, which is in these words: "That these United Colonies are, and of right ought to be, free and independent States; that they are absolved from all allegiance to the British crown: and that all political connexion between them and the State of Great Britain is, and ought to be, totally dissolved."

**June 11, 1776.** *Resolved*, That the committee for preparing the Declaration consist of five: —

*Committee*: Th: Jefferson, Chairman; John Adams, Benj. Franklin, Roger Sherman and Robert R. Livingston.

Richard Henry Lee, having made the motion for a declaration of independence (seconded by Adams), by legislative courtesy should have been named chairman of the committee to prepare the draft. Owing to receiving news of the serious illness of his wife (evening June tenth), he was compelled to ask for a leave of absence to visit his home.

**June 28, 1776.** The Committee reported to the House the Declaration of Independence; it was read and ordered to lie on the table.

**July 1, 1776.** Congress resolved itself into a Committee of the Whole, and resumed consideration of the Declaration, on motion made by the delegates of Virginia.

Pennsylvania and Delaware dissented, four of the seven delegates of the former voted against it; two delegates of the latter were divided, Read opposing. New York withdrew, being without authority. Maryland refused to concur.

South Carolina, through Mr. Rutledge, requested a postponement until July 2nd. Carried.

**July 2, 1776.**

OFFICIAL RECORD.

Tuesday, July 2, 1776.

“The Congress resumed the consideration of the resolution from the Committee of the Whole; which was agreed to as follows: ‘*Resolved*, That these United Colonies are, and, of right, ought to be, free and independent States; that they are absolved from all allegiance to the British crown, and that all political connexion between them, and the State of Great Britain, is, and ought to be, totally dissolved.’” (Adopted in private session.)

“On resolution, Congress will meet to-morrow to take into their further consideration the declaration respecting independence.”

**July 3, 1776.** The Committee of the Whole further considered the Declaration, and later in the day, *Resolved*, “That this Congress will, to-morrow, again resolve itself into a Committee of the Whole, to take into their further consideration the Declaration of Independence.”

**Thursday, July 4, 1776.** The “Declaration of Independence,” as amended, was adopted at 2 P.M. It was declared in secret session.

The vote was taken by *colonies*. All colonies, except New York (whose delegates were without authority) voted as *colonies* in favor of the Declaration. The delegates of New York present voted in favor of the measure, their action being approved by the Provincial Assembly on July 9; this authority presented to Congress, July 15.

The unanimity of the *delegates* to Congress was not secured.

After the adoption: “*Resolved*, That copies of the Declaration be sent to the several assemblies, conventions, and committees, or Councils of Safety, and to the several commanding officers of the Continental troops; that it be proclaimed in each of the United States, and at the head of the army.”

## THE DECLARATION OF INDEPENDENCE.

On the first of July, pursuant to agreement, Mr. Lee's motion was brought up in the Committee of the whole House, Benjamin Harrison of Virginia in the chair. The Draft of a Declaration of Independence was reported at the same time, and for three consecutive days it was debated by paragraphs *seriatim*. Many alterations, omissions, and amendments were made. The following is a copy of that original draft, before any amendments were made in Committee of the Whole :—

## As reported by the Committee.

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident; that all men are created equal; that they are endowed by their Creator with inherent and inalienable rights; that among these are life, liberty and the pursuit of happiness; that, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate, that governments, long established, should not be changed for light and transient causes. And, accordingly, all experience hath shown that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, begun at a distinguished period, and pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies; and such is now the necessity which constrains them to expunge their former systems of government. The history of the present King of Great Britain is a history of unremitting injuries and usurpations; among which appears no solitary fact to contradict the uniform tenor of the rest; but all have, in direct object, the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world; for the truth of which we pledge a faith yet unswerving by falsehood.

"Agreeably to the order of the day, the Congress resolved itself into a Committee of the Whole, to take into their further consideration the Declaration; and after some time, the President resumed the chair, and Mr. Harrison reported that the Committee have agreed to a Declaration, which they desired him to report."

The Declaration being read was agreed to as follows:—

## As adopted by the Congress.

When, in the course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's God, entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident—that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty and the pursuit of happiness. That, to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that, whenever any form of government becomes destructive of these ends, it is the right of the people to alter or abolish it, and to institute a new government, laying its foundations on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate that governments, long established, should not be changed for light and transient causes; and, accordingly, all experience hath shown that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty, to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies; and such is now the necessity which constrains them to alter their former systems of government. The history of the present King of Great Britain is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world.

He has refused his assent to laws the most wholesome and necessary for the public good.

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and when so suspended, he has neglected utterly to attend them.

He has refused to pass other laws for the accommodation of large districts of people, unless these people would relinquish the right of representation in the Legislature; a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the repository of their public records, for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representative houses repeatedly and continually, for opposing with manly firmness his invasions on the rights of the people.

He has refused, for a long time after such dissolutions, to cause others to be elected, whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise, the state remaining in the meantime exposed to all the dangers of invasion from without and convulsions within.

He has endeavored to prevent the population of these states; for that purpose obstructing the laws for naturalization of foreigners; refusing to pass others to encourage their migrations hither; and raising the conditions of new appropriations of lands.

He has suffered the administration of justice totally to cease in some of these states, refusing his assent to laws for establishing judiciary powers.

He has made our judges dependent on his will alone, for the tenure of their offices and the amount and payment of their salaries.

He has erected a multitude of new offices by a self assumed power, and sent hither swarms of officers to harass our people and eat out their substance.

He has kept among us, in times of peace, standing armies and ships of war, without the consent of our Legislatures.

He has affected to render the military independent of, and superior to, the civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitutions, and unacknowledged by our laws; giving his assent to their acts of pretended legislation:

For quartering large bodies of armed troops among us;

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states;

For cutting off our trade with all parts of the world;

For imposing taxes on us without our consent;

For depriving us of the benefits of trial by jury;

He has refused his assent to laws the most wholesome and necessary for the public good.<sup>1</sup>

He has forbidden his governors to pass laws of immediate and pressing importance, unless suspended in their operations till his assent should be obtained; and, when so suspended, he has utterly neglected to attend them.<sup>2</sup>

He has refused to pass other laws for the accommodation of large districts of people, unless these people would relinquish the right of representation in the Legislature—a right inestimable to them, and formidable to tyrants only.<sup>3</sup>

He has called together legislative bodies at places unusual, uncomfortable and distant from the repository of their public records, for the sole purpose of fatiguing them into compliance with his measures.<sup>4</sup>

He has dissolved representative houses repeatedly, for opposing with manly firmness, his invasions on the rights of the people.<sup>5</sup>

He has refused, for a long time after such dissolutions, to cause others to be elected; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise; the state remaining in the mean time, exposed to all the dangers of invasion from without and convulsions within.<sup>6</sup>

He has endeavored to prevent the population of these states; for that purpose obstructing the laws for the naturalization of foreigners; refusing to pass others to encourage their migration hither, and raising the conditions of new appropriations of lands.<sup>7</sup>

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.<sup>8</sup>

He has made judges dependent on his will alone for the tenure of their offices, and the amount and payment of their salaries.<sup>9</sup>

He has erected a multitude of new offices, and sent hither swarms of officers, to harass our people and eat out their substance.<sup>10</sup>

He has kept among us, in times of peace, standing armies, without the consent of our Legislatures.<sup>11</sup>

He has affected to render the military independent of, and superior to, the civil power.<sup>12</sup>

He has combined with others to subject us to a jurisdiction foreign to our constitutions and unacknowledged by our laws; giving his assent to their acts of pretended legislation:<sup>13</sup>

For quartering large bodies of armed troops among us;<sup>14</sup>

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states;<sup>15</sup>

For cutting off our trade with all parts of the world;<sup>16</sup>

For imposing taxes on us without our consent;<sup>17</sup>

For depriving us, in many cases, of the benefits of trial by jury;<sup>18</sup>



For transporting us beyond the seas to be tried for pretended offenses :

For abolishing the free system of English laws in a neighboring province, establishing an arbitrary government, and enlarging its boundaries so as to render it at once an example and fit instrument for introducing the same absolute rule into these states ;

For taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments ;

For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here, withdrawing his governors, and declaring us out of his allegiance and protection, and waging war against us.

He has plundered our seas, ravaged our coasts, burned our towns, and destroyed the lives of our people.

He is at this time transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny, already begun with circumstances of cruelty and perfidy unworthy the head of a civilized nation.

He has endeavored to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions of existence ; he has excited treasonable insurrections of our fellow-citizens with the allurements of forfeiture and confiscation of our property.

He has constrained others, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has waged cruel war against human nature itself, violating its most sacred rights of life and liberty in the person of a distant people, who never offended him, captivating and carrying them into slavery in another hemisphere, or to incur miserable death in their transportation thither. This piratical warfare, the opprobrium of infidel powers, is the warfare of the CHRISTIAN King of Great Britain. Determined to keep open a market where MEN should be bought and sold, he has prostituted his negative for suppressing every legislative attempt to prohibit or to restrain this execrable commerce. And that this assemblage of horrors might want no fact of distinguished dye, he is now exciting these very people to rise in arms among us, and to purchase that liberty of which he has deprived them by murdering the people upon whom he obtruded them ; thus paying off former crimes committed against the LIBERTIES of one people with crimes which he urges them to commit against the LIVES of another.

In every stage of these oppressions we have petitioned for redress in the most humble terms ; our repeated petitions have been answered only by repeated injury. A prince whose character is thus marked by every act

For transporting us beyond seas, to be tried for pretended offenses ;<sup>19</sup>

For abolishing the free system of English laws in a neighboring province, establishing therein an arbitrary government, and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies ;<sup>20</sup>

For taking away our charters, abolishing our most valuable laws, and altering, fundamentally, the forms of our governments ;<sup>21</sup>

For suspending our own Legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.<sup>22</sup>

He has abdicated government here, by declaring us out of his protection, and waging war against us.<sup>23</sup>

He has plundered our seas, ravaged our coasts, burned our towns, and destroyed the lives of our people.<sup>24</sup>

He is at this time transporting large armies of foreign mercenaries, to complete the works of death, desolation, and tyranny, already begun with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.<sup>25</sup>

He has constrained our fellow-citizens, taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.<sup>26</sup>

He has excited domestic insurrection among us, and has endeavored to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.<sup>27</sup>

In every stage of these oppressions we have petitioned for redress in the most humble terms ; our repeated petitions have been answered only by repeated injury. A prince whose character is thus marked by every act

which may define a tyrant, is unfit to be the ruler of a people who mean to be free. Future ages will scarce believe that the hardness of one man adventured, within the short compass of twelve years only, to build a foundation so broad and undisguised, for tyranny over a people fostered and fixed in principles of freedom.

Nor have we been wanting in attentions to our British brethren. We have warned them, from time to time, of attempts by their Legislature to extend a jurisdiction over these our States. We have reminded them of the circumstances of our emigration and settlement here, no one of which could warrant so strange a pretension; that these were effected at the expense of our own blood and treasure, unassisted by the wealth or the strength of Great Britain; that in constituting, indeed, our several forms of government, we had adopted one common King, thereby laying a foundation for a perpetual league and amity with them; but that submission to their Parliament was no part of our Constitution, nor ever in idea, if history may be credited; and we appealed to their native justice and magnanimity, as well as to ties of our common kindred, to disavow these usurpations, which were likely to interrupt our connection and correspondence. They too have been deaf to the voice of justice and of consanguinity; and when occasions have been given them, by the regular course of their laws, of removing from their councils the disturbers of our harmony, they have, by their free election, re-established them in power. At this very time, too, they are permitting their chief magistrate to send over, not only soldiers of our common blood, but [Scotch and] foreign mercenaries to invade and destroy us. These facts have given the last stab to agonizing affection, and manly spirit bids us to renounce forever these unfeeling brethren. We must endeavor to forget our former love for them; we must, therefore, acquiesce in the necessity which denounces our separation, and hold them as we hold the rest of mankind, enemies in war; in peace, friends.

We might have been a free and great people together; but a communication of grandeur and of freedom, it seems, is below their dignity. Be it so, since they will have it. The road to happiness and to glory is open to us too; we will climb it apart from them, and acquiesce in the necessity which denounces our eternal separation.

We, therefore, the representatives of the United States of America, in general Congress assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name, and by the authority of the good people of these States, reject and renounce all allegiance and subjection to the Kings of Great Britain, and all others who may hereafter claim by, through, or under them; we utterly dissolve all political connection which may heretofore have subsisted between us and the Parliament or people of Great Britain; and, finally, we do assert the colonies to be free and independent States; and that, as free and indepen-

which may define a tyrant is unfit to be the ruler of a free people.

Nor have we been wanting in our attentions to our British brethren. We have warned them, from time to time, of attempts by their Legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity and we have conjured them by the ties of our common kindred, to disavow these usurpations, which would inevitably interrupt our connections and correspondence. They, too, have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity which denounces our separation, and hold them as we hold the rest of mankind — enemies in war — in peace, friends.

We, therefore, the representatives of the United States of America, in general Congress assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name, and by the authority of the good people of these colonies, solemnly publish and declare that these united colonies are, and of right ought to be, free and independent States; that they are absolved from all allegiance to the British crown, and that all political connection between them and the State of Great Britain is, and ought to be, totally dissolved; and that, as free and independent States, they have full power to levy war, conclude peace, con-



dent States, they have full power to levy war, conclude peace, contract alliances, establish commerce, and to do all other acts and things which independent States may of right do. And for the support of this declaration, we mutually pledge to each other our lives, our fortunes, and our sacred honor.

tract alliances, establish commerce, and to do all other acts and things which independent States may of right do. And for the support of this Declaration, with a firm reliance on the protection of Divine Providence, we mutually pledge to each other our lives, our fortunes and our sacred honor.

John Penn John Hancock John Hart  
 Wm Hoag Saml Adams  
 George Read Wm Hooper Geoffrey  
 Stephen Hopkins Thos Mifflin  
 Thos Mifflin Charles Carroll Harvill Millbridge Gerry  
 Roger Sherman Son<sup>e</sup> Huntington  
 Wm Whipple Thomas Lynch Jun<sup>r</sup>  
 Geo Taylor Josiah Bartlett Ben Franklin  
 Wm Williams Nathl Sargent John Morton  
 Oliver Wolcott Jas Witherspoon Geo Ross  
 Thos Stone Samuel Chan Rob Treat Paine  
 George Wythe Matthew Thornton  
 Fran<sup>cois</sup> Lewis J<sup>ames</sup> Jefferson Ben Harrison  
 Lewis Morris Abra. Clark Phil Livingston  
 Arthur Middleton Jas Hopkinson  
 Geo Walton Cortey Braxton James Wilson  
 Richard Henry Lee Thos Mifflin Jun<sup>r</sup>  
 Benjamin Rush John Adams Rob Morris  
 Lyman Hall Joseph Hewes Button Guinness  
 Francis Lightfoot Lee  
 William Ellery Edward Rutledge Jas. Smith

AUTOGRAPHS OF "THE SIGNERS" OF THE AUGUST 2D COPY.

(They are not in the order as shown in the document.)

## Explanatory Notes to the Declaration of Independence.

- 1.—Laws passed by the Colonial Assemblies, in relation to commerce, finance, etc.
- 2.—Some of the Provincial governors endeavored to conciliate the Indian tribes by treaties of alliance and other measures; but the King, fearing that the colonists would thus acquire too much strength, and be less dependent upon the British crown,

- instructed the governors to desist from all such measures till his consent should be given; and failed subsequently to give such consent.
3. — In 1774, a bill was passed which took the government of Massachusetts out of the hands of the people, vesting the nomination of judges, etc., in the crown. It also abridged the privilege of proper election. The people then demanded the passage of laws for the "accommodation of large districts of people," but were told that they must first "relinquish the right of representation in the legislature."
  4. — This refers to the passage of the Boston Port Bill, by which the Custom House, Courts, etc., were removed to Salem; while the public records were kept at Boston.
  5. — The Colonial Assembly of Massachusetts, in 1768, invited by circular the other Assemblies to join it in opposing the urgent measures of Great Britain, and was dissolved for so doing. Other Assemblies were dissolved for similar reasons, and in the same arbitrary manner.
  6. — This was the case in regard to the Assemblies of New York and Massachusetts, which were dissolved by royal authority, and not permitted to reassemble for several months, the States in the meantime being in great peril of "invasion from without, and convulsions within."
  7. — The King dreaded the increasing power of the colonies, as well as the advance of democratic ideas in them. The German immigration was especially checked by obstacles and discouragements.
  8. — By the act of 1774, Massachusetts was deprived of its own judiciary, the judges being appointed by the King.
  9. — The salaries of the judges were paid under the royal authority, from moneys obtained from the people.
  10. — The passage of the Stamp Act, and the other similar acts, gave rise to the appointment of swarms of tax collectors, etc.
  11. — The armies employed in the French and Indian War were continued in the colonies after the treaty of 1763.
  12. — Thus General Gage, a military commander, was made Governor of Massachusetts; and the military were employed to enforce the Boston Port Bill.
  13. — The Board of Trade was created to act independently of colonial legislation, and almost absolute power was conferred on the King.
  14. — Large forces were levied and sent over by vote of the English Parliament, to control the inhabitants.
  15. — In 1768, some mariners were tried in Annapolis, Maryland, for the murder of two citizens, and in the face of clear proof of their guilt were acquitted. Similar instances occurred in other places.
  16. — Such had been the result of the Navigation Acts. The British Navy was also employed to break up the colonial trade with the French and Spanish West Indies.
  17. — Such as the Stamp duties, the tax on paper, painter's colors, tea, etc.
  18. — In trials for violation of the revenue laws, under the Commissioners of Customs, the accused were not allowed the benefit of a jury.
  19. — Persons charged with riot, resistance to the magistrates, might, by a law passed in 1774, be transported to Great Britain or other places for trial.
  20. — The law of 1774 abolished the popular legislature in Canada, and appointed royal officers to make laws for the province, except to raise taxes. This gave the British a firm hold of Canada, and enabled them to use it to advantage against the colonies during the Revolution; hence the efforts of Congress to gain possession of that province in 1775.
  21. — This was done in the case of the judiciary of Massachusetts. Other officers besides judges were made dependent on the crown, in opposition to the chartered rights of the people.
  22. — After the dissolution of the colonial legislatures, before mentioned, several of the governors presumed to legislate arbitrarily for the colonies, giving to their proclamations the force of laws.
  23. — The King, in 1775, declared the colonies in open rebellion; and he sanctioned the acts of the governors in employing Indian warfare against them. He also employed German mercenaries to war against them. In these acts he abdicated the proper functions of government, and placed the colonies beyond the pale of his protection.
  24. — These acts were performed by the naval commanders. Charlestown was burned by the British fleet.
  25. — This is covered, in a general way in the article referred to.
  26. — The crews of American ships captured by the British were, by Act of Parliament, treated not as prisoners of war, but as slaves, and were impressed into the King's service.
  27. — Dunmore, in Virginia, endeavored to excite the slaves to rise against their masters. The Indians were, under instructions from the British ministry, instigated by several of the colonial governors to attack the colonists. Dreadful massacres were the consequence.

The JOURNAL OF CONGRESS, *as printed*, contains the following entry :—

**Thursday, July 4, 1776.**

Agreeable to the order of the day, the Congress resolved itself into a committee of the whole, to take into further consideration the declaration ; and after some time the president resumed the chair, and Mr. Harrison reported, that the committee had agreed to a declaration which they desired him to report.

The declaration being read was agreed to as follows :—

Here is inserted the full printing of the “ Declaration of Independence.”

The record closes with what purport to be the printed names of the subscribers on the day it was passed—July 4, 1776. The names of McKean and Wisner, who voted in its favor, do not appear.

The names, as printed, are the subscribers to the engrossed copy as signed by the members of Congress on August 2, 1776.

These published minutes, or “ Journal,” being authorized by Congress, is the legal record of the United States—an unfortunate error in recorded history.

**July 5, 1776.** The Declaration, signed

JOHN HANCOCK, *President.*

Attest: CHARLES THOMSON, *Secretary.*

It was printed as a “ broadside ” during the night of July 4 and the day of July 5, by John Dunlap of Philadelphia, also by Mary Catherine Goddard of Baltimore.

It went out to the world this day, with the two signatures above given, being signed as customary with preceding proclamations and public documents, unless otherwise ordered, — “ Signed by the President and attested by the Secretary of Congress, in behalf and by order of Congress.”

The Philadelphia papers published on July 5 were silent upon the subject, its passage not being known until July 6.

**July 8, 1776.** The Declaration had its first public reading. It was read in the State House yard, Philadelphia, from an observatory erected by the American Philosophical Society in 1769, for the purpose of

observing the transit of Venus. The reader was John Nixon, a member of the Council of Safety of Pennsylvania.

It was further publicly read at New York City, July 9 (Washington was at this place with his army, to whom it was read by one of his aides); at Boston, July 17; at Williamsburg, Virginia, July 25; at Charleston, South Carolina, August 5; and at Savannah, Georgia, August 10.

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**July 19, 1776.** “*Resolved*, That the Declaration passed on the Fourth be fairly engrossed on parchment, with the title and style of ‘The unanimous Declaration of the Thirteen United States of America’; and that the same, when engrossed, be signed by every member of the Congress.”

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**August 2, 1776.** The authenticated copy of the Declaration of Independence — resolution, July 19, 1776 — being engrossed and compared at the table, was signed by all those who were members of Congress on August 2, 1776, — 54 members; Thos. McKean signing in October, and Matthew Thornton in November following. Thornton was not a member August 2. He was authorized by Congress to sign.

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**September 9, 1776.** Congress resolved, “That in all Continental commissions, and other instruments, where heretofore the words ‘United Colonies’ have been used, the style be altered for the future to the ‘United States.’” “*Journal*,” II. 328. The first use of this term is in the Declaration.

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**January 18, 1777.** “*Ordered*, That an authenticated copy of the declaration of independency, with the names of Congress subscribing the same, be sent to each of the United States, and they be desired to have the same put on record.”

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## The Voters and Signers of the Declaration of Independence.

The members signing the Declaration under resolution of July 19, 1776, did so as a test oath; the principles of many of the new delegates coming into Congress from the different States were not known with a certainty, it being feared some might be tories in disguise.

### New Hampshire.

*Bartlett* and *Whipple* voted in favor, and signed the authenticated “copy,” August 2, 1776.

*Thornton*, not appointed a delegate, did not appear in Congress until September, 1776. He was permitted to sign the “copy” in November, 1776.

### Massachusetts.

*Samuel Adams, John Adams, Hancock, Paine, and Gerry* voted in favor, and signed the "copy," August 2, 1776.

Hancock, as President of Congress, also signed the original resolution. He was the only member of Congress signing the original document.

### Rhode Island.

*Hopkins and Ellery* voted in favor, and signed the "copy," August 2, 1776. The tremulous appearance of the signature of Hopkins was incident to bodily ailment, "shaking palsy."

### Connecticut.

*Sherman, Huntington, Williams, and Wolcott* voted in favor, and signed the "copy," August 2, 1776.

### New York.

*Floyd, P. Livingston, Lewis, and Morris* voted in favor, and signed the "copy," August 2, 1776.

*George Clinton* was present and voted in favor. He left Congress shortly after, being appointed a brigadier in the army.

*John Alsop* was present, voting against the measure. He later resigned.

*Henry Wisner* voted in favor, yet his name does not appear in the Journals of Congress. Not being a member August 2, 1776, he did not sign the "copy."

*R. Livingston*, not present when the vote was taken. He was called home to attend the Provincial Congress. He did not sign the "copy," as if he had been present when the vote was taken, for, although a member of the Committee to prepare the original draft, and strongly in favor of its adoption, he did not regard the doctrine, that a representative is bound to act in accordance with the expressed will of his constituents; holding that as the Provincial Assembly of New York had not authorized an approval of the Declaration the representatives in Congress were without instructions and therefore could not act.

New York did not sanction action until July 9, which authority was laid before Congress July 15.

*R. Livingston* was not a member of Congress on August 2, 1776. He was a nephew of Philip Livingston, one of the signers.

### New Jersey.

*Stockton, Witherspoon, Hopkinson, Hart, and Clark* voted in favor, and signed the "copy," August 2, 1776.

### Pennsylvania.

*Franklin, Morton, and Wilson* voted in favor, and signed the "copy," August 2, 1776.

*Morris* and *Dickenson* were absent July 4. *Morris* was in favor, and was absent on Government business. *Dickenson* opposed the measure, and was intentionally absent when the vote was taken. They were not signers of the "copy," August 2, 1776, not then being members.

*Willing* and *Humphreys* voted against the adoption July 4; they were not signers of the "copy," August 2, 1776, not then being members.

The Pennsylvania delegation on July 4 were divided: *Morris* and *Dickenson* absent. *Franklin* and *Wilson* in favor. *Willing* and *Humphreys* opposed. *Morton* held the deciding vote as to Pennsylvania's action. He voted in favor of the measure.

A tablet in *Morton* Hall, Philadelphia, notes:

JOHN MORTON  
MEMBER OF THE STAMP ACT CONGRESS  
FROM THIS COLONY  
JUDGE OF THE SUPREME COURT  
DELEGATE TO THE FIRST CONGRESS IN 1774  
SPEAKER OF THE HOUSE OF ASSEMBLY  
RE-ELECTED TO THE CONGRESS OF 1776, WHEN  
IN GIVING THE CASTING VOTE OF HIS  
DELEGATION HE CROWNED  
PENNSYLVANIA  
THE KEystone OF THE ARCH OF LIBERTY  
AND SECURED TO THE  
AMERICAN PEOPLE  
THE DECLARATION OF INDEPENDENCE  
HIMSELF A SIGNER  
BORN A.D. 1724  
DIED A.D. 1777

*Rush*, *Clymer*, *Smith*, and *Ross* signed the "copy," August 2, 1776. They were not members July 4, not having been chosen delegates to Congress until July 20, 1776.

### Delaware.

*Rodney* and *McKean* voted in favor. *Rodney* signed the "copy," August 2, 1776. *McKean* did not sign the "copy" until October, 1776. Immediately after the passage of the Declaration he was called away to the aid of General *Washington* in New Jersey with his regiment, the "City Associators," of which he was colonel.

The Journal of Congress does not print *McKean's* name as a subscriber, though he both voted for the measure and signed the "copy."

*Read* was opposed to the measure. He was not present July 4, 1776. He later changed his opinion, signing the "copy," August 2, 1776.

### Maryland.

*Stone* and *Paca* voted in favor, and signed the "copy," August 2, 1776.

*Chase* was not present July 4, 1776, did not take his seat as a member until July 9, 1776. He signed the "copy," August 2, 1776.

*Carroll* was not present July 4, 1776, did not reach Philadelphia until July 8, taking his seat in Congress July 18, 1776. He was an indefatigable worker toward having the restrictive instructions governing the Maryland representatives removed. He was successful; so that, while not present July 4, he was most powerful in his absence, as he secured his state toward favoring the Declaration.

He signed the "copy," August 2, 1776, adding his address, "Carrollton," as he had a cousin of the same name, a resident of Maryland, who he feared might be taken for him, the signer thereby escaping attainder or other punishment that might fall upon the heads of the members of Congress.

### Virginia.

*Wythe, R. H. Lee, Jefferson, Harrison, Nelson, F. L. Lee,* and *Braxton* voted in favor, and signed the "copy," August 2, 1776.

Francis Lightfoot Lee was a younger brother of Richard Henry Lee.

### North Carolina.

*Hooper, Heves,* and *Penn* voted in favor, and signed the "copy," August 2, 1776.

### South Carolina.

*Rutledge, Heyward, Lynch,* and *Middleton* voted in favor, and signed the "copy," August 2, 1776.

### Georgia.

*Grinnett, Hall,* and *Walton* voted in favor, and signed the "copy," August 2, 1776.

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**Ages of Signers.** Oldest member at time of signing, Franklin, in his 71st year.

The youngest, Edward Rutledge, 27 years old.

Greatest age at death, Charles Carroll, 96 years.

The youngest, Thos. Lynch, Jr., aged 30 years. (Lost at sea.)

Average age of the signers, at time of signing,  $44\frac{3}{4}$  years.

Average age of the signers, at death,  $66\frac{1}{2}$  years.

At death, five signers were over 90 years of age, eight over 80, ten over 70, fourteen over 60, eleven over 50, seven over 40, one 30 and under 40; an exhibit of an extraordinary *average* age, probably the greatest reached by any *body* of men.

John Morton was the first to die, Charles Carroll the last.

## Signers of the Declaration of Independence.

NAME	ORDER <sup>1</sup>	COLONY	OCCUPATION	BORN	BIRTHPLACE	DIED	AGE <sup>2</sup>
Adams, John	6	Mass. Bay.	Lawyer	Oct. 19, 1735	Braintree . . . Mass.	July 4, 1826	92
Adams, Samuel	2	"	Merchant	Sep. 22, 1722	Boston . . . . . "	Oct. 3, 1805	81
Bartlett, Josiah	9	N. Hamp.	Physician	Nov. . . . . 1729	Amesbury . . . . . "	May 19, 1795	67
Braxton, Carter	51	Virginia	Planter	Sep. 10, 1736	Newington . . . Va.	Oct. 10, 1797	62
Carroll, Charles	31	Maryland	Lawyer	" 20, 1737	Annapolis . . . . Md.	Nov. 14, 1832	96
Chase, Samuel	44	"	"	Apr. 17, 1741	Somerset Co. . . Md.	June 19, 1811	71
Clark, Abraham	14	N. Jersey	"	Feb. 15, 1726	Elizabethtown, N. J.	Sep. . . . . 1794	69
Clymer, George	38	Penn.	Merchant	Jan. 24, 1739	Philadelphia . . Pa.	Jan. 23, 1813	75
Ellery, William	22	R. I. and Prov. Plan.	Lawyer	Dec. 22, 1727	Newport . . . . . R. I.	Feb. 15, 1820	93
Floyd, William	5	New York	Farmer	" 17, 1734	Setauket . . . . . N. Y.	Aug. 1, 1821	87
Franklin, Benjamin	46	Penn.	Printer	Jan. 17, 1706	Boston . . . . . Mass.	Apr. 17, 1790	85
Gerry, Elbridge	8	Mass. Bay.	Merchant	July 17, 1744	Marblehead . . . "	Nov. 23, 1814	71
Gwinnett, Button	40	Georgia	"	" . . . . . 1732	" . . . . . England	May 27, 1777	45
Hancock, John	1	Mass. Bay.	"	Jan. 12, 1737	Braintree . . . Mass.	Oct. 8, 1793	57
Hall, Lyman	47	Georgia	Physician	" . . . . . 1731	" . . . . . Conn.	" . . . . . 1784	53
Harrison, Benj.	54	Virginia	Farmer	" . . . . . 1740	Berkeley . . . . . Va.	Apr. . . . . 1791	51
Hart, John	13	N. Jersey	"	" . . . . . 1715	Hopewell . . . . N. J.	" . . . . . 1780	65
Hewes, Joseph	35	N. Carolina	Lawyer	" . . . . . 1730	Kingston . . . . . "	Nov. 10, 1779	49
Heyward, Jr., Thos.	56	S. Carolina	"	" . . . . . 1746	St. Luke's . . . S. C.	Mar. . . . . 1809	63
Hooper, Wm.	23	N. Carolina	"	June 17, 1742	Boston . . . . . Mass.	Oct. . . . . 1790	49
Hopkins, Steph.	12	R. I. and Prov. Plan.	Farmer	Mar. 7, 1707	Seituate . . . . . "	July 13, 1785	79
Hopkinson, Francis	29	N. Jersey	Lawyer	" . . . . . 1737	Philadelphia . . Pa.	May 9, 1791	54
Huntington, Sam'l.	11	Conn.	"	July 3, 1732	Windham . . . Conn.	Jan. 5, 1796	64
Jefferson, Thos.	32	Virginia	"	Apr. 13, 1743	Shadwell . . . . Va.	July 4, 1826	83
Lee, Richard Henry	48	"	Soldier	Jan. 20, 1732	Stratford . . . . . "	June 19, 1794	63
Lee, Francis Lightfoot	55	"	Farmer	Oct. 14, 1734	" . . . . . "	Apr. . . . . 1797	63
Lewis, Francis	7	New York	Merchant	March, 1713	Llandaff . . . . Wales	Dec. 30, 1803	91
Livingston, Philip	3	"	"	Jan. 15, 1716	Albany . . . . . N. Y.	June 12, 1778	63
Lynch, Jr., Thos.	43	S. Carolina	Lawyer	Aug. 5, 1749	Pr. George's Co. S. C.	" . . . . . 1779	30
M'Kean, Thos.	39	Delaware	"	Mar. 19, 1734	New London . . Pa.	June 24, 1817	84
Middleton, Arthur	50	S. Carolina	"	" . . . . . 1743	Middleton Pl. S. C.	Jan. 1, 1788	44
Morris, Lewis	15	New York	Farmer	" . . . . . 1726	Morrisania . . . N. Y.	" 23, 1798	72
Morris, Robert	24	Penn.	Merchant	Jan. 20, 1734	Lancashire . . . Eng.	May 8, 1806	73
Morton, John	16	"	Surveyor	" . . . . . 1724	Ridley . . . . . Pa.	Apr. . . . . 1777	53
Nelson, Jr., Thos.	49	Virginia	Statesman	Dec. 26, 1738	York . . . . . Va.	Jan. 4, 1789	51
Paca, William	28	Maryland	Lawyer	Oct. 31, 1740	Wye Hall . . . . Md.	" . . . . . 1799	59
Paine, Robert Treat	4	Mass. Bay.	"	" . . . . . 1731	Boston . . . . . Mass.	May 11, 1814	84
Penn, John	18	N. Carolina	"	May 17, 1741	Caroline Co. . . Va.	Sep. . . . . 1788	48
Read, George	41	Delaware	"	" . . . . . 1734	Cecil Co. . . . . Md.	" . . . . . 1798	64
Rodney, Caesar	52	"	General	" . . . . . 1730	Dever . . . . . Del.	" . . . . . 1783	53
Ross, George	37	Penn.	Lawyer	" . . . . . 1730	Newcastle . . . . Pa.	July . . . . . 1779	49
Rush, Benjamin	46	"	Physician	Dec. 24, 1745	Berberry . . . . . Pa.	Apr. 19, 1813	68
Rutledge, Edward	34	S. Carolina	Lawyer	Nov. . . . . 1749	Charleston . . . S. C.	Jan. 23, 1800	51
Sherman, Roger	19	Conn.	Shoemaker	Apr. 19, 1721	Newton . . . . . Mass.	July 23, 1793	73
Smith, James	36	Penn.	Lawyer	" . . . . . 1710	" . . . . . Ireland	" 11, 1806	96
Stockton, Richard	10	N. Jersey	"	Oct. 1, 1730	Princeton . . . N. J.	Feb. 28, 1781	51
Stone, Thomas	30	Maryland	"	" . . . . . 1742	Pointoin Manor, Md.	Oct. 5, 1787	45
Taylor, George	33	Penn.	Physician	" . . . . . 1716	" . . . . . Ireland	Feb. 23, 1781	55
Thornton, Matthew	17	N. Hamp.	"	" . . . . . 1714	" . . . . . "	June 24, 1803	89
Walton, George	53	Georgia	Lawyer	" . . . . . 1740	Frederick Co. . . Va.	Feb. 2, 1804	64
Whipple, William	20	Conn.	Sailor	" . . . . . 1730	Kittery . . . . . Me.	Nov. 28, 1785	55
Williams, William	26	"	Statesman	Apr. 8, 1731	Lebanon . . . . Conn.	Aug. 2, 1811	81
Wilson, James	42	Penn.	Lawyer	" . . . . . 1742	St. Andrews . . Scot.	" 28, 1798	56
Witherspoon, John	21	N. Jersey	Minster	Feb. 5, 1722	Yester . . . . . "	Nov. 15, 1794	73
Wolcott, Oliver	25	Conn.	Physician	Nov. 26, 1726	Windsor . . . . Conn.	Dec. 1, 1797	72
Wythe, George	45	Virginia	Lawyer	" . . . . . 1726	Elizabeth Co. . . Va.	June 8, 1806	80

<sup>1</sup> Order in which they signed.<sup>2</sup> Age at death.



# A DECLARATION

By the REPRESENTATIVES of the  
UNITED STATES OF AMERICA,  
IN GENERAL CONGRESS ASSEMBLED.

WHEN in the Course of human Events, it becomes necessary for one People to dissolve the Political Bands which have connected them with another, and to assume among the Powers of the Earth, the separate and equal Station to which the Laws of Nature and of Nature's God entitle them, a decent Respect to the Opinions of Mankind requires that they should declare the Causes which impel them to the Separation.

We hold these Truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness.—That to secure these Rights, Governments are instituted among Men, deriving their just Powers from the Consent of the Governed, that whenever any Form of Government becomes destructive of these Ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such Principles, and organizing its Powers on such Form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient Causes; and accordingly all Experience hath shewn, that Mankind are more disposed to suffer, while Evils are sufferable, than to right themselves by abolishing the Forms to which they are accustomed. But when a long Train of Abuses and Usurpations, pursuing invariably the same Object, evinces a Design to reduce them under absolute Despotism, it is their Right, it is their Duty, to throw off such Government, and to provide new Guards for their future Security. Such has been the patient Sufferance of these Colonies, and such is now the Necessity which constrains them to alter their former System of Government, that the History of the present King of Great Britain is a History of repeated Injuries and Oppressions, all having in direct and plain Object the Establishment of an absolute Tyranny over these States. To prove this, let Facts be submitted to a candid World.

He has refused his Assent to Laws, the most wholesome and necessary for the public Good.

He has refused his Assent to Acts of the most wholesome and necessary for the public Good.

He has refused to pass other Laws for the Accommodation of large Districts of People, unless their Rights would relinquish the Rights of Representation in the Legislature, a Right inalienable to them, and fundamental to Justice only.

He has called together Legislative Bodies at Places unusual, uncomfortable, and distant from the Depository of their public Records, for the sole Purpose of lulling them into Compliance with his Measures.

He has dissolved Representative Houses repeatedly, for opposing with manly Firmness his Invasions on the Rights of the People.

He has refused for a long Time, after such Dissolutions, to cause others to be elected; whereby the Legislative Powers, incapable of Annihilation, have returned to the people at large for their exercise; the State remaining in the mean Time exposed to all the Dangers of Anarchy from within, and Convulsions without.

He has endeavored to prevent the Population of these States, for that Purpose obstructing the Laws for Naturalization of Foreigners; refusing to pass others to encourage their Migration hither, and raising the Conditions of new Appropriations of Land.

He has obstructed the Administration of Justice by refusing his Assent to Laws for establishing Judiciary Powers.

He has made Judges dependent on his Will alone, for the Tenure of their Offices, and the Amount and Payment of their Salaries.

He has erected a multitude of new Offices, and sent hither Swarms of Officers to harass our People, and eat out their Substance.

He has kept among us, in Times of Peace, Standing Armies, without the Consent of our Legislature.

He has affected to render the Military independent of and superior to the civil Powers.

He has combined with others to subject us to a Jurisdiction foreign to our Constitution, and unacknowledged by our Laws; given his Assent to Acts of pretended Legislation.

For quartering large Bodies of armed Troops among us  
For granting them, by a mock Trial, from Possession for any Misdemeanor which they should commit on the Inhabitants of these States  
For turning off our Trade with all Parts of the World  
For imposing Taxes on us without our Consent  
For depriving us, in many Cases, of the Benefits of Trial by Jury  
For transporting us beyond Seas to be tried for pretended Offences  
For abolishing the free System of English Laws in a neighbouring Province establishing therein an arbitrary Government, and enlarging its Boundaries, &c. so as to render us as well as the Inhabitants thereof, to the same absolute Rule into the Colonies:

For taking away our Charters, abolishing our most valuable Laws, and altering fundamentally the Forms of our Government  
For suspending our own Legislature, and declaring themselves invested with Power to legislate for us in all Cases whatsoever.

He has abdicated Government here, by declaring us out of his Protection and inviting us to accept of Kings.

He has plundered our Seas, ravaged our Coasts, burnt our Towns, and destroyed the Lives of our People.

He is at this Time transporting large Armies of foreign Mercenaries to complete the Works of Death, Desolation, and Tyranny, already begun, with Circumstances of Cruelty and Perfidy scarcely parallelled in the most barbarous Ages, and totally unworthy the Head of a civilized Nation.

He has constrained our fellow Citizens taken Captive on the high Seas to bear Arms against their Country, to become the Executioners of their Friends and Brethren, or to fall themselves by their Hands.

He has excited domestic Insurrections amongst us, and has endeavored to excite the same among the Inhabitants of one of our Neighboring States, whose known Rule of Warfare is an unobscured Distinction of all Ages, Sexes and Conditions.

In every Stage of these Oppressions we have petitioned for Redress, in the most humble Terms: Our repeated Petitions have been answered only by repeated Injury. A Prince, whose Character is thus marked by every Act which may define a Tyrant, is unfit to be the Ruler of a free People.

Not that we have wanting in Attention to our British Brethren. We have warned them from Time to Time of Attempts by their Legislature, to violate the Circumstances of our original and Settlement here. We have appealed to their innate Justice and Magnanimity, and we have conjured them by the Ties of our common Kindred to disavow these Ulcerations, which would inevitably interrupt our Connections and Correspondence. They too have been deaf to the Voice of Justice and of Consistency. We must therefore, sequence in the Necessity which denounces our Separation, and hold them, as we hold the rest of Mankind, Enemies in War, in Trade, and Commerce.

We, therefore, the Representatives of the UNITED STATES OF AMERICA, in General Congress assembled, appealing to the Supreme Judge of the World for the Rectitude of our Intentions, do hereby declare and by the Authority of the good People of these Colonies, solemnly Publish and Declare, That these United Colonies are, and of Right ought to be, FREE AND INDEPENDENT STATES; that they are absolved from all Allegiance to the British Crown, and that all political Connection between them and the State of Great Britain, is and ought to be totally dissolved; and that as Free and Independent States, they have full Power to levy War, conclude Peace, contract Alliances, establish Commerce, and to do all other Acts and Things which INDEPENDENT STATES may of Right do, and in Support of this Declaration, we mutually pledge to each other our Lives, our Fortunes, and our sacred Honor.

Signed by ORDER and in BEHALF of the CONGRESS,  
**JOHN HANCOCK, President.**

ATTEST,  
**CHARLES THOMPSON, Secretary.**

AMERICA BOSTON, Printed by JOHN GILL, and POWARS and WILLIS, in Queen-Street.

BROADSIDE OF THE DECLARATION OF INDEPENDENCE.



On January 2, 1824, a letter from John Quincy Adams, Secretary of State, was read in the House of Representatives, stating that a facsimile of the Declaration of Independence, as executed August 2, 1776, had been made by his direction, and two hundred copies struck off.

A joint resolution was afterward passed providing for their distribution to various public institutions and to each of the surviving signers of the original document. These were Thomas Jefferson, John Adams, and Charles Carroll of Carrollton. The engraver was William I. Stone, of Washington.

The ink of the August 2, 1776, parchment copy of the Declaration of Independence showing signs of fading, in February, 1894, it was taken from the frame where it had hung many years in the State Department, Washington, placed between sheets of glass and sealed in hermetically, to be kept in a narrow drawer which slides in a steel vault, under heavy double doors locked by a combination, within a cabinet of the State Department.

The original "copy" as to text and signatures has almost faded away (1903), practically no more than a large sheet of parchment. Part of the large words "Declaration of Independence" are decipherable, but not a signature visible to the naked eye.

Jefferson's original draft of the Declaration, with insertions in the handwriting of Franklin and John Adams, is still exposed to public view; the ink has not faded.

The bell in the steeple of the State House, that rang out the announcement of the adoption of the "Declaration," by a peculiar coincidence bore the inscription, "Proclaim liberty throughout all the land unto all the inhabitants thereof."

The Declaration was the composition of Thomas Jefferson, being written at his lodging house (Mrs. Clymer's), S. W. corner of Seventh and High streets, Philadelphia.

**A Supplemental Declaration.** In the year 1826, after all save one of the band of patriots whose signatures are borne on the Declaration of Independence had descended to the tomb, and the venerable Carroll alone remained among the living, the government of the city of New York deputed a committee to wait on the illustrious survivor and obtain from him, for deposit in the public hall of the city, a copy of the Declaration of 1776, graced and authenticated anew with his sign manual. The

aged patriot yielded to the request, and affixed with his own hand, to a copy of that instrument, the grateful, solemn, and pious supplemental declaration which follows :

“Grateful to Almighty God for the blessings which through Jesus Christ our Lord, he has conferred on my beloved country in her emancipation, and on myself in permitting me, under circumstances of mercy to live to the age of eighty-nine years, and to survive the fiftieth year of American Independence, and certify by my present signature my approbation of the Declaration of Independence adopted by Congress on the Fourth of July, 1776, which I originally subscribed on the second day of August of the same year, and of which I am now the last surviving signer; I do hereby recommend to the present and future generations the principles of that important document as the best earthly inheritance their ancestors could bequeath to them and pray that the civil and religious liberties they have secured to my country may be perpetuated to remotest posterity and extended to the whole family of man.

CHARLES CARROLL *of Carrollton.*

August 2, 1826.

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## ARTICLES OF CONFEDERATION.

**June 11, 1776.** Committee appointed “to prepare and properly digest a form of confederation to be entered into by the several States.”

*Committee:* John Dickenson, *Chairman;* Josiah Bartlett, Samuel Adams, Roger Sherman, R. R. Livingston, Thos. McKean, Thos. Stone, Thos. Nelson, Jr., E. Rutledge, Button Gwinnett (one delegate from each State).

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**July 12, 1776.** Presentation of a draft of Articles of Confederation in the handwriting of Dickenson, based on Franklin’s plan of confederation, as proposed to Congress, August 21, 1775.

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**August 20, 1776.** Report laid aside.

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**April 8, 1777.** “Articles” taken up for reconsideration. Meanwhile several States had adopted constitutions for their respective government, and Congress acknowledged as the practical supreme head in all matters appertaining to war, public finances, etc., it having emitted bills of credit, or paper money, appointed foreign ministers, and opened negotiations with foreign governments.

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**November 15, 1777.** The “Articles of Confederation,” as hereinafter noted, laid before Congress and adopted.

A copy to be sent to the speakers of the various State Legislatures to be laid before them for their action; accompanied by a communication in case of approval to instruct the delegates to vote for a ratification, which act should be final and conclusive.

Action of States was slow, the Articles not seeming to accord with the sentiments of the people, as they were manifestly at variance with the Declaration of Independence ; the latter based upon declared *right*, while the Articles were founded on asserted *power*. System of representation objectionable, because whatever the difference in population each State entitled to the same voice in Congress ; also the *limits* of the several States, and the unadjusted control or possession of the crown lands.

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**June 22, 1778.** Objection of the States to the Articles considered by Congress.

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**June 26, 1778.** Form of ratification adopted, to be signed by such delegates as so instructed by their legislatures.

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**July 9, 1778.** Delegates of New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, Virginia, and South Carolina signed. The action of New York conditioned that all the other States should ratify.

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**July 21, 1778.** Delegates of North Carolina signed.

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**July 24, 1778.** Delegates of Georgia signed.

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**November 26, 1778.** Delegates of New Jersey signed.

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**May 5, 1779.** Delegates of Delaware signed.

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**March 1, 1781.** Delegates of Maryland signed.

Maryland was slow to ratify, owing to the conflicting claims of the Union and of the separate States to the crown land, the claim of the States to the unsettled and unappropriated lands finally being ceded to the benefit of the whole Union, Maryland empowered her delegates to sign. Maryland's claim to the full meaning of a Confederation originated the Territorial System, resulting in a distinct government for the "Northwestern Territory," with a local Legislature of its own. (See "Cessions of Western Land," in Index.)

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Four years and four months after the Articles were adopted by Congress, they became the organic law of the Union.

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**March 2, 1781.** Congress assembled under the new powers of "The Articles of Confederation."

### Powers of the States.

- I. Retained their "sovereignty."
- II. Were the instruments to carry out the decrees of the Confederation.
- III. If States failed to act, they could not be coerced, and action by the Confederation was rendered impossible.

### Powers of the Confederation.

All sovereign powers:—

- I. To declare war; send and receive ambassadors; make treaties; grant letters of marque and reprisal; appoint courts to try piracy; establish prize courts. Congress to be last resort in disputes between States.
- II. Regulate value of coin; fix standard of weights and measures; manage Indian affairs; establish Post-offices; borrow money; build navy, and agree on number of land forces.
- III. On the more important questions, nine States must agree to a measure. When a measure was adopted, Congress could only recommend it to the States, and they could execute it if they chose.
- IV. "One nation to-day and thirteen to-morrow."

The original is in the custody of the Bureau of Rolls and Library, State Department, Washington, D.C.

[NOTE. — Critically compared, as to text, punctuation, and orthography, with the original in the Department of State.]

### Articles of Confederation and Perpetual Union between the States.

TO ALL TO WHOM THESE PRESENTS SHALL COME, WE THE UNDERSIGNED DELEGATES OF THE STATES AFFIXED TO OUR NAMES, SEND GREETING: Whereas the Delegates of the United States of America in Congress assembled did on the 15th day of November in the Year of our Lord 1777, and in the Second Year of the Independence of America agree to certain articles of Confederation and perpetual Union between the States of New-Hampshire, Massachusetts-bay, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia, in the words following, viz.

*Articles of Confederation and Perpetual Union between the States of New Hampshire, Massachusetts-bay, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia.*

ARTICLE I. — The Style of this confederacy shall be "The United States of America."

ARTICLE II. — Each state retains its sovereignty, freedom and independence, and every Power, Jurisdiction and right, which is not by this confederation expressly delegated to the united states, in congress assembled.

ARTICLE III. — The said states hereby severally enter into a firm league of friendship with each other, for their common 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.

ARTICLE IV. — The better to secure and perpetuate mutual friendship and intercourse among the people of the different states in this union, the free inhabitants of each of these states, paupers, vagabonds, and fugitives from Justice excepted, shall be entitled to all privileges and immunities of free citizens in the several states; and the people of each state shall have free ingress and regress to and from any other state, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions and restrictions as the inhabitants thereof respectively, provided that such restriction shall not extend so far as to prevent the removal of property imported into any state, to any other state of which the Owner is an inhabitant; provided also that no imposition, duties or restriction shall be laid by any state, on the property of the united states, or either of them.

If any person guilty of, or charged with treason, felony, or other high misdemeanor in any state, shall flee from Justice, and be found in any of the united states, he shall upon demand of the Governor or executive power, of the state from which he fled, be delivered up and removed to the state having jurisdiction of his offence.

Full faith and credit shall be given in each of these states to the records, acts and judicial proceedings of the courts and magistrates of every other state.

ARTICLE V. — For the more convenient management of the general interest of the united states, delegates shall be annually appointed in such manner as the legislature of each state shall direct, to meet in congress on the first Monday in November, in every year, with a power reserved to each state, to recall its delegates, or any of them, at any time within the year, and to send others in their stead, for the remainder of the Year.

No state shall be represented in congress by less than two, nor by more than seven members; and no person shall be capable of being a delegate for more than three years in any term of six years; nor shall any person, being a delegate, be capable of holding any office under the united states, for which he, or another for his benefit receives any salary, fees or emolument of any kind. Each state shall maintain its own delegates in any meeting of the states, and while they act as members of the committee of the states. In determining questions in the united states, in congress assembled, each state shall have one vote. Freedom of speech and debate in congress shall not be impeached or questioned in any Court, or place out of congress, and the members of congress shall be protected in their persons from arrests and imprisonments, during the time of their going to and from, and attendance on congress, except for treason, felony, or breach of the peace.

ARTICLE VI. — No state without the Consent of the united states in congress assembled, shall send any embassy to, or receive any embassy from, or enter into any conference, agreement, alliance or treaty with any King prince or state; nor shall any person holding any office of profit or trust under the united states, or any of them, accept of any present, emolument, office or title of any kind whatever from any king, prince or foreign state; nor shall the united states in congress assembled, or any of them, grant any title of nobility. No two or more states shall enter into any treaty, confederation or alliance whatever between them, without the consent of the united states in congress assembled, specifying accurately the purposes for which the same is to be entered into, and how long it shall continue. No state shall lay any imposts or duties, which may interfere with any stipulation in treaties, entered into by the united states in congress assembled, with any king, prince or state, in pursuance of any treaties already proposed by congress, to the courts of France and Spain. No vessels of war shall be kept up in time of peace by any state, except such number only, as shall be deemed necessary by the united states in congress assembled, for the defence of such state, or its trade; nor shall any body of forces be kept up by any state, in time of peace, except such number only, as in the judgment of the united states, in congress assembled, shall be deemed requisite to garrison the forts necessary for the defence of such state; but every state shall always keep up a well regulated and disciplined militia, sufficiently armed and accoutred, and shall provide and have constantly ready for use, in public stores, a due number of field pieces and tents, and a proper quantity of arms, ammunition and camp equipage. No state shall engage in any war without the consent of the united states in congress assembled, unless such state be actually invaded by enemies, or shall have received certain advice of a resolution being formed by some nation of Indians to invade such state, and the danger is so imminent as not to admit of a delay, till the united states in congress assembled can be consulted; nor shall any state grant commissions to any ships or vessels of war, nor letters of marque or reprisal, except it be after a declaration of war by the united states in congress assembled, and then only against the kingdom or state and the subjects thereof, against which war has been so declared, and under such regulations as shall be established by the united states in congress assembled, unless such state be infested by pirates, in which case vessels of war may be fitted out for that occasion, and kept so long as the danger shall continue, or until the united states in congress assembled shall determine otherwise.

ARTICLE VII. — When land-forces are raised by any state for the common defence, all officers of or under the rank of colonel, shall be appointed by the legislature of each state respectively by whom such forces shall be raised, or in such manner as such state shall direct, and all vacancies shall be filled up by the state which first made the appointment.

ARTICLE VIII. — All charges of war, and all other expenses that shall be incurred for the



common defence or general welfare, and allowed by the united states in congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several states, in proportion to the value of all land within each state, granted to or surveyed for any Person, as such land and the buildings and improvements thereon shall be estimated according to such mode as the united states in congress assembled, shall from time to time, direct and appoint. The taxes for paying that proportion shall be laid and levied by the authority and direction of the legislatures of the several states within the time agreed upon by the united states in congress assembled.

ARTICLE IX. — The united states in congress assembled, shall have the sole and exclusive right and power of determining on peace and war, except in the cases mentioned in the 6th article — of sending and receiving ambassadors — entering into treaties and alliances, provided that no treaty of commerce shall be made whereby the legislative power of the respective states shall be restrained from imposing such imposts and duties on foreigners, as their own people are subjected to, or from prohibiting the exportation or importation of any species of goods or commodities whatsoever — of establishing rules for deciding in all cases, what captures on land or water shall be legal, and in what manner prizes taken by land or naval forces in the service of the united states shall be divided or appropriated — of granting letters of marque and reprisal in times of peace — appointing courts for the trial of piracies and felonies committed on the high seas and establishing courts for receiving and determining finally appeals in all cases of captures, provided that no member of congress shall be appointed a judge of any of the said courts. The united states in congress assembled shall also be the last resort on appeal in all disputes and differences now subsisting or that hereafter may arise between two or more states concerning boundary, jurisdiction or any other cause whatever; which authority shall always be exercised in the manner following. Whenever the legislative or executive authority or lawful agent of any state in controversy with another shall present a petition to congress, stating the matter in question and praying for a hearing, notice thereof shall be given by order of congress to the legislative or executive authority of the other state in controversy, and a day assigned for the appearance of the parties by their lawful agents, who shall then be directed to appoint by joint consent, commissioners or judges to constitute a court for hearing and determining the matter in question: but if they cannot agree, congress shall name three persons out of each of the united states, and from the list of such persons each party shall alternately strike out one, the petitioners beginning, until the number shall be reduced to thirteen; and from that number not less than seven, nor more than nine names as congress shall direct, shall in the presence of congress be drawn out by lot, and the persons whose names shall be so drawn or any five of them, shall be commissioners or judges, to hear and finally determine the controversy, so always as a major part of the judges who shall hear the cause shall agree in the determination: and if either party shall neglect to attend at the day appointed, without showing reasons, which congress shall judge sufficient, or being present shall refuse to strike, the congress shall proceed to nominate three persons out of each state, and the secretary of congress shall strike in behalf of such party absent or refusing; and the judgment and sentence of the court to be appointed, in the manner before prescribed, shall be final and conclusive; and if any of the parties shall refuse to submit to the authority of such court, or to appear or defend their claim or cause, the court shall nevertheless proceed to pronounce sentence, or judgment, which shall in like manner be final and decisive, the judgment or sentence and other proceedings being in either case transmitted to congress, and lodged among the acts of congress for the security of the parties concerned: provided that every commissioner, before he sits in judgment, shall take an oath to be administered by one of the judges of the supreme or superior court of the state, where the cause shall be tried, "well and truly to hear and determine the matter in question, according to the best of his judgment, without favour, affection or hope of reward:" provided also that no state shall be deprived of territory for the benefit of the united states.

All controversies concerning the private right of soil claimed under different grants of two or more states, whose jurisdictions as they may respect such lands, and the states which passed such grants are adjusted, the said grants or either of them being at the same time claimed to have originated antecedent to such settlement of jurisdiction, shall on the petition of either party to the congress of the united states, be finally determined as near as may be in the same manner as is before prescribed for deciding disputes respecting territorial jurisdiction between different states.

The united states in congress assembled shall also have the sole and exclusive right and power of regulating the alloy and value of coin struck by their own authority, or by that of the respective states — fixing the standard of weights and measures throughout the United States — regulating the trade and managing all affairs with the Indians, not members of any of the states, provided that the legislative right of any state within its own limits be not infringed or violated — establishing or regulating post-offices from one state to another, throughout all the united states, and exacting such postage on the papers passing thro' the same as may be requisite to defray the expenses of the said office — appointing all officers of the land forces, in the service of the united states, excepting regimental officers — appointing all the officers of the naval forces, and commissioning all officers whatever in the service of the united states — making rules for the government and regulation of the said land and naval forces, and directing their operations.

The united states in congress assembled shall have authority to appoint a committee, to sit in the recess of congress, to be denominated "A Committee of the States," and to con-



sist of one delegate from each state; and to appoint such other committees and civil officers as may be necessary for managing the general affairs of the united states under their direction — to appoint one of their number to preside, provided that no person be allowed to serve in the office of president more than one year in any term of three years; to ascertain the necessary sums of Money to be raised for the service of the united states, and to appropriate and apply the same for defraying the public expenses — to borrow money, or emit bills on the credit of the united states, transmitting every half year to the respective states an account of the sums of money so borrowed or emitted — to build and equip a navy — to agree upon the number of land forces, and to make requisitions from each state for its quota, in proportion to the number of white inhabitants in such state; which requisition shall be binding, and thereupon the legislature of each state shall appoint the regimental officers, raise the men and cloath, arm and equip them in a soldier like manner, at the expense of the united states; and the officers and men so cloathed, armed and equipped shall march to the place appointed, and within the time agreed on by the united states in congress assembled: But if the united states in congress assembled shall, on consideration of circumstances judge proper that any state should not raise men, or should raise a smaller number than its quota, and that any other state should raise a greater number of men than the quota thereof, such extra number shall be raised, officered, cloathed, armed and equipped in the same manner as the quota of such state, unless the legislature of such state shall judge that such extra number cannot be safely spared out of the same, in which case they shall raise, officer, cloath, arm and equip as many of such extra number as they judge can be safely spared. And the officers and men so cloathed, armed and equipped, shall march to the place appointed, and within the time agreed on by the united states in congress assembled. The united states in congress assembled shall never engage in a war, nor grant letters of marque and reprisal in time of peace, nor enter into any treaties or alliances, nor coin money, nor regulate the value thereof, nor ascertain the sums and expenses necessary for the defence and welfare of the united states, or any of them, nor emit bills, nor borrow money on the credit of the united states, nor appropriate money, nor agree upon the number of vessels of war, to be built or purchased, or the number of land or sea forces to be raised, nor appoint a commander in chief of the army or navy, unless nine states assent to the same: nor shall a question on any other point, except for adjourning from day to day be determined, unless by the votes of a majority of the united states in congress assembled.

The Congress of the united states shall have power to adjourn to any time within the year, and to any place within the united states, so that no period of adjournment be for a longer duration than the space of six months, and shall publish the Journal of their proceedings monthly, except such parts thereof relating to treaties, alliances or military operations, as in their judgment require secrecy; and the yeas and nays of the delegates of each state on any question shall be entered on the Journal, when it is desired by any delegate; and the delegates of a state, or any of them, at his or their request shall be furnished with a transcript of the said Journal, except such parts as are above excepted, to lay before the legislatures of the several states.

ARTICLE X. — The committee of the states, or any nine of them, shall be authorized to execute, in the recess of congress, such of the powers of congress as the united states in congress assembled, by the consent of nine states, shall from time to time think expedient to vest them with; provided that no power be delegated to said committee, for the exercise of which, by the articles of confederation, the voice of nine states in the congress of the united states assembled is requisite.

ARTICLE XI. — Canada acceding to this confederation, and joining in the measures of the united states shall be admitted into, and entitled to all the advantages of this union; but no other colony shall be admitted into the same, unless such admission be agreed to by nine states.

ARTICLE XII. — All bills of credit emitted, monies borrowed and debts contracted by, or under the authority of congress, before the assembling of the united states, in pursuance of the present confederation, shall be deemed and considered as a charge against the united states, for payment and satisfaction whereof the said united states, and the public faith are hereby solemnly pledged.

ARTICLE XIII. — Every state shall abide by the determinations of the united states in congress assembled, on all questions which by this confederation is submitted to them. And the Articles of this confederation shall be inviolably observed by every state, and the union shall be perpetual; nor shall any alteration at any time hereafter be made in any of them; unless such alteration be agreed to in a congress of the united states, and be afterwards confirmed by the legislatures of every state.

AND WHEREAS it hath pleased the Great Governor of the World to incline the hearts of the legislatures we respectively represent in congress, to approve of, and to authorize us to ratify the said articles of confederation and perpetual union. Know Ye that we the undersigned delegates, by virtue of the power and authority to us given for that purpose, do by these presents, in the name and in behalf of our respective constituents, fully and entirely ratify and confirm each and every of the said articles of confederation and perpetual union, and all and singular the matters and things therein contained: And we do further solemnly plight and engage the faith of our respective constituents, that they shall abide by the determinations of the united states in congress assembled, on all questions, which by the said confederation are submitted to them. And that the articles thereof shall be inviolably observed by the states we respectively represent, and that the union shall be perpetual.

In witness whereof we have hereunto set our hands in Congress. Done at Philadelphia in the State of Pennsylvania the 9th Day of July in the year of our Lord, 1778, and in the 3d year of the Independence of America.

- On the part and behalf of the state of New Hampshire.  
Josiah Bartlett. John Wentworth, Jun., Aug. 8, 1778.
- On the part and behalf of the state of Massachusetts-Bay.  
John Hancock. Samuel Adams. Elbridge Gerry.  
Francis Dana. James Lovell. Samuel Holten.
- On the part and behalf of the state of Rhode-Island and Providence Plantations.  
William Ellery. Henry Marchant. John Collins.
- On the part and behalf of the state of Connecticut.  
Roger Sherman. Samuel Huntington. Oliver Wolcott.  
Titus Hosmer. Andrew Adam.
- On the part and behalf of the state of New York.  
Jas. Duane. Fras. Lewis. William Duer. Gon'r Morris.
- On the part and behalf of the state of New Jersey, Nov. 26, 1778.  
Jno. Witherspoon. Nath'l Scudder.
- On the part and behalf of the state of Pennsylvania.  
Rob't Morris. Daniel Roberdeau. Jona. Bayard Smith.  
William Clingan. Joseph Reed, 22d July, 1778.
- On the part and behalf of the state of Delaware.  
Thos. M'Kean, Feb. 12, 1779. John Dickinson, May 5, 1779. Nicholas Van Dyke.
- On the part and behalf of the state of Maryland.  
John Hanson, March 1st, 1781. Daniel Carroll, March 1st, 1781.
- On the part and behalf of the state of Virginia.  
Richard Henry Lee. John Banister. Thomas Adams.  
Jno. Harvie. Francis Lightfoot Lee.
- On the part and behalf of the state of North-Carolina.  
John Penn, July 21st, 1778. Corns. Harnett. Jno. Williams.
- On the part and behalf of the state of South-Carolina.  
Henry Laurens. William Henry Drayton. Jno. Matthews.  
Rich'd Hutson. Thos. Heyward, Jun.
- On the part and behalf of the state of Georgia.  
Jno. Walton, 24th July, 1778. Edw'd Telfair. Edw'd Langworthy.

## CONSTITUTION OF THE UNITED STATES.

### February 21, 1787. Congress of the Confederation,

"Resolved, That in the opinion of Congress, it is expedient, that on the second Monday of May next, a convention of delegates, who shall have been appointed by the several States, be held at Philadelphia, for the sole and express purpose of revising the Articles of Confederation, and reporting to Congress, and the several legislatures, such alterations and provisions therein as shall, when agreed to in Congress, and confirmed by the States, render the Federal Constitution adequate to the exigencies of the Government, and the preservation of the Union."

**May 14, 1787.** State delegates met in convention at Philadelphia, Pa., at Independence Hall, but not enough to constitute a representation of a majority of the States.

**May 25, 1787.** Congress having adjourned from day to day since May 14, a majority of the States being represented, the Constitutional Convention organized. On motion of Robert Morris, a president to be elected by ballot, his nominee, George Washington, unanimously elected. William Jackson elected secretary.



**May 29, 1787.** Edmund Randolph of Virginia presented fifteen resolutions, and Mr. C. Pinckney a draft of a federal government, which were referred to a Committee of the Whole.

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**June 15, 1787.** William Patterson of New Jersey submitted resolutions, which were referred to a Committee of the Whole.

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The Articles of the Confederation being inadequate to the wants of the country, it was laid aside, and the plan for a new Constitution inaugurated.

**Federal or New Jersey Plan.**

To continue the Articles of Confederation, and strengthen them by giving them some means by which to act, so that Congress would not be wholly dependent upon the States.

**National or Virginia Plan.**

A series of thirteen resolutions, framed according to suggestions of Madison, and contemplating an entirely new Government, composed of executive, legislative, and judicial departments; to act directly on the people, and to be supreme within certain limits.

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**June 19, 1787.** Committee of the Whole reported; did not agree to Mr. Patterson's, or the "Federal," plan, as it would not meet the necessities of the situation. Reported a series of nineteen resolutions founded upon the "National" plan.

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The Convention never afterward went into a Committee of the Whole.

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**July 23, 1787.** *Resolved*, "That the proceedings of the convention for the establishment of a national government, except what respects the supreme executive, be referred to a committee for the purpose of reporting a constitution, conformably to the proceedings aforesaid."

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**July 24, 1787.** "The committee of detail" appointed, consisting of Nathaniel Gorham, Oliver Ellsworth, James Wilson, Edmund Randolph, and John Rutledge.

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**July 26, 1787.** Convention adjourned until August 6.

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**August 6, 1787.** Convention re-convened; "the committee of detail" reported a constitution for the establishment of a national government.

September 17, 1787. The convention, after passing the following resolution, dissolved itself by an adjournment *sine die* :—

“Resolved, unanimously, That the said report, with the resolutions and letters accompanying the same, be transmitted to the several Legislatures, in order to be submitted to a convention of delegates chosen in each State by the people thereof, in conformity to the resolves of the convention, made and provided for in that case.”

## The Constitution of the United States of America.

[As adopted by the Convention, September 17, 1787.]

The following is a true copy, in text, punctuation, orthography, and letter. The peculiarity in the original is noticeable in the use of capital letters at the beginning of substantives, or nouns; also the spellings of the words *any Thing, behaviour, chuse, chusing, controul, encreased, harbour, honour, labour*, which was then the general practice in writing and printing. [The marginal notes not on the original.]

WE the People of the United States, in order to form a more perfect Union, establish Justice, insure domestic Tranquillity, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this CONSTITUTION for the United States of America.

Preamble.

THE LEGISLATIVE DEPARTMENT.

### ARTICLE I.

Legislative powers.

SECTION 1. All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

House of Representatives.

SECTION 2. The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous branch of the State Legislature.

Qualifications of Representatives.

No person shall be a Representative who shall not have attained to the Age of twenty-five Years, and been seven Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State in which he shall be chosen.

Appointment of Representatives.

Representatives and direct Taxes shall be apportioned among the several States which may be included within this Union, according to their respective Numbers, which shall be determined by adding to the whole Number of free Persons, including those bound to Service for a Term of Years, and excluding Indians not taxed, three fifths of all other Persons.

[“Other persons,” slaves. See Article XIV.]

The actual Enumeration shall be made within three Years after the first Meeting of the Congress of the United States, and within every subsequent Term of ten Years, in such Manner as they shall by Law direct. The Number of Representatives shall not exceed one for every thirty Thousand, but each State shall have at Least one Representative; and until such enumeration shall be made, the State of New Hampshire shall be entitled to chuse three, Massachusetts eight, Rhode-Island and Providence Plantations one, Connecticut five, New York six, New Jersey four, Pennsylvania eight, Delaware one, Maryland six, Virginia ten, North Carolina five, South Carolina five, and Georgia three.

Vacancies.

When vacancies happen in the Representation from any State, the Executive Authority thereof shall issue Writs of Election to fill such Vacancies.

Officers, how appointed.

The House of Representatives shall chuse their Speaker and other Officers; and shall have the sole Power of Impeachment.

Senate.

SECTION 3. The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote.

- Immediately after they shall be assembled in Consequence of the first Election, they shall be divided as equally as may be into three Classes. The Seats of the Senators of the first Class shall be vacated at the Expiration of the second Year, of the second Class at the Expiration of the fourth Year, and of the third Class at the Expiration of the sixth Year, so that one-third may be chosen every second Year; and if Vacancies happen by Resignation, or otherwise, during the Recess of the Legislature of any State, the Executive thereof may make temporary Appointments until the next Meeting of the Legislature, which shall then fill such Vacancies.
- No Person shall be a Senator who shall not have attained to the Age of thirty Years, and been nine Years a Citizen of the United States, and who shall not, when elected, be an Inhabitant of that State for which he shall be chosen.
- The Vice President of the United States shall be President of the Senate, but shall have no Vote unless they be equally divided.
- The Senate shall chuse their other Officers, and also a President pro tempore, in the Absence of the Vice President, or when he shall exercise the Office of President of the United States.
- The Senate shall have the sole Power to try all Impeachments. When sitting for that Purpose, they shall be on Oath or Affirmation. When the President of the United States is tried, the Chief Justice shall preside: And no Person shall be convicted without the Concurrence of two thirds of the Members present.
- Judgment in Cases of Impeachment shall not extend further than to removal from Office, and Disqualification to hold and enjoy any Office of honour, Trust or Profit under the United States; but the Party convicted shall nevertheless be liable and subject to Indictment, Trial, Judgment and Punishment, according to Law.
- SECTION 4. The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.
- The Congress shall assemble at least once in every Year, and such Meeting shall be on the first Monday in December, unless they shall by Law appoint a different Day.
- SECTION 5. Each House shall be the Judge of the Elections, Returns and Qualifications of its own Members, and a Majority of each shall constitute a Quorum to do Business; but a smaller Number may adjourn from day to day, and may be authorized to compel the Attendance of absent Members, in such Manner, and under such Penalties as each House may provide.
- Each House may determine the Rules of its Proceedings, punish its Members for disorderly Behaviour, and with the Concurrence of two thirds, expel a Member.
- Each House shall keep a Journal of its Proceedings, and from time to time publish the same, excepting such Parts as may in their Judgment require Secrecy; and the Yeas and Nays of the Members of either House on any question shall, at the Desire of one fifth of those Present, be entered on the Journal.
- Neither House, during the Session of Congress, shall, without the Consent of the other, adjourn for more than three days, nor to any other Place than that in which the two Houses shall be sitting.
- SECTION 6. The Senators and Representatives shall receive a Compensation for their Services, to be ascertained by Law, and paid out of the Treasury of the United States. They shall in all Cases, except Treason, Felony and Breach of the Peace, be privileged from Arrest during their Attendance at the Session of their respective Houses, and in going to and returning from the same; and for any Speech or Debate in either House, they shall not be questioned in any other Place.
- No Senator or Representative shall, during the Time for which he was elected, be appointed to any civil Office under the Authority of the United States, which shall have been created, or the Emoluments whereof shall have been increased, during such time; and no Person holding any Office under the United States, shall be a Member of either House during his Continuance in Office.
- SECTION 7. All Bills for raising Revenue shall originate in the House of Representatives; but the Senate may propose or concur with Amendments as on other Bills.
- Every Bill which shall have passed the House of Representatives and the Senate, shall, before it become a Law, be presented to the President of the United States; If he approve he shall sign it, but if not he shall return it, with his Objections to that House in which it shall have originated, who shall enter the Objections at large on their Journal, and pro-
- Classification of Senators.
- Qualifications of Senators.
- President of the Senate.
- Senate a court for trial of impeachments.
- Judgment in case of conviction.
- Elections of Senators and of Representatives.
- Meeting of Congress.
- Organization of Congress.
- Rule of proceeding.
- Journal of Congress.
- Adjournment of Congress.
- Pay and privileges of members.
- Plurality of offices prohibited.
- Revenue bills.
- How bills become laws.

How bills  
become laws.

ceed to reconsider it. If after such Reconsideration two thirds of that House shall agree to pass the Bill, it shall be sent, together with the Objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a Law. But in all such Cases the Votes of both Houses shall be determined by Yeas and Nays, and the Names of the Persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the President within ten Days (Sundays excepted) after it shall have been presented to him, the Same shall be a Law, in like Manner as if he had signed it, unless the Congress by their Adjournment prevent its Return, in which Case it shall not be a Law.

Approval and  
veto powers of  
the President.

Every Order, Resolution, or Vote to which the Concurrence of the Senate and House of Representatives may be necessary (except on a question of Adjournment) shall be presented to the President of the United States; and before the Same shall take Effect; shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and the House of Representatives, according to the Rules and Limitations prescribed in the Case of a Bill.

Powers vested  
in Congress.

SECTION 8. The Congress shall have power :

To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States ;

To borrow money on the credit of the United States ;

To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes ;

To establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States ;

To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures ;

To provide for the Punishment of counterfeiting the Securities and current Coin of the United States ;

To establish Post Offices and post Roads ;

To promote the progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries ;

To constitute Tribunals inferior to the supreme Court ;

To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations ;

To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water ;

To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years ;

To provide and maintain a Navy ;

To make Rules for the Government and Regulation of the land and naval Forces ;

To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions ;

To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the Discipline prescribed by Congress ;

To exercise exclusive Legislation in all cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, Dock-Yards, and other needful Buildings ; — And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

Immigrants,  
how admitted.

SECTION 9. The Migration or Importation of such Persons as any of the States now existing shall think proper to admit, shall not be prohibited by the Congress prior to the Year one thousand eight hundred and eight, but a Tax or Duty may be imposed on such Importation, not exceeding ten dollars for each Person.

Habeas  
Corpus.

The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the public Safety may require it.

Attainder.

No Bill of Attainder or ex post facto Law shall be passed.



Direct taxes. No Capitation, or other direct, Tax shall be laid, unless in Proportion to the Census or Enumeration hereinbefore directed to be taken.

Regulations regarding duties. No Tax or Duty shall be laid on Articles exported from any State. No Preference shall be given by any Regulation of Commerce or Revenue to the Ports of one State over those of another; nor shall Vessels bound to, or from, one State, be obliged to enter, clear, or pay Duties in another.

Moneys, how drawn. No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

Titles of nobility prohibited. No Title of Nobility shall be granted by the United States: And no Person holding any Office of Profit or Trust under them, shall, without the Consent of the Congress, accept of any present, Emolument, Office, or Title, of any kind whatever, from any King, Prince, or foreign State.

Powers of states defined. SECTION 10. No State shall enter into any Treaty, Alliance, or Confederation; grant Letters of Marque and Reprisal; coin Money; emit Bills of Credit; make any Thing but gold and silver Coin a Tender in Payment of Debts; pass any Bill of Attainder, ex post facto Law, or Law impairing the Obligation of Contracts, or grant any Title of Nobility.

No State shall, without the consent of the Congress, lay any Imposts or Duties on Imports or Exports, except what may be absolutely necessary for executing it's Inspection Laws; and the net Produce of all Duties and Imposts, laid by any State on Imports or Exports, shall be for the Use of the Treasury of the United States; and all such Laws shall be subject to the Revision and Controul of the Congress.

No State shall, without the Consent of Congress, lay any Duty of Tonnage, keep Troops, or Ships of War in time of Peace, enter into any Agreement or Compact with another State, or with a foreign Power, or engage in War, unless actually invaded, or in such imminent Danger as will not admit of Delay.

THE EXECUTIVE DEPARTMENT.

## ARTICLE II.

Executive power, in whom vested.

SECTION 1. The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected as follows

Electors.

Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator, or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.

Proceedings of electors. [This clause superseded by AMENDMENT XII.]

The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A Quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes o. the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.

Proceedings of House of Representatives.

Time of choosing Electors.

The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

Qualifications of the President.

No Person except a natural born Citizen, or a Citizen of the United States, at the time of the Adoption of this Constitution, shall be eligible to the Office of President; neither shall any Person be eligible to that Office who shall not have attained to the Age of thirty-five Years, and been fourteen Years a Resident within the United States.



In Case of the Removal of the President from Office, or of his Death, Resignation, or Inability to discharge the Powers and Duties of the said Office, the same shall devolve on the Vice President, and the Congress may by Law provide for the Case of Removal, Death, Resignation, or Inability, both of the President and Vice President, declaring what Officer shall then act as President, and such Officer shall act accordingly, until the Disability be removed, or a President shall be elected.

Resort in case of his disability.

The President shall, at stated Times, receive for his Services, a Compensation, which shall neither be encreased nor diminished during the Period for which he shall have been elected, and he shall not receive within that Period any other Emolument from the United States, or any of them.

Before he enter on the Execution of his Office, he shall take the following Oath or Affirmation :—

Salary of the President.

“ I do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my Ability, “ preserve, protect and defend the Constitution of the United States.”

Oath.

SECTION 2. The President shall be Commander in Chief of the Army and Navy of the United States, and of the Militia of the several States, when called into the actual Service of the United States; he may require the Opinion, in writing, of the principal Officer in each of the executive Departments, upon any Subject relating to the Duties of their respective Offices, and he shall have Power to grant Reprieves and Pardons for Offences against the United States, except in Cases of Impeachment.

Duties of the President.

He shall have Power, by and with the Advice and Consent of the Senate, to make Treaties, provided two thirds of the Senators present concur; and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls, Judges of the supreme Court, and all other Officers of the United States, whose Appointments are not herein otherwise provided for, and which shall be established by Law; but the Congress may by Law vest the Appointment of such inferior Officers, as they think proper, in the President alone, in the Courts of Law, or in the Heads of Departments.

May make treaties, appoint ambassadors, judges, etc.

The President shall have Power to fill up all Vacancies that may happen during the Recess of the Senate, by granting Commissions which shall expire at the End of their next Session.

May fill vacancies.

SECTION 3. He shall from time to time give to the Congress Information of the State of the Union, and recommend to their Consideration such Measures as he shall judge necessary and expedient; he may, on extraordinary Occasions, convene both Houses, or either of them, and in Case of Disagreement between them, with Respect to the Time of Adjournment, he may adjourn them to such Time as he shall think proper; he shall receive Ambassadors and other public Ministers; he shall take Care that the Laws be faithfully executed, and shall Commission all the officers of the United States.

May convene Congress.

SECTION 4. The President, Vice President and all civil Officers of the United States, shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors.

How officers may be removed.

ARTICLE III.

THE JUDICIAL DEPARTMENT.

SECTION 1. The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behavior, and shall, at stated Times, receive for their Services, a Compensation, which shall not be diminished during their Continuance in Office.

Judicial power, how invested.

SECTION 2. The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority; — to all Cases affecting Ambassadors, other public Ministers, and Consuls; — to all Cases of admiralty and maritime Jurisdiction; — to Controversies to which the United States shall be a Party; — to Controversies between two or more States; — between a State and Citizens of another State; — between Citizens of different States; — between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

To what cases it extends.

In all Cases affecting Ambassadors, other public Ministers and Consuls, and those in which a State shall be Party, the supreme Court shall have original Jurisdiction. In all the other Cases before mentioned, the supreme Court shall have appellate Jurisdiction, both as to Law and Fact, with such Exceptions, and under such Regulations as the Congress shall make,

Jurisdiction of the Supreme Court.

Rules respect-  
ing trials.

The Trial of all Crimes, except in Cases of Impeachment, shall be by Jury; and such Trial shall be held in the State where the said Crimes shall have been committed; but when not committed within any State, the Trial shall be at such Place or Places as the Congress may by Law have directed.

Treason  
defined.

SECTION 3. Treason against the United States, shall consist only in levying War against them, or in adhering to their Enemies, giving them Aid and Comfort. No Person shall be convicted of Treason unless on the Testimony of two Witnesses to the same overt Act, or on Confession in open Court.

How  
punished.

The Congress shall have Power to declare the Punishment of Treason, but no Attainder of Treason shall work Corruption of Blood, or Forfeiture except during the Life of the person attained.

#### ARTICLE IV.

Rights of  
States and  
records.

SECTION 1. Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof.

Privileges of  
citizens.

SECTION 2. The Citizens of each State shall be entitled to all Privileges and Immunities of Citizens in the several States.

Executive  
requisitions.

A Person charged in any State with Treason, Felony, or other Crime, who shall flee from Justice, and be found in another State, shall on Demand of the executive Authority of the State from which he fled, be delivered up, to be removed to the State having Jurisdiction of the Crime.

Law regulat-  
ing service or  
labor.

No Person held to Service or Labour in one State, under the Laws thereof, escaping into another, shall, in Consequence of any Law or Regulation therein, be discharged from such Service or Labour, but shall be delivered up on Claim of the Party to whom such Service or Labour may be due.

New States,  
how formed  
and admitted.

SECTION 3. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the Jurisdiction of any other State; nor any State be formed by the Junction of two or more States, or Parts of States, without the Consent of the Legislatures of the States concerned as well as of the Congress.

Power of Con-  
gress over  
public lands.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

Republican  
government  
guaranteed.

SECTION 4. The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion, and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

POWERS OF  
AMENDMENT.

#### ARTICLE V.

Constitution,  
how to be  
amended.

The Congress, whenever two thirds of both Houses shall deem it necessary shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year one thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

#### ARTICLE VI.

Validity of  
debts recog-  
nized.

All Debts contracted and Engagements entered into, before the Adoption of this Constitution, shall be as valid against the United States under this Constitution, as under the Confederation.

Supreme law  
of the land de-  
fined.

This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding.

The Senators and Representatives before mentioned, and the members of the several State Legislatures, and all executive and judicial Officers,

Oath, of whom required and for what. both of the United States and of the several States, shall be bound by Oath or Affirmation, to support this Constitution; but no religious Test shall ever be required as a Qualification to any Office or public Trust under the United States.

## ARTICLE VII.

Ratification. The Ratification of the Conventions of nine States, shall be sufficient for the Establishment of this Constitution between the States so ratifying the Same.

(For the closing paragraph and autographs of signers see page 90.)



INKSTAND USED IN SIGNING THE CONSTITUTION.

IN CONVENTION, *Monday, September 17, 1787.*

*PRESENT:* The States of *New Hampshire, Massachusetts, Connecticut, Mr. Hamilton from New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia.*

*Resolved,* That the preceding Constitution be laid before the United States in Congress assembled, and that it is the opinion of this convention that it should afterwards be submitted to a convention of delegates, chosen in each State by the people thereof, under the recommendation of its legislature, for their assent and ratification; and that each convention assenting to and ratifying the same, should give notice thereof, to the United States in Congress assembled.

*Resolved,* That it is the opinion of this convention, that as soon as the conventions of nine States shall have ratified this Constitution, the United States in Congress assembled should fix a day on which electors should be appointed by the States which shall have ratified the same, and a day on which the electors should assemble to vote for the President, and the time and place for commencing proceedings under this Constitution. That after such publication the electors should be appointed, and the Senators and Representatives elected; that the electors should meet on the day fixed for the election of the President, and should transmit their votes certified, signed, sealed and directed, as the Constitution requires, to the Secretary of the United States in congress assembled; that the Senators and Representatives should convene at the time and place assigned; that the Senators should appoint a president of the Senate, for the sole purpose of receiving, opening, and counting the votes for President; and that, after he shall be chosen, the Congress, together with the President, should without delay, proceed to execute this Constitution.

(By the unanimous order of the Convention),

GEORGE WASHINGTON, *President.*

WILLIAM JACKSON, *Secretary.*

NOTE

on Convention of the Executive Council of the State, present the President  
of the State, in the year of our Lord one thousand seven hundred and eighty  
and three, and the following are the names of the members of the  
Executive Council, who have taken the Oath of Office, and are  
now in office.

These are the names of the members

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James M. Smith

IN CONVENTION, *September 17, 1787.*

*Sir:*—We have now the honor to submit to the consideration of the United States in Congress assembled, that Constitution which has appeared to us the most advisable.

The friends of our country have long seen and desired that the power of making war, peace, and treaties, that of levying money and regulating commerce, and the correspondent executive and judicial authorities should be fully and effectually vested in the General Government of the Union; but the impropriety of delegating such extensive trust to one body of men is evident; hence results the necessity of a different organization.

It is obviously impracticable, in the Federal Government of these States, to secure all rights of independent sovereignty to each, and yet provide for the interest and safety of all. Individuals entering into society must give up a share of liberty to preserve the rest. The magnitude of the sacrifice must depend as well on situation and circumstance as on the object to be obtained. It is at all times difficult to draw with precision the line between those rights, which must be surrendered and those which may be reserved; and on the present occasion this difficulty was increased by a difference among the several States as to their situation, extent, habits and particular interests.

In all our deliberations on this subject, we kept steadily in our view that which appears to us the greatest interest to every true American, the consolidation of our Union, in which is involved our prosperity, felicity, safety, perhaps our national existence. This important consideration, seriously and deeply impressed on our minds, led each State in the convention to be less rigid on points of inferior magnitude than might have been otherwise expected; and thus the Constitution, which we now present, is the result of a spirit of amity, and of that mutual deference and concession which the peculiarity of our political situation rendered indispensable.

That it will meet the full and entire approbation of every State, is not, perhaps, to be expected; but each will doubtless consider that, had her interest been alone consulted, the consequences might have been particularly disagreeable or injurious to others; that it is liable to as few exceptions as could reasonably have been expected, we hope and believe; that it may promote the lasting welfare of that country so dear to us all, and secure her freedom and happiness, is our most ardent wish.

With great respect, we have the honor to be, sir, your excellency's most obedient and humble servants,

(By unanimous order of the Convention),

GEORGE WASHINGTON, *President.*

HIS EXCELLENCY, *The President of Congress.*

## Amendments to the Constitution.

- |  |   |
|--|---|
| Religion, free speech, redress for grievances. | ARTICLE I. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.   |
| Bearing arms.                                  | ARTICLE II. A well-regulated Militia being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.  |
| Soldiery.                                      | ARTICLE III. No Soldier shall, in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.   |
| Right of search.                               | ARTICLE IV. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.  |
| Capital and criminal arrest.                   | ARTICLE V. No person shall be held to answer for a capital, or other infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the Militia, when in actual service in time of War or public danger; nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb; nor shall be compelled in any Criminal Case, to be a witness against himself, nor be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation. |
| Right of speedy trial.                         | ARTICLE VI. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have Compulsory process for obtaining Witnesses in his favour, and to have the Assistance of Counsel for his defence.   |

- Trial by jury.** ARTICLE VII. In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury shall be otherwise re-examined in any Court of the United States, than according to the rules of the common law.
- Excessive bail.** ARTICLE VIII. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted.
- Enumeration of rights.** ARTICLE IX. The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.
- State rights.** ARTICLE X. The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.
- Judicial power.** ARTICLE XI. The Judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States, by Citizens of another State, or by Citizens or Subjects of any Foreign State.
- Electors in presidential elections.** ARTICLE XII. The Electors shall meet in their respective states, and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate;—the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted;—The person having the greatest number of votes for President, shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two thirds of the States, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in the case of the death or other constitutional disability of the President. The person having the greatest number of votes as Vice-President shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.
- Vice-President.** ARTICLE XIII. 1. Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.  
2. Congress shall have power to enforce this article by appropriate legislation.
- Eligibility to Vice-Presidency.** ARTICLE XIV. 1. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.  
2. Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, representatives in Congress, the executive and judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male members of such State, being of twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.
- Slavery forbidden.**
- Equal protection.**
- Appointment of Representatives.**

- Public official debarred.
3. No person shall be a senator or representative in Congress, or elector of President and Vice-President, or holding any office, civil or military, under the United States, or under any State, who, having previously taken an oath, as a member of Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid and comfort to the enemies thereof. But Congress may, by a vote of two thirds of each house, remove such disability.
- Public debt responsibility.
4. The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations, and claims shall be held illegal and void.
- Right of Suffrage.
5. The Congress shall have power to enforce by appropriate legislation, the provisions of this article.
- ARTICLE XV. 1. The right of the citizens of the United States to vote shall not be denied or abridged by the United States or by any State, on account of race, color, or previous condition of servitude.
2. The Congress shall have power to enforce the provisions of this article by appropriate legislation.

### Notes on the Amendments.

ARTICLES I. to X. Offered at first session of the first Congress at New York, September 25, 1789; ratified by New Jersey, November 20, 1789; Maryland, December 19, 1789; North Carolina, December 22, 1789; South Carolina, January 19, 1790; New Hampshire, January 25, 1790; Delaware, January 28, 1790; Pennsylvania, March 10, 1790; New York, March 27, 1790; Rhode Island, June 15, 1790; Vermont, November 3, 1791; Virginia, December 15, 1791.

The legislatures of Massachusetts, Connecticut, and Georgia do not, by the record, appear to have ratified.

Proclaimed to be in force December 15, 1791.

There were twelve Articles offered; the following were not ratified: —

*Article the First.* After the first enumeration required by the first Article of the Constitution, there shall be one Representative for every thirty thousand, until the number shall amount to one hundred, after which, the proportion shall be so regulated by Congress that there shall not be less than one hundred Representatives, nor less than one Representative for every forty thousand persons, until the number of Representatives shall amount to two hundred, after which the proportion shall be so regulated by Congress that there shall not be less than two hundred Representatives, nor more than one Representative for every fifty thousand persons.

*Article Second.* No law, varying the compensation for the services of the Senators and Representatives, shall take effect until an election of Representatives shall have intervened.



The State conventions, when acting on the Constitution, presented five Amendments, which constituted a Bill of Rights; the Constitutional Convention not having considered a specific bill of rights necessary, because its republican nature so provided.

Articles I. to X. are known as the Bill of Rights.

I. Declares rights under a free government and legally specifies them.

II. Teaches the people how to protect themselves.

III. Prevents despotic exercise of power, as was the course with England at the time.

IV. Secures privacy and protection, making good cause necessary.

V. This, together with VI. and VII., are additions to Amendment III.

A grand jury must find guilt before a trial can take place (when martial law exists, and in the army it is the exception, because more rapid measures demanded); self-implication prohibited; public seizure of private property permitted only upon a fair equivalent.

VI. A prisoner innocent until proved guilty, the burden of proof being with the government. Counsel and witnesses at the state's expense, if prisoner unable to pay the same.

VII. Trial by jury, even in trivial cases.

VIII. All punishments of exceptional character forbidden, bail reasonable, and usual and just punishment.

IX. Establish the rights of the people, and restrict the government to its constitutional powers.

X. Powers not included in the Constitution shall belong to the States or the people. This measure was to indicate a limit to the powers granted in the Constitution. The powers "delegated" to the United States include every *enumerated* and *implied* power.

ARTICLE XI. Proposed March 5, 1794, passed by two-thirds of both branches of Congress of sixteen States, March 5, 1794. Declared by the President, January 8, 1798, to Congress, as adopted by a majority of States.

Carried by the advocates of State sovereignty, incident to a suit brought by a citizen in the United States Court against the State of Georgia.

The Amendment renders a State privileged to repudiate its just debts, as suit cannot be brought for a recovery.

ARTICLE XII. Adopted by the House of seventeen States, May 1, 1802, by 47 to 17; rejected by the Senate, 15 to 8. At next session of Congress it was again lost. On the third trial in October, 1803, after a long debate, it passed the Senate 22 to 10, and the House 84 to 42; the Speaker, Mr. Macon, voting aye, made the necessary two-thirds of the 42 in the minority. Twenty-four votes came from New England. Ratified by



Georgia, Kentucky, Maryland, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia; rejected by Connecticut, Delaware, Massachusetts, New Hampshire.

Declared ratified constitutionally by public notice of the Secretary of State, September 25, 1804.

Incident to the long contest of the House at Jefferson's election. The provisions intended to render certain the election of a President.

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ARTICLE XIII. Passed Senate, April 8, 1864, by a vote of 38 to 6; failed in the House, vote 95 to 66, on June 15, 1864, but on reconsideration, January 31, 1865, it passed 119 to 56. Ratified by 31 out of 36 States; rejected by Delaware and Kentucky, not acted on by Texas, and conditionally ratified by Alabama and Mississippi. Proclamation by the President, December 18, 1865.

The result of the Civil War; slavery, the political basis of the Southern States, abolished, and State sovereignty defeated.

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ARTICLE XIV. Passed Senate, June 8, 1866, by 33 to 11, and the House, June 13, 1866, by 138 to 36. Ratified by 33 out of 37 States. Rejected by Delaware, Kentucky, Texas, and Maryland; Virginia also, but on October 8, 1869, subsequent to the date of proclamation of the Secretary of State, ratified the Amendment. New Jersey withdrew her consent, April, 1868, Oregon, October 15, 1868, and Ohio, January, 1868. California did not act. Ten of the Southern States at first rejected the Amendment, but the reconstruction act of March 2, 1867, declared these State governments provisional only until its ratification. They then ratified it, and it was declared in force, July 20, 1868.

*Clause 1.* Slaves became arrogant, and some States took action to suppress the negro, deprive them of their rights, and deny them legal protection.

*Clause 2.* Incident to a reign of terror and intimidation by the Southerners in order to control the negro.

*Clause 3.* Persons engaged in the Confederate service, or in rebellion, ineligible to public office unless Congress permitted.

*Clause 4.* The validity and constitutionality of the Civil War recognized by the North, declaring void Confederate States debt, and a guarantee of the national debt.

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ARTICLE XV. Proposed in Congress of thirty-seven States, February 26, 1869, passed the Senate 39 to 13, the House 144 to 44. Ratified by thirty States. Rejected by California, Delaware, Kentucky, Maryland, New Jersey (later, January 21, 1871, subsequent to proclamation of Secretary of State, she ratified the Amendment), and Oregon; not acted on by Tennessee. New York rescinded its ratification, January 5, 1870. Ohio rejected it, May 4, 1869, but later, January 27, 1870, ratified it. Declared in force, March 30, 1870.

A supplement to Article XIV., as that Amendment did not give the protection the ballot conferred.

## THE CONSTITUTION RATIFIED BY:—

Delaware, December 7, 1787, unanimously.  
 Pennsylvania, December 12, 1787, vote 46 to 23.  
 New Jersey, December 18, 1787, unanimously.  
 Georgia, January 2, 1788, unanimously.  
 Connecticut, January 9, 1788, vote 128 to 40.  
 Massachusetts, February 6, 1788, vote 187 to 168.  
 Maryland, April 28, 1788, vote 63 to 12.  
 South Carolina, May 23, 1788, vote 149 to 73.  
 New Hampshire, June 21, 1788, vote 57 to 46.  
 Virginia, June 25, 1788, vote 89 to 79.  
 New York, July 26, 1788, vote 30 to 28.  
 North Carolina, November 21, 1789, vote 193 to 75.  
 Rhode Island, May 29, 1790, vote 34 to 32.

**Saturday, September 13, 1788.** The United States in Congress assembled, resolved in the affirmative.

WHEREAS, the convention in Philadelphia, pursuant to the resolution of Congress of the 21st of February, 1787, did, on the 17th of September in the same year, report to the United States in Congress assembled a Constitution for the people of the United States; whereupon Congress, on the 28th of the same September, did resolve, unanimously, 'That the said report, with the resolutions and letter accompanying the same, be transmitted to the several legislatures, in order to be submitted to a convention of delegates, chosen in each State by the people thereof, in conformity to the resolves of the convention made and provided in that case': And whereas the Constitution so reported by the convention, and by Congress transmitted to the several legislatures, has been ratified in the manner therein declared to be sufficient for the establishment of the same, and such ratifications, duly authenticated, have been received by Congress, and are filed in the office of the Secretary: therefore

"Resolved, That the first Wednesday in January next be the day for appointing electors in the several States, which, before the said day, shall have ratified the said Constitution; that the first Wednesday in February next be the day for the electors to assemble in their respective States, and vote for a President; and that the first Wednesday in March next be the time, and the present seat of Congress (New York) the place, for commencing the proceedings under the said Constitution."

The Constitution of the United States is kept in a steel safe, protected by a combination lock, in custody of the Bureau of Rolls and Library, State Department, Washington, D.C. It is in the same case as the Declaration of Independence (page 73). There is but one copy, the final engrossment, with the signatures duly attached. It consists of four large sheets of parchment, each twenty-two by twenty-eight inches, with the words written out in the old-fashioned chirography, as shown in the extract copy (page 90). "We the people" is engrossed in very large black letters, so that they stand out in bold relief. On the last sheet are the signatures. The ink (1903) has faded a little, but not sufficient to detract from legibility or appearance. The autographs are especially clear.

When the Constitution was framed, the language of the instrument was considered with great care. Each paragraph, after having been discussed in committee and in full convention, and its purport clearly determined,

was submitted to the revision of a committee on style, and not adopted until it received the sanction of that committee. Hence it is, that there is hardly a passage in the whole Constitution the meaning of which can be doubted; the disputes about the Constitution being, almost without exception, not as to what it provides, but as to the effects of its provisions.

The delegates in convention met at the "State House," now Independence Hall, Philadelphia.

Among the Convention rules were: seven States to constitute a quorum; each State to have one vote; Convention to sit with closed doors, everything to be kept secret; nothing given the public except the completed work. The injunction of secrecy never removed.

Gouverneur Morris framed the Constitution. Its execution due to James Madison, to whom was given the title of "Father of the Constitution."

Rhode Island was the only State not represented in the Convention, nor did she ratify until measures were instituted toward treating her as a foreign power.

Washington signed first, after which followed signatures in order of States, beginning with the East.

New York bears one representative signature, "Hamilton."

The oldest "signer," Franklin, aged 81 years.

The youngest, Nicholas Gilman, 25 years of age.

Among the delegates, the following were signers of the Declaration of Independence: Gerry, Sherman, Clark, Franklin, Lewis Morris, Clymer, Wilson, Read, Walton, Wythe.

The Constitution carried the sobriquet of "The Good Ship Constitution," and "The New Roof."

By the Constitution the name of the government created as "United States of America." (See "Declaration of Independence," p. 62.)

The Congress of the Confederation expired for want of a quorum.

The word "God" does not appear in the Constitution, nor any reference to creed. In the winter of 1874 there was a religious movement toward having the word inserted, on which the House Committee of Judiciary reported adversely, on the broad ground that this question was carefully considered by the framers of the instrument; that it was rightly

decided upon with great unanimity, that our republic was to be the home of the oppressed of all nations, whether Christian or Pagan, and that in view of the mischief of a union of Church and State seen in other nations it was thought inexpedient to put anything into the Constitution or form of government which might be construed into the recognition or support of any religion, creed, or doctrine.

The "elastic clause of the Constitution" is Article I., Section 8, Clause 18. "To make all laws," etc. It was the interpretation of this clause that divided the people into the two first great political parties. (See Political Parties, "Strict Constructionists.")

### Derivatives of Congressional Terms.

*Senate*, used for the "Upper House" in Maryland, Massachusetts, New York, North Carolina, New Hampshire, South Carolina, and Virginia.

*House of Representatives*, used for the "Lower House" in Massachusetts, New Hampshire, South Carolina, Pennsylvania, and Vermont.

*Title of President*, used in Constitutions of Delaware, New Hampshire, Pennsylvania, and South Carolina instead of Governor.

*Form of Presidential Oath*, Constitution of Pennsylvania.

*Presidential power* of filling vacancies by commission, to expire at the end of the next session of the Senate, constitution of North Carolina.

*President may adjourn* the two houses when cannot agree on a time of adjournment, constitutions of Massachusetts and New Hampshire.

*President's message*, constitution of New York.

*Veto*, constitution of Massachusetts (1780).

*Impeachment*, constitutions of Delaware, Massachusetts, New Hampshire, New York, Pennsylvania, South Carolina, Virginia.

*Rotation in the Senate*, one-third every two years, constitution of Delaware.

*Money bill provision* in House of Representatives, almost word for word of constitutions of Massachusetts and New Hampshire.

The names of the thirteen States omitted, because the Constitution was to go into effect on its acceptance by nine of them, and the States by which it would be ratified could not be foreknown.

A tabulated statement of delegates, drawn from a list of John Quincy Adams's, is published in the "Journal of the Federal Convention." It covers sixty-five names, while seventy-three, it is claimed, was the correct number of delegates.

The "Journals of the Maryland Legislature" add to the Maryland

delegation: Charles Carroll of Carrollton, Thomas Stone, Thomas Sim Lee, Gabriel Duvall, Robert Harison Harrison.

On authority of the "Madison Correspondence," there are added to the Virginia delegation Richard Henry Lee and Thomas Nelson.

The "Acts of South Carolina" add Henry Laurens.

None of the above named persons accepted their appointments or acted under them.

The reason for "not being present" or "not signing" of those named in the following tabulated list, so far as known, is as follows:—

*Strong.* Absent by leave on September 17th.

*Wythe.* Under leave of absence owing to sickness of his wife.

*McClurg.* Compelled by private affairs to leave the Convention.

*Patrick Henry.* Declined to serve, as he was "filled with apprehension lest the new Constitution should destroy State sovereignty and concentrate a fearful power in the hands of the chief magistrate."

*Martin.* Withdrew.

*Davis.* Illness of family called him home.

*Pierce.* Attending a session of the Continental Congress, of which he was a member.

*Lansing.* Left the Convention, as he leaned too much toward State consideration to be a good member.

*Yates.* Left, convinced of the impracticability of establishing a general government pervading every part of the United States that would extend essential benefit to all.

Members that refused to sign the Constitution.

NAME	REPRESENTING	BIRTHPLACE	DATE	AGE <sup>1</sup>	OCCUPATION	DIED	
Gerry, Elbridge <sup>2</sup>	Mass.	Marblehead, Mass.	July 17, 1744	43	Merchant	Nov. 23, 1814	
Mason, Geo. <sup>3</sup>	Virginia	Fairfax Co., Va.	.....	1726	61	Lawyer	Oct. 7, 1792
Randolph, Edmund J. <sup>4</sup>	Virginia	Williamsburg, Va.	Aug. 10, 1753	34	Lawyer	Sept. 13, 1813	

Members who declined to serve, or did not attend.

Caswell, Richard	N. Carolina	Cecil Co., Md.	Aug. 3, 1729	58	Lawyer	Nov. 20, 1789	
Clark, Abraham	N. Jersey	Elizabeth'n., N.J.	Feb. 15, 1726	61	Politician	Sept. 15, 1794	
Dana, Francis	Mass.	Charlestown, Mass.	June 13, 1743	44	Lawyer	Apr. 25, 1811	
Henry, Patrick <sup>5</sup>	Virginia	Hanover Co., Va.	May 29, 1736	51	Lawyer	June 6, 1799	
Houstoun, Wm.	Georgia	..... England	.....	.....	.....	.....	
Jones, Willie <sup>6</sup>	N. Carolina	Raleigh	..... N.C.	.....	.....	.....	
Neilson, John	N. Jersey	Raritan Ldg., N.J.	Mar. 11, 1745	42	Merchant	Mar. 3, 1833	
Pendleton, Nathaniel	Georgia	New Kent Co., Va.	.....	1746	41	Army	Oct. 20, 1821
Plekering, John	N. Hamp.	Newington, N.H.	Sept. 22, 1737	50	Lawyer	Apr. 11, 1805	
Walton, Geo.	Georgia	Frederick Co., Va.	.....	1740	47	Lawyer	Feb. 2, 1804
West, Benjamin	N. Hamp.	Rochester, Mass.	Apr. 8, 1746	41	Lawyer	July 27, 1817	

<sup>1</sup> Age at time Constitution was signed.

<sup>2</sup> Feared a civil war.

<sup>3</sup> Sure they would set up a monarchy, some parts being dangerous.

<sup>4</sup> Objected to powers conferred on President and Senate and deficient boundaries between State and national authority.

<sup>5</sup> James McClurg, substitute for Patrick Henry.

<sup>6</sup> Hugh Williamson, substitute for Willie Jones.

## Signers of the Constitution.

NAME	REPRESENTING	BIRTHPLACE	DATE	AGE <sup>1</sup>	OCCUPATION	DIED
Baldwin, Abraham . . .	Georgia . . .	N. Guilford. Conn.	Nov. 6, 1754	33	Lawyer . . .	Mar. 4, 1807
Basset, Richard . . .	Delaware . . .	Delaware . . . Del.	1740	40	Lawyer . . .	Sept. . . 1815
Bedford, Gunning, Jr.	Delaware . . .	Philadelphia . . Pa.	1745	40	Lawyer . . .	Mar. 30, 1812
Blair, John . . . . .	Virginia . . .	Williamsburg . Va.	1732	55	Lawyer . . .	Aug. 31, 1800
Blount, Wm. . . . .	N. Carolina .	Craven Co. . . N.C.	1744	43	Politician .	Mar. 21, 1800
Brearley, David . . .	N. Jersey . . .	Trenton . . . N.J.	June 11, 1745	42	Lawyer . . .	Aug. 16, 1790
Broom, Jacob . . . .	Delaware . . .	Delaware . . .	Oct. 17, 1752	35	Lawyer . . .	Apr. 25, 1810
Butler, Pierce . . . .	S. Carolina .	Ireland . . . .	July 11, 1744	43	Army . . . .	Feb. 15, 1822
Carroll, Daniel . . . .	Maryland . .	Pr. George Co. Md.	1756	31	Farmer . . .	1829
Clymer, Geo. . . . .	Penn. . . . .	Philadelphia . . Pa.	Jan. 24, 1739	45	Merchant . .	Jan. 23, 1813
Dayton, Jonathan . .	N. Jersey . .	Elizabeth't'n . N.J.	Oct. 17, 1760	27	Army . . . .	Oct. 9, 1824
Dickinson, John . . .	Delaware . .	Delaware . . .	Nov. 13, 1732	55	Lawyer . . .	Feb. 14, 1808
Few, Wm. . . . .	Georgia . . .	Baltimore Co. Md.	June 8, 1748	39	Lawyer . . .	July 16, 1828
Fitzsimons, Thos. . .	Penn. . . . .	Ireland . . . .	1741	46	1811	Aug. 26, 1811
Franklin, Benj. . . .	Penn. . . . .	Boston . . . Mass.	Jan. 17, 1706	81	Printer . . .	Apr. 17, 1790
Gilman, Nicholas . . .	N. Hamp. . .	Exeter . . . N.H.	Aug. 3, 1755	32	Politician .	May 2, 1814
Gorham, Nathaniel . .	Mass. . . . .	Charlestown Mass.	May 27, 1738	49	Lawyer . . .	June 11, 1796
Hamilton, Alex. . . .	New York . .	Isle Nevis, Br. W. I.	Jan. 11, 1757	30	Lawyer . . .	July 12, 1804
Ingersoll, Jared. . . .	Penn. . . . .	New Haven. Conn.	1750	37	Lawyer . . .	Oct. 31, 1822
Jenifer, Daniel, of } St. Thomas. . . . . }	Maryland. . .		1733	54	Army . . . .	Nov. 6, 1790
Johnson, Wm. Sam'l. .	Conn. . . . .	Stratford . . Conn.	Oct. 7, 1727	50	Lawyer . . .	Nov. 14, 1819
King, Rufus . . . . .	Mass. . . . .	Scarborough . Me.	Mar. 24, 1755	32	Lawyer . . .	Apr. 29, 1827
Langdon, Jno . . . . .	N. Hamp. . .	Portsmouth . N.H.	June 25, 1741	46	Lawyer . . .	Sept. 18, 1819
Livingston, Wm. . . .	N. Jersey . .	Albany . . . N.Y.	Nov. 30, 1723	64	Lawyer . . .	July 25, 1790
Madison, James, Jr. . .	Virginia . . .	Port Conway . Va.	Mar. 15, 1751	36	Lawyer . . .	June 28, 1836
McHenry, James. . . .	Maryland . .	Ireland . . . .	Nov. 16, 1753	34	Physician . .	May 3, 1816
Mifflin, Thos. . . . .	Penn. . . . .	Philadelphia . . Pa.	1744	43	Politician .	Jan. 20, 1800
Morris, Gouverneur . .	Penn. . . . .	Morrisania . . N.Y.	Jan. 31, 1752	35	Lawyer . . .	Nov. 6, 1816
Morris, Robt. . . . .	Penn. . . . .	Lancashire . . Eng.	Jan. 20, 1733	54	Banker . . .	May 8, 1806
Patterson, Wm. . . . .	N. Jersey . .	Ireland . . . .	1734	53	Lawyer . . .	1806
Pinekney, Charles. . . .	S. Carolina .	Charleston . . S.C.	1758	29	Lawyer . . .	Oct. 29, 1824
Pinekney, C. C. . . . .	S. Carolina .	Charleston . . S.C.	Feb. 25, 1746	41	Lawyer . . .	Aug. 16, 1825
Read, Geo. . . . .	Delaware . .	Cecil Co. . . Md.	Sept. 17, 1733	54	Lawyer . . .	Sept. 21, 1798
Rutledge, John. . . . .	S. Carolina .	Charleston . . S.C.	1739	45	Lawyer . . .	July 23, 1800
Sherman, Roger . . . .	Conn. . . . .	Newton . . . Mass.	Apr. 19, 1721	66	Shoemaker .	July 23, 1793
Spaight, Rich'd Dobbs	N. Carolina .	Newbern . . . N.C.	Mar. 25, 1758	29	Lawyer . . .	Sept. 6, 1802
Washington, Geo. . . .	Virginia . . .	Fredericksb'g. Va.	Feb. 22, 1732	55	Army . . . .	Dec. 14, 1799
Williamson, Hugh . . .	N. Carolina .	Chester Co. . Pa.	Dec. 5, 1735	52	Physician . .	May 22, 1819
Wilson, Jas. . . . .	Penn. . . . .	St. Andrews. Scot.	Sept. 14, 1742	45	Lawyer . . .	Aug. 28, 1798

## Members not present on the last day of the Convention.

Davie, Wm. Richardson	N. Carolina .	Egremont . . Eng.	June 20, 1756	31	Lawyer . . .	Nov. 8, 1820
Ellsworth, Oliver. . . .	Conn. . . . .	Windsor . . Conn.	Apr. 29, 1745	42	Lawyer . . .	Nov. 26, 1807
Houston, W. Churchill	N. Jersey . .	Carrabus Co. . N.C.	1740	47	Teacher . . .	Aug. 12, 1788
Martin, Alexander . . .	N. Carolina .	N. Jersey . . .	1740	47	Politician .	Nov. . . 1807
McClurg, Jas. . . . .	Virginia . . .	Hampton . . Va.	1747	40	Teacher . . .	July 9, 1823
Mercer, Jno. Francis. .	Maryland . .	Stafford Co. . Va.	May 17, 1759	28	Army . . . .	Aug. 30, 1821
Pierce, Wm. . . . .	Georgia . . .	Georgia . . .	1740	47	Army . . . .	1806
Strong, Caleb. . . . .	Mass. . . . .	N. Hampton. Mass.	Jan. 9, 1745	42	Lawyer . . .	Nov. 7, 1819
Wythe, Geo. . . . .	Virginia . . .	Elizabeth Co. . Va.	1726	61	Lawyer . . .	June 8, 1806

## Members withdrew, because felt Convention guilty of exceeding its powers.

Lansing, Jno., Jr. . . . .	New York . .	Albany . . . N.Y.	Jan. 30, 1754	33	Lawyer . . .	Dec. 12, 1829
Martin, Luther. . . . .	Maryland . .	N. Brunswick. N.J.	Feb. 9, 1748	39	Lawyer . . .	July 10, 1826
Yates, Robt. . . . .	New York . .	Schenectady. N.Y.	Mar. 17, 1738	49	Lawyer . . .	Sept. 9, 1801

<sup>1</sup> Age at time Constitution was signed.

COLONIAL AND CONTINENTAL.  
Congressional Sessions.

	CON- GRESS	HELD AT	BEGAN	ENDED	NO. OF DAYS
<i>Colonial</i>	1	New York . . .	May . . . 1690	5 Colonies Represented	.....
"	2	Albany . . . . .	June 19, 1754	.....	.....
"	3	New York . . .	Oct. 7, 1765	..... Oct. 25, 1765 . . . . .	Stamp Act Con- gress 14 days
<i>Continental</i>	1	Philadelphia . .	Sept. 5, 1774	..... Oct. 26, 1774 . . . . .	.....52 "
"	2	Philadelphia . .	May 10, 1775	..... Dec. 12, 1776 . . . . .	.....582 "
"	3	Baltimore . . . .	Dec. 20, 1776	..... Mar. 4, 1777 . . . . .	.....75 "
"	4	Philadelphia . .	Mar. 4, 1777	..... Sept. 18, 1777 . . . . .	.....199 "
"	5	Lancaster, Pa. . .	Sept. 27, 1777	..... Sept. 27, 1777 . . . . .	.....1 "
"	6	York, Pa. . . . .	Sept. 30, 1777	..... June 21, 1778 . . . . .	.....272 "
"	7	Philadelphia . .	July 2, 1778	..... June 21, 1783 . . . . .	.....1816 "
"	8	Princeton, N.J. .	June 30, 1783	..... Nov. 4, 1783 . . . . .	.....127 "
"	9	Annapolis, Md. .	Nov. 26, 1783	..... June 3, 1784 . . . . .	.....189 "
"	10	Trenton, N.J. . .	Nov. 1, 1784	..... Dec. 24, 1784 . . . . .	.....54 "
"	11	New York . . . .	Jan. 11, 1785	..... Nov. 4, 1785 . . . . .	.....298 "
"	12	New York . . . .	Nov. 7, 1785	..... Nov. 3, 1786 . . . . .	.....362 "
"	13	New York . . . .	Nov. 6, 1786	..... Oct. 30, 1787 . . . . .	.....359 "
"	14	New York . . . .	Nov. 5, 1787	..... Oct. 21, 1788 . . . . .	.....353 "

Presidents of the Continental Congress.

NAME	STATE	ELECTED	BORN	DIED
Peyton Randolph . . . . .	Virginia . . . . .	Sept. 5, 1774	1723	1775
Henry Middleton . . . . .	South Carolina . . . . .	Oct. 22, 1774	.....	.....
Peyton Randolph . . . . .	Virginia . . . . .	May 10, 1775	1723	1775
Jno. Hancock . . . . .	Massachusetts . . . . .	May 24, 1775	1737	1793
Henry Laurens . . . . .	South Carolina . . . . .	Nov. 1, 1777	1724	1792
John Jay . . . . .	New York . . . . .	Dec. 10, 1778	1745	1829
Sam'l Huntington . . . . .	Connecticut . . . . .	Sept. 28, 1779	1732	1796
Thos. McKean . . . . .	Pennsylvania . . . . .	July 10, 1781	1734	1817
Jno. Hanson . . . . .	Maryland . . . . .	Nov. 5, 1781	.....	1783
Elias Boudinot . . . . .	New Jersey . . . . .	Nov. 4, 1782	1740	1821
Thos. Mifflin . . . . .	Pennsylvania . . . . .	Nov. 3, 1783	1744	1800
Richard Henry Lee . . . . .	Virginia . . . . .	Nov. 30, 1784	1732	1794
Jno. Hancock . . . . .	Massachusetts . . . . .	Nov. 23, 1785	1737	1793
Nathaniel Gorham . . . . .	Massachusetts . . . . .	June 6, 1786	1738	1796
Arthur St. Clair . . . . .	Pennsylvania . . . . .	Feb. 2, 1787	1735	1818
Cyrus Griffin . . . . .	Virginia . . . . .	Jan. 22, 1788	1748	1810

THE CONFEDERATE STATES OF AMERICA.

The first legislative move toward a Southern Confederacy was the Convention that met at Columbia, South Carolina, December 17, 1860, and (on account of epidemic), adjourned December 18 to Charleston, South Carolina, where, December 20, 1860, the following ordinance was passed : —

We, the people of the State of South Carolina, in convention assembled, do declare and ordain, and it is hereby declared and ordained, that the ordinance adopted by us in convention, on the twenty-third day of May, in the year of our Lord 1788, whereby the Constitution of the United States was ratified, and also all acts and parts of acts of the General Assembly of this State ratifying amendments of the said Constitution, are hereby repealed; and that the Union now subsisting between South Carolina and other States, under the name of the United States of America, is hereby dissolved.

**February 4, 1861.** Congress of delegates of the seceding States, called at the instance of South Carolina, convened at Montgomery, Alabama. Howell Cobb of Georgia elected Chairman (ex-Speaker of the XXXI Congress U. S. A.), J. J. Hooper of Alabama, Secretary.

South Carolina, Georgia, Florida, Alabama, Mississippi, and Louisiana represented; Texas delegates did not arrive until after the organization of the Provisional Government.

**February 8, 1861.** Provisional Constitution adopted.

"to continue one year from the inauguration of the President, or until a permanent Constitution or Confederation between the said States shall put in operation, whichever shall first occur."

This Constitution gave the name to the Confederacy as "The Confederate States of America." It had been suggested to name it "Washington Republic."

"In the beginning and throughout the contest, the object of the 'Confederates' was to maintain the separate sovereignty of each State, and right of self-government, which that necessarily carries with it. The object of the Federals, on the contrary, was to maintain a centralized sovereignty over all the States on both sides."

—Stephens's "War between the States," Vol. II., p. 426.

**February 9, 1861.** Election by the Provisional Government of the chief executive officers.

President, JEFFERSON DAVIS of Mississippi.

Vice-President, ALEXANDER H. STEPHENS of Georgia.

Mr. Stephens was a delegate to the Convention from Georgia.

Possible candidates for the presidential nomination, Robert Toombs and Howell Cobb.

**February 18, 1861.** Jefferson Davis inaugurated President at the State House, Montgomery, Alabama. Oath of office administered at the close of his inaugural address by Howell Cobb of Georgia, as President of the Congress.

### First Cabinet.

Department of State, ROBERT TOOMBS, Secretary.

Department of War, L. POPE WALKER, Secretary.

Treasury Department, C. J. MEMMINGER, Secretary.

Post Office Department, JOHN H. REAGAN, Postmaster-General.

Navy Department, STEPHEN R. MALLORY, Secretary.

Department of Justice, JUDAH P. BENJAMIN, Attorney-General.

**March 11, 1861.** Constitution for permanent government adopted unanimously by Congress at Montgomery. [See table page 104 for date of ratification by each State.]



May 24, 1861. Government removed to Richmond, Virginia.

November 6, 1861. Election of President and Vice-President, for term of six years, commencing February 22, 1862.

Jefferson Davis elected as President.

Alexander H. Stephens elected as Vice-President.

February 22, 1862. Organization under the permanent Constitution. Jefferson Davis inaugurated as President at Richmond, Virginia.

The Confederate Provisional Congress held five sessions:—

First session, Montgomery, Ala., Feb. 4, 1861, to Mar. 16, 1861.

Second session, Montgomery, Ala., Apr. 29, 1861, to May 21, 1861.

Third session, Richmond, Va., July 20, 1861, to Aug. 31, 1861.

Fourth session, Richmond, Va., Sept. 3, 1861, one day.

Fifth session, Richmond, Va., Nov. 18, 1861, to Feb. 17, 1862.

The Permanent Constitution had two Congresses.

#### FIRST CONGRESS.

First session, Feb. 22, 1862, to Apr. 22, 1862.

Second session, Aug. 12, 1862, to Oct. 13, 1862.

Third session, Jan. 12, 1863, to May 8, 1863.

Fourth session, Dec. 7, 1863, to Feb. 18, 1864.

#### SECOND CONGRESS.

First session, May 2, 1864, to June 15, 1864.

Second session, Nov. 7, 1864, to Mar. 18, 1865.

There were one hundred members of the lower house of the Provisional Congress. There was no Senate until 1862. The first Senate was complete, two Senators from each State. At its best, Congress numbered twenty-six in the Senate, and one hundred and six in the House.

At the first meeting of the Provisional Congress, the delegates from the following States numbered: South Carolina 8, Georgia 10, Alabama 9, Mississippi 7, Louisiana 5, Florida 3.

The Texas delegates, numbering 7, took seats at first session, March 2, 1861; Arkansas 5, Virginia 8, and Tennessee 9, in May, 1861; North Carolina 10, in July, 1861; Kentucky 4 and Missouri 7, in December, 1861.

Kentucky and Missouri were represented, though as States they never seceded.

The Confederate States government lasted four years, one month, and fourteen days.

CONFEDERATE STATES	ACT OF SECESSION			CONSTITUTION RATIFIED			PROVISIONAL GOVERNMENT APPOINTED
	Adopted by Legislature	Years	Nays	Date	Years	Nays	
Alabama . . . . .	Jan. 11, 1861	61	39	Mar. 13, 1861	87	6	June 21, 1865
Arkansas . . . . .	May 6, 1861	69	1	.....	.....	.....	none <sup>3</sup>
Florida . . . . .	Jan. 10, 1861	62	7	.....	.....	.....	July 13, 1865
Georgia . . . . .	Jan. 19, 1861	208	89	Mar. 16, 1861	96	5	June 17, 1865
Louisiana . . . . .	Jan. 26, 1861	113	17	Mar. 21, 1861	101	7	none <sup>3</sup>
Mississippi . . . . .	Jan. 9, 1861	84	15	Mar. 30, 1861	78	7	June 13, 1865
North Carolina . . . . .	May 21, 1861	unanimous	.....	May 21, 1861	.....	.....	May 29, 1865
South Carolina . . . . .	Dec. 20, 1860	unanimous	.....	Apr. 3, 1861	114	6	June 30, 1865
Tennessee <sup>1</sup> . . . . .	June 8, 1861	.....	.....	.....	.....	.....	none <sup>3</sup>
Texas . . . . .	Feb. 1, 1861	166	7	Mar. 23, 1861	68	2	June 17, 1865
Virginia <sup>2</sup> . . . . .	Apr. 17, 1861	88	55	Apr. 25, 1861	.....	.....	none <sup>3</sup>

Missouri, Kentucky, Maryland, and Delaware failed to pass an Ordinance of Secession, so declared themselves neutral.

CONFEDERATE STATES READMITTED TO THE UNION	DATE	NEW CONSTITUTION	
		Adopted	Ratified
Alabama . . . . .	June 25, 1868	Nov. 5, 1867	Nov. 16, 1875
Arkansas . . . . .	June 22, 1868	Jan. 7, 1868	Mar. 13, 1868
Florida . . . . .	June 25, 1868	Feb. 25, 1868	May 4, 1868
Georgia . . . . .	July 15, 1870	Dec. 8, 1867	Apr. 20, 1868
Louisiana . . . . .	June 25, 1868	Nov. 23, 1867	Aug. 17, 1867
Mississippi . . . . .	Feb. 23, 1870	Jan. 7, 1868	Dec. 1, 1868
North Carolina . . . . .	June 25, 1868	Feb. 14, 1868	July 2, 1868
South Carolina . . . . .	June 25, 1868	Jan. 14, 1868	Apr. 14, 1868
Tennessee . . . . .	July 24, 1866	Jan. 9, 1865	Feb. 22, 1865
Texas . . . . .	Mar. 30, 1870	Feb. 10, 1866	June 25, 1866
Virginia . . . . .	Jan. 26, 1870	Dec. 3, 1867	July 6, 1869

All the States represented in both houses of the United States Congress, May 23, 1872.

## CONSTITUTION OF THE CONFEDERATE STATES OF AMERICA.

We, the People of the Confederate States, each State acting in its Sovereign and Independent character, in order to form a Permanent Federal Government, establish justice, insure domestic tranquillity, and secure the blessings of liberty to ourselves and our posterity — invoking the favor and guidance of Almighty God — do ordain and establish this Constitution for the Confederate States of America.

### ARTICLE I.

SECTION I. All legislative powers herein delegated shall be vested in a Congress of the Confederate States, which shall consist of a Senate and a House of Representatives.

SECTION II. 1. The House of Representatives shall be composed of members chosen every second year by the people of the several States, and have the qualifications requisite for electors of the most numerous branch of the Legislature; but no person of foreign birth, not a citizen of the Confederate States, shall be allowed to vote for any officer, civil or political, State or Federal.

<sup>1</sup> Popular vote for separation 104,019, against 47,238.

<sup>2</sup> Popular vote for separation 128,884, against 32,134.

<sup>3</sup> Existing state governments accepted as satisfactory.

2. No person shall be a Representative who shall not have attained the age of twenty-five years, and be a citizen of the Confederate States, and who shall not, when elected, be an inhabitant of that State in which he shall be chosen.

3. Representatives and Direct Taxes shall be apportioned among the several States, which may be included within this Confederacy, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three fifths of all slaves. The actual enumeration shall be made within three years after the first meeting of the Congress of the Confederate States, and within every subsequent term of ten years, in such manner as they shall by law direct. The number of Representatives shall not exceed one for every fifty thousand, but each State shall have at least one Representative; and until such enumeration shall be made, the State of South Carolina shall be entitled to choose six, the State of Georgia ten, the State of Alabama nine, the State of Florida two, the State of Mississippi seven, the State of Louisiana six, and the State of Texas six.

4. When vacancies happen in the representation from any State, the Executive Authority thereof shall issue writs of election to fill such vacancies.

5. The House of Representatives shall choose their Speaker and other officers; and shall have the sole power of impeachment; except that any Judicial or other Federal officer, resident and acting solely within the limits of any State, may be impeached by a vote of two thirds of both branches of the Legislature thereof.

SECTION III. 1. The Senate of the Confederate States shall be composed of two Senators from each State, chosen for six years by the Legislature thereof, at the regular session next immediately preceding the commencement of the term of service; and each Senator shall have one vote.

2. Immediately after they shall be assembled, in consequence of the first election, they shall be divided as equally as may be into three classes. The seats of the Senators of the first class shall be vacated at the expiration of the second year, of the second class at the expiration of the fourth year, and of the third class at the expiration of the sixth year; so that one third may be chosen every second year, and if vacancies happen by resignation, or otherwise, during the recess of the Legislature of any State, the Executive thereof may make temporary appointments until the next meeting of the Legislature, which shall then fill such vacancies.

3. No person shall be a Senator who shall not have attained the age of thirty years, and be a citizen of the Confederate States; and who shall not when elected, be an inhabitant of the State for which he shall be chosen.

4. The Vice-President of the Confederate States shall be President of the Senate, but shall have no vote, unless they be equally divided.

5. The Senate shall choose their other officers and also a President *pro tempore* in the absence of the Vice-President, or when he shall exercise the office of President of the Confederate States.

6. The Senate shall have the sole power to try all impeachments. When sitting for that purpose, they shall be on an oath or affirmation. When the President of the Confederate States is tried, the Chief Justice shall preside; and no person shall be convicted without the concurrence of two thirds of the members present.

7. Judgment in cases of impeachment shall not extend further than to removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit, under the Confederate States, but the party convicted shall nevertheless be liable and subject to indictment, trial, judgment and punishment according to law.

SECTION IV. 1. The times, place and manner of holding elections for Senators and Representatives shall be prescribed in each State by the Legislature thereof, subject to the provisions of this Constitution; but the Congress may at any time, by law, make or alter such regulations, except as to the times and places of choosing Senators.

2. The Congress shall assemble at least once in every year; and such meeting shall be on the first Monday in December, unless they shall by law, appoint a different day.

SECTION V. 1. Each House shall be the judge of the elections, returns and qualifications of its own members, and a majority of each shall constitute a quorum to do business, but a smaller number may adjourn from day to day, and may be authorized to compel the attendance of absent members, in such manner and under such penalties as each House may provide.

2. Each House may determine the rules of its proceedings, punish its members for disorderly behavior, and with the concurrence of two thirds of the whole number, expel a member.

3. Each House shall keep a Journal of its proceedings, and from time to time publish the same, excepting such parts as may in their judgment require secrecy; and the Yeas and Nays of the members of either House, on any question, shall, at the desire of one fifth of those present, be entered on the Journal.

4. Neither House, during the session of Congress shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting.

SECTION VI. 1. The Senators and Representatives shall receive a compensation for their services, to be ascertained by law, and paid out of the treasury of the Confederate States. They shall in all cases, except treason, felony and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going

to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place.

2. No Senator or Representative shall, during the time for which he was elected, be appointed to any civil office under the authority of the Confederate States, which shall have been created, or the emoluments whereof shall have been increased during such time; and no person holding any office under the Confederate States shall be a member of either House during his continuance in office. But Congress may, by Law, grant to the principal officer in each of the Executive Departments a seat upon the floor of either House, with the privilege of discussing any measures appertaining to his Department.

SECTION VII. 1. All bills for raising the revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments, as on other bills.

2. Every bill which shall have passed both Houses, shall, before it becomes a law, be presented to the President of the Confederate States. If he approve, he shall sign it, but if not, he shall return it, with his objections, to that House in which it shall have originated, who shall enter the objections at large on their Journal, and proceed to reconsider it. If, after such reconsideration, two thirds of that House shall agree to pass the bill it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a law. But in all such cases, the votes of both Houses shall be determined by yeas and nays and the names of the persons voting for and against the bill shall be entered on the Journal of each House respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him the same shall be a law, in like manner as if he had signed it, unless the Congress, by their adjournment, prevent its return; in which case it shall not be a law. The President may approve any appropriation and disapprove any other appropriation in the same bill. In such case he shall, in signing the bill, designate the appropriations disapproved; and shall return a copy of such appropriations, with his objections, to the House in which the bill shall have originated and the same proceedings shall then be had as in case of other bills disapproved by the President.

3. Every order, resolution or vote, to which the concurrence of both Houses may be necessary (except on a question of adjournment) shall be presented to the President of the Confederate States; and before the same shall take effect, shall be approved by him, or being disapproved, shall be repassed by two thirds of both Houses, according to the rules and limitations prescribed in case of a bill.

SECTION VIII. The Congress shall have power --

1. To lay and collect taxes, duties, imposts and excises, for revenue necessary to pay the debts, provide for the common defence and carry on the Government of the Confederate States; but no bounties shall be granted from the treasury; nor shall any duties or taxes on importations from foreign nations be laid to promote or foster any branch of industry; and all duties, imposts, and excises shall be uniform throughout the Confederate States.

2. To borrow money on the credit of the Confederate States.

3. To regulate commerce with foreign nations and among the several States, and with the Indian tribes; but neither this nor any other clause contained in the Constitution, shall ever be construed to delegate the power to Congress to appropriate money for any internal improvement intended to facilitate commerce; except for the purpose of furnishing lights, beacons, and buoys, and other aid to navigation upon the coasts; and the improvement of harbors, and the removing of obstructions in river navigation, in all which cases such duties shall be laid on the navigation facilitated thereby, as may be necessary to pay the costs and expenses thereof.

4. To establish uniform laws of Naturalization and uniform laws on the subject of Bankruptcies throughout the Confederate States; but no law of Congress shall discharge any debt contracted before the passage of the same.

5. To coin money, regulate the value thereof and of foreign coin, and fix the standard of weights and measures.

6. To provide for the punishment of counterfeiting the securities and current coin of the Confederate States.

7. To establish post-offices and post-routes, but the expenses of the Post-Office Department, after the first day of March in the year of our Lord eighteen hundred and sixty-three shall be paid out of its own revenues.

8. To promote the progress of science and useful arts, by securing for limited times to authors and inventors, the exclusive right to their respective writings and discoveries.

9. To constitute Tribunals inferior to the Supreme Court.

10. To define and punish piracies and felonies committed on the high seas, and offences against the law of nations.

11. To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and on water.

12. To raise and support armies, but no appropriation of money for that use shall be for a longer term than two years.

13. To provide and maintain a navy.

14. To make rules for the government and regulation of the land and naval forces.

15. To provide for calling forth the Militia to execute the laws of the Confederate States, suppress Insurrections, and repel Invasions.

16. To provide for organizing, arming and disciplining the militia, and for governing such part of them as may be employed in the service of the Confederate States, reserving to

the States, respectively, the appointment of the officers, and the authority of training the militia according to the discipline prescribed by Congress.

17. To exercise exclusive legislation, in all cases whatsoever, over such district (not exceeding ten miles square) as may by session of one or more States and the acceptance of Congress, become the Seat of the Government of the Confederate States, and to exercise like authority over places purchased by the consent of the Legislature of the State in which the same shall be, for the erection of forts, magazines, and arsenals, dockyards and other needful buildings: and

18. To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the Confederate States, or in any Department or Office thereof.

SECTION IX. 1. The importation of negroes of the African race, from any foreign country other than the slave-holding States or Territories of the United States of America, is hereby forbidden and Congress is required to pass such laws as shall effectually prevent the same.

2. Congress shall also have power to prohibit the introduction of slaves from any State not a member of, or Territory not belonging to, this Confederacy.

3. The Privilege of the Writ of Habeas Corpus shall not be suspended, unless when in case of Rebellion or Invasion the public safety may require it.

4. No Bill of Attainder, *ex post facto* law, or law denying or impairing the right of property in negro slaves shall be passed.

5. No Capitation or other direct tax shall be laid, unless in proportion to the census or enumeration hereinbefore directed to be taken.

6. No tax or duty shall be laid on articles exported from any State, except by a vote of two thirds of both Houses.

7. No preference shall be given by any regulation of commerce or revenue to the ports of one State over those of another.

8. No money shall be drawn from the treasury but in consequence of appropriations made by law; and a regular statement and account of the receipts and expenditures of all public money shall be published from time to time.

9. Congress shall appropriate no money from the treasury except by a vote of two thirds of both Houses, taken by Yeas and Nays, unless it be asked and estimated for by some one of the Heads of Departments, and submitted to Congress by the President; or for the purpose of paying its own expenses and contingencies or for the payment of claims against the Confederate States, the justice of which shall have been judicially declared by a tribunal for the investigation of claims against the Government, which it is hereby made the duty of Congress to establish.

10. All bills appropriating money shall specify in Federal currency the exact amount of each appropriation and the purposes for which it is made, and Congress shall grant no extra compensation to any public contractor, officer, agent, or servant, after such contract shall have been made or such service rendered.

11. No title of nobility shall be granted by the Confederate States; and no person holding any office of profit or trust under them, shall without the consent of Congress, accept of any present, emolument, office or title of any kind whatever, from any King, Prince or foreign State.

12. Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press, or the right of the people peaceably to assemble and petition the Government for a redress of grievances.

13. A well-regulated militia being necessary to the security of a free State, the right of the people to keep and bear arms shall not be infringed.

14. No soldier shall in time of peace, be quartered in any house without the consent of the owner; nor in time of war, but in a manner to be prescribed by law.

15. The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

16. No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time or war or public danger, nor shall any person be subject for the same offence to be twice put in jeopardy of life or limb, nor be compelled, in any criminal case, to be a witness against himself, nor be deprived of life, liberty or property, without due process of law, nor shall private property be taken for public use, without just compensation.

17. In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation to be confronted with the witnesses against him to have Compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defence.

18. In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by Jury shall be preserved, and no fact so tried by a Jury shall be otherwise re-examined in any Court of the Confederacy, than according to the rules of common law.

19. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

20. Every law, or resolution having the force of law, shall relate to but one subject, and shall be expressed in the title.

SECTION X. 1. No State shall enter into any treaty, alliance, or Confederation; grant letters of marque or reprisal, coin money, make anything but gold and silver coin a tender in payment of debts, pass any bill of attainder, or *ex post facto* law, or law impairing the obligation of contracts, or grant any title of nobility.

2. No State shall, without the consent of the Congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws, and the net produce of all duties and imposts, laid by any State on imports or exports, shall be for the use of the treasury of the Confederate States, and all such laws shall be subject to the revision and control of Congress.

3. No State shall, without the consent of Congress, lay any duty on tonnage, except on sea-going vessels, for the improvement of its rivers and harbors navigated by the said vessels, but such duties shall not conflict with any treaties of the Confederate States with foreign nations; and any surplus revenue thus derived shall, after making such improvement, be paid into the common treasury, nor shall any State keep troops, or ships of war in time of peace, enter into any agreement or compact with another State or with a foreign power, or engage in war unless actually invaded, or in such imminent danger as will not admit of delay. But when any river divides or flows, through two or more States, they may enter into compacts with each other to improve the navigation thereof.

## ARTICLE II.

SECTION I. 1. The Executive power shall be vested in a President of the Confederate States of America. He and the Vice-President shall hold their offices for the term of six years, but the President shall not be re-eligible. The President and Vice-President shall be elected as follows:

2. Each State shall appoint, in such manner as the Legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress, but no Senator or Representative, or person holding an office of trust or profit under the Confederate States, shall be appointed an elector.

3. The Electors shall meet in their respective States and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same State with themselves, they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit, sealed, to the Seat of the Government of the Confederate States, directed to the President of the Senate, the President of the Senate shall, in the presence of the Senate and the House of Representatives, open all the certificates, and the votes shall then be counted, the person having the greatest number of votes for President shall be the President, if such number be a majority of the whole number of electors appointed and if no person have such majority, then, from the persons having the highest numbers, not exceeding three, on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by States—the representation from each State having one vote. A quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice, and if the House of Representatives shall not choose a President, whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in case of the death, or other Constitutional disability of the President.

4. The person having the greatest number of votes as Vice-President, shall be the Vice-President if such number be a majority of the whole number of electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President. A quorum for the purpose shall consist of two thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice.

5. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the Confederate States.

6. The Congress may determine the time of choosing the electors, and the day on which they shall give their votes, which day shall be the same day throughout the Confederate States.

7. No person except a natural born citizen of the Confederate States, or a citizen thereof at the time of the adoption of this Constitution or a citizen thereof, born in the United States prior to the twentieth of December, 1860, shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained the age of thirty-five years, and been fourteen years a resident within the limits of the Confederate States, as they may exist at the time of his election.

8. In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the



Vice-President; and the Congress may by law, provide for the case of removal, death, resignation, or inability, both of the President and Vice-President declaring what officer shall then act as President, and such officer shall act accordingly until the disability be removed or a President shall be elected.

9. The President shall at stated times, receive for his services a compensation, which shall neither be increased or diminished during the period for which he shall have been elected, and he shall not receive within that period any other emolument from the Confederate States or any of them.

10. Before he enters on the execution of his office, he shall take the following oath or affirmation: "I do solemnly swear (or affirm) that I will faithfully execute the office of President of the Confederate States of America and will, to the best of my ability, preserve, protect, and defend the Constitution thereof."

SECTION II. 1. The President shall be Commander-in-Chief of the Army and Navy of the Confederate States, and of the Militia of the several States, when called into actual service of the Confederate States, he may require the opinion, in writing of the principal officer in each of the Executive Departments, upon any subject relating to the duties of their respective offices and he shall have power to grant reprieves and pardons for offences against the Confederacy, except in cases of impeachment.

2. He shall have power, by and with the advice and consent of the Senate to make treaties provided two thirds of the Senators present concur, and he shall nominate, and by and with the advice and consent of the Senate shall appoint ambassadors, other public ministers and consuls, Judges of the Supreme Court, and all other officers of the Confederate States whose appointments are not herein otherwise provided for, and which shall be established by law. But the Congress may by law, vest the appointment of such inferior officers, as they think proper, in the President alone, in the Courts alone, or in the Heads of Departments.

3. The principal officer in each of the Executive Departments, and all persons connected with the diplomatic service, may be removed from office at the pleasure of the President. All other civil officers of the Executive Departments may be removed at any time by the President or other appointing power, when their services are unnecessary, or for dishonesty, incapacity, inefficiency, misconduct or neglect of duty, and when so removed, the removal shall be reported to the Senate, together with the reasons therefor.

4. The President shall have power to fill all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session, but no person rejected by the Senate, shall be reappointed to the same office during their ensuing recess.

SECTION III. 1. The President shall from time to time, give to the Congress information of the state of the Confederacy, and recommend to their consideration such measures as he shall judge necessary and expedient, he may, on extraordinary occasions, convene both Houses or either of them, and in case of disagreement between them, with respect to the time of adjournment, he may adjourn them to such time as he shall think proper, he shall receive ambassadors and other public ministers, he shall take care that the laws be faithfully executed, and shall commission all the officers of the Confederate States.

SECTION IV. 1. The President, Vice-President, and all Civil Officers of the Confederate States, shall be removed from office on impeachment for, and conviction of, treason, bribery, or other high crimes and misdemeanors.

### ARTICLE III.

SECTION I. 1. The Judicial power of the Confederate States shall be vested in one Supreme Court, and in such Inferior Courts as the Congress may, from time to time, ordain and establish. The Judges both of the Supreme and Inferior Courts shall hold their offices during good behavior and shall at stated times, receive for their services a compensation which shall not be diminished during their continuance in office.

SECTION II. 1. The Judicial power shall extend to all cases arising under this Constitution, the laws of the Confederate States, and treaties made, or which shall be made under their authority; to all cases affecting ambassadors, other public ministers and consuls, to all cases of admiralty and maritime jurisdiction, to controversies to which the Confederate States shall be a party, to controversies between two or more States, between a State and a citizen of another State where the State is plaintiff, between citizens claiming lands under grants of different States, and between a State and the citizens thereof, and foreign States, citizens or subjects, but no State shall be sued by a citizen or subject of any foreign State.

2. In all cases affecting ambassadors, other public ministers and consuls, and those in which a State shall be a party, the Supreme Court shall have original jurisdiction. In all the other cases before mentioned, the Supreme Court shall have appellate jurisdiction both as to law and fact, with such exceptions, and under such regulations as the Congress shall make.

3. The trial of all crimes, except in cases of impeachment, shall be by Jury, and such trial shall be held in the State where the said crimes shall have been committed, but when not committed within any State, the trial shall be at such place or places as the Congress may by law have directed.

SECTION III. 1. Treason against the Confederate States shall consist only in levying war against them or in adhering to their enemies, giving them aid or comfort. No person shall be convicted of treason unless on the testimony of two witnesses to the same overt act, or on confession in open court.

2. The Congress shall have the power to declare the punishment of treason, but no attainder of treason shall work corruption of blood, or forfeiture, except during the life of the person attainted.

#### ARTICLE IV.

SECTION I. 1. Full faith and credit shall be given in each State to the public acts, records, and judicial proceedings of every other State, and the Congress may, by general laws, prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.

SECTION II. 1. The citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States, and shall have the right of transit and sojourn in any State of this Confederacy, with their slaves and other property and the right of property in said slaves shall not be thereby impaired.

2. A person charged in any State with treason, felony, or other crime against the laws of such State, who shall flee from justice, and be found in another State shall, on demand of the Executive authority of the State from which he fled, be delivered up, to be removed to the State having jurisdiction of the crime.

3. No slave or other person held to service or labor in any State or Territory of the Confederate States, under the laws thereof, escaping or lawfully carried into another, shall, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such slave belongs, or to whom such service or labor may be due.

SECTION III. 1. Other States may be admitted into this Confederacy by a vote of two thirds of the whole House of Representatives and two thirds of the Senate, the Senate voting by States, but no new State shall be formed or erected within the Jurisdiction of any other State, nor any State be formed by the junction of two or more States, or parts of States, without the consent of the Legislatures of the States concerned, as well as of the Congress.

2. The Congress shall have power to dispose of and make all needful rules and regulations concerning the property of the Confederate States, including the land thereof.

3. The Confederate States may acquire new territory, and Congress shall have power to legislate and provide Governments for the inhabitants of all territory belonging to the Confederate States, lying without the limits of the several States, and may permit them, at such times, and in such manner as it may by law provide, to form States to be admitted into the Confederacy. In all such territory the Institution of Negro slavery, as it now exists in the Confederate States, shall be recognized and protected by Congress and by the Territorial Government, and the inhabitants of the several Confederate States and Territories shall have the right to take to such Territory any slaves lawfully held by them in any of the States or Territories of the Confederate States.

4. The Confederate States shall guaranty to every State that now is, or hereafter may become a member of this Confederacy, a Republican form of Government, and shall protect each of them against invasion, and on application of the Legislature (or of the Executive when the Legislature is not in session) against domestic violence.

#### ARTICLE V.

SECTION I. 1. Upon the demand of any three States, legally assembled in their several Conventions, the Congress shall summon a Convention of all the States, to take into consideration such amendments to the Constitution as the said States shall concur in suggesting at the time when the said demand is made, and should any of the proposed amendments to the Constitution be agreed on by the said Convention—voting by States—and the same be ratified by the Legislatures of two thirds of the several States, or by Conventions in two thirds thereof—as the one or the other mode of ratification may be proposed by the general Convention—they shall thenceforward form a part of this Constitution. But no State shall, without its consent, be deprived of its equal Representation in the Senate.

#### ARTICLE VI.

1. The Government established by this Constitution is the successor of the Provisional Government of the Confederate States of America, and all the laws passed by the latter shall continue in force until the same shall be repealed or modified, and all the officers appointed and qualified, or the offices abolished.

2. All debts contracted and engagements entered into before the adoption of this Constitution shall be as valid against the Confederate States under this Constitution as under the Provisional Government.

3. This Constitution, and the laws of the Confederate States made in pursuance thereof and all treaties made or which shall be made under the authority of the Confederate States shall be the supreme law of the land, and the Judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

4. The Senators and Representatives before mentioned, and the members of the several State Legislatures, and all Executive and Judicial officers, both of the Confederate States and of the several States, shall be bound by oath or affirmation to support this Constitution; but no religious test shall ever be required as a qualification to any office or public trust under the Confederate States.



5. The enumeration, in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people of the several States.

6. The powers not delegated to the Confederate States by the Constitution, nor prohibited by it to the States, are reserved to the States, respectively, or to the people thereof.

ARTICLE VII.

1. The Ratification of the Conventions of five States shall be sufficient for the Establishment of this Constitution between the States so ratifying the same.

2. When five States shall have ratified this Constitution in the manner before specified, the Congress under the Provisional Constitution shall prescribe the time for holding the election of President and Vice-President, and for the meeting of the Electoral College, and for counting the votes, and inaugurating the President. They shall also prescribe the time for holding the first election of members of Congress under this Constitution, and the time for assembling the same. Until the assembling of such Congress, the Congress under the Provisional Constitution shall continue to exercise the Legislative powers granted them not extending beyond the time limited by the Constitution of the Provisional Government.

Adopted March 11, 1861. The yeas and nays being:

In the affirmative,

*Alabama.* Walker, Smith, Curry, Hale, McRae, Shorter, and Fearn. (Chilton and Lewis being absent.)

*Florida.* Morton, Anderson, and Owens.

*Georgia.* Toombs, Howell Cobb, Bartow, Nisbet, Hill, Wright, Theo. R. R. Cobb, and Stephens. (Crawford and Kenan being absent.)

*Louisiana.* Perkins, de Clouët, Conrad, Kenner, Sparrow, and Marshall.

*Mississippi.* Harris, Brooke, Wilson, Clayton, Barry, and Harrison. (Campbell being absent.)

*South Carolina.* Rhett, Barnwell, Keitt, Chesnut, Memminger, Miles, Withers, and Boyce.

*Texas.* Reagan, Hemphill, Waul, Gregg, Oldham, and Ochiltree. (Wigfall being absent.)

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shall not appropriate money unless it be estimated for by the head of a department and submitted by the President, unless by a vote of two-thirds of both Houses, or to pay its own expenses, or claims against the Confederacy.....			1	9	Counterfeiting, Congress to provide for punishment of.....	1	8	1	8	
to assent to the formation of new States.....	4	3	4	3	Court, Supreme, its original and appellate jurisdiction.....	3	2	3	2	
					Courts, inferior to the Supreme Court may be ordained by Congress.....	1	8	1	8	
					may be ordained by Congress..	3	1	3	1	
					Crimes, persons accused of, fleeing from justice, may be demanded.....	4	2	4	2	
					how tried.....	3	2	3	2	
					Criminal prosecution, proceedings in.....	6	A	1	9	
					Debts against the Confederation to be valid.....	6	1			
					against the Provisional Government.....			6	1	
					of General Government authorized by law valid.....	A	14			
					of States in rebellion not assumed.....	A	14			

	U. S.		C. S.			U. S.		C. S.	
	Art.	Sec.	Art.	Sec.		Art.	Sec.	Art.	Sec.
Duties cannot be levied by the States	1	10	1	10	Internal Improvements, Congress shall not have power to appropriate money for			1	8
further provisions respecting	1	9	1	9	Judges shall hold their offices during good behavior	3	1	3	1
may not be laid on imports to foster any branch of industry on imports and exports imposed by States, shall enure to the treasury of the General Government			1	8	their compensation	3	1	3	1
on exports may be authorized by two-thirds vote			1	10	Judicial Power, powers of the judiciary	3	2	3	2
on exports prohibited	1	9			restrictions as to suits against a State	11	A	3	2
to be levied by Congress, and to be uniform	1	8	1	8	vested in a Supreme Court (or Superior Court) and inferior Courts	3	1	3	1
Elections of Senators and Representatives shall be prescribed by the States	1	4	1	4	Judicial Proceedings of each State are entitled to credit in all	4	1	4	1
of participators in rebellions	A	14			Judiciary, tribunals inferior to the Supreme Court may be erected	1	8	1	8
qualifications and returns of members of Congress to be determined by each House	1	5	1	5	Jury trial secured, and shall be held in the State where the crime shall have been committed	3	2	3	2
Electors of President and Vice-President, how chosen and their duties	2	1	2	1	further regulated	6	A	1	9
altered (see 12th amend.) to vote the same day throughout the United (or Confederate) States	2	1	2	1	secured in suits at common law where the value in controversy shall exceed twenty dollars	7	A	1	9
no Senator or Representative or public officer shall serve as	2	1	2	1	Law, common, recognized and established	7	A	1	9
Enumeration every ten years	1	2	1	2	equal protection of, to every citizen	A	14		
first within three years				1	every, shall relate to but one subject, which its title shall express			1	9
Executive power vested in a President. (See President.)	2	1	2	1	President to see faithfully executed	2	3	2	3
Exports, may be taxed by two-thirds vote			1	9	Provisional Government (of the) to be valid			6	1
not to be taxed	1	9			what is declared the Supreme	6	1	6	1
<i>Ex post facto</i> law, not to be passed	1	9	1	9	Legislative Powers vested in Congress. (See Congress.)				
prohibited to States	1	10	1	10	Loans, authority to make	1	8	1	8
Fines, excessive prohibited	8	A	1	9	Marque and reprisal, letters of	1	8	1	8
Fugitives from justice to be delivered up	4	2	4	2	Measures and weights, standard of	1	8	1	8
from service, to be delivered up	4	2	4	2	Militia, their right to keep and bear arms secured	2	A	1	9
<i>Habeas corpus</i> , writ of, can only be suspended in cases of rebellion or invasion	1	9	1	9	to be called out	1	8	1	8
House of Representatives. (See Representatives.)					to be commanded by the President	2	2	2	2
Heads of Executive Departments may be allowed to have seats in either House for certain purposes			1	6	to be officered by the States	1	8	1	8
Impeachment, all civil officers liable to	2	4	2	4	Money, Congress to coin and regulate value of	1	8	1	8
any judicial or other federal officers resident and acting solely in any State, liable to, by two-thirds vote of legislature thereof			1	2	shall be drawn from the treasury only by appropriation laws	1	9	1	9
judgment on	1	3	1	3	States cannot coin	1	10	1	10
to be tried by the Senate	1	3	1	3	Naturalization, uniform rules of	1	8	1	8
to be brought by the House of Representatives	1	2	1	2	Navy, Congress to provide and govern	1	8	1	8
Importation of slaves, not prohibited till 1808	1	9			Nobility, titles of, not to be granted by the United (or Confederate) States	1	9	1	9
prohibited			1	9	nor by the States	1	10	1	10
					Oath of the President	2	1	2	1
					of the public officers	6	1	6	1
					Officers, civil, may be removed or impeached	2	4	2	4

	U. S.		C. S.			U. S.		C. S.	
	Art.	Sec.	Art.	Sec.		Art.	Sec.	Art.	Sec.
<i>Officers (continued)</i>					<i>President (continued)</i>				
civil or military when non-eligible	A	14			shall give information to Congress and recommend measures	2	3	2	3
of the House of Representatives to be chosen by the House	1	2	1	2	shall receive ambassadors and public ministers	2	3	2	3
of the Senate to be chosen by the Senate	1	3	1	3	shall take an oath of office	2	1	2	1
Order of one House requiring the concurrence of the other	1	7	1	7	shall take care that the laws are faithfully executed	2	3	2	3
Pardons, President may grant	2	2	2	2	who shall act in case of vacancy	2	1	2	1
Patents to be granted to inventors	1	8	1	8	Privileges and immunities of members of Congress	1	6	1	6
Persons escaping from one State into another shall be delivered up	4	2	4	2	of citizens. (See Citizens and Rights.)				
escaping or lawfully carried from one State to another			4	2	Property, Congress shall pass no law impairing or deny the right of, in slaves			4	2
held to service of labor, their importation or migration into the United States may be prohibited after 1808	1	9			Congress to provide for care of public	4	3	4	3
born in or naturalized in the United States are citizens	A	14			shall not be taken for public use without compensation	A	5	1	9
Piracy, Congress to prescribe punishment, for	1	8	1	8	States not to deprive persons of	A	14		
Post-offices and post roads (and routes), establishing of	1	8	1	8	Punishment, cruel and unusual, prohibited	A	8	1	9
Post-office Department to be self-sustaining after March 1, 1863			1	8	Quartered, no soldiers to be quartered upon a citizen	A	3	1	9
Powers, legislative (see Congress), executive (see President), judicial (see Judiciary)					Quorum for business, what shall be a	1	5	1	5
not delegated to Congress, nor prohibited in the States are reserved	A	10	6	1	of States in choosing a President by the House of Representatives	2	1	2	1
Presents from foreign powers to public officers prohibited	1	9	1	9	Rebellion debts of States in, not paid by the general government	A	14		
Press, freedom of, secured	A	1	1	9	participants not eligible to public office	A	14		
President commander of army, navy, and militia	2	2	2	2	how disqualification removed	A	14		
compensation of	2	1	2	1	Receipts and expenditures, accounts to be published	1	9	1	9
how elected	2	1	2	1	Records, how to be authenticated	4	1	4	1
how elected	A	12	2	1	Religion, no law to be made, free exercise of	A	1	1	9
may adjourn both Houses or either, in case of disagreement	2	3	2	3	religious test not required	6	1	6	1
may appoint to office with consent of the Senate	2	2	2	2	Removal of certain civil officers to be reported by the President to the Senate with reasons therefor			2	2
may be removed by impeachment	2	4	2	4	Reprieves granted by the President	2	2	2	2
may convene both Houses or either House	2	3	2	3	Representation of a State, vacancies in, supplied until a new election by executive authority	1	2	1	2
may make treaties with consent of the Senate	2	2	2	2	basis of, how proportioned	A	14		
reprieve and pardon	2	2	2	2	Representatives and direct taxes apportioned according to numbers (also see Amendment 14)	1	2	1	2
may require the written opinions of heads of departments	2	2	2	2	election of, how prescribed	1	4	1	4
not re-eligible			2	1	shall not be appointed to office	1	6	1	6
of the United States and of the Confederate States vested with executive power	2	1	2	1	shall not be electors of President	2	1	2	1
qualifications for	2	1	2	1	shall not be questioned for speech or debate in the House	1	6	1	6
shall be chosen for four years	2	1			Representatives, House of, any number may adjourn and compel the attendance of absentees	1	5	1	5
shall be chosen for six years			2	1	apportionment of	1	2	1	2
shall commission all officers	2	3	2	3					
shall fill vacancies happening during the recess of the Senate	2	2	2	2					

	U. S.		C. S.			U. S.		C. S.	
	Art.	Sec.	Art.	Sec.		Art.	Sec.	Art.	Sec.
<b>Representatives (continued)</b>					<b>Rights (continued)</b>				
apportionment of.....	A	14			of the citizen, irrespective of race, color, or previous servitude..	A	15		
compensation to be ascertained by law.....	1	6	1	6	private property not be taken for public use.....	A	5	1	9
may determine rules of procedure.....	1	5	1	5	to assemble and petition.....	A	1	1	9
may punish or expel a member.....	1	5	1	5	to be exempt from the quartering of soldiers.....	A	3	1	9
members of, chosen every second year.....	1	2	1	2	to be free from answering for a crime, unless on presentment or indictment by a jury.....	A	5	1	9
one-fifth may require the yeas and nays.....	1	5	1	5	to be secure from unreasonable searches and seizures.....	A	4	1	9
privileged from arrest, except in certain cases.....	1	6	1	6	to keep and bear arms.....	A	2	1	9
qualifications of members of... quorum of, what number shall be shall be the judge of the election and qualifications of its members.....	1	2	1	2	Rules, each House determines its own.....	1	5	1	5
shall choose their officers.....	1	5	1	5	Searches and seizures, security against.....	A	4	1	9
shall have the power of impeachment.....	1	2	1	2	Seat of government, exclusive legislation.....	1	8	1	8
shall keep a journal and publish, except parts requiring secrecy.....	1	5	1	5	Senate, any number may adjourn and compel attendance of absentee.....	1	5	1	5
shall not adjourn for more than three days nor to any other place without the consent of the Senate.....	1	5	1	5	compensation to be ascertained by law.....	1	6	1	6
shall originate bills for raising revenue.....	1	7	1	7	composed of two Senators from each State.....	1	3	1	3
speaker of, how chosen.....	1	2	1	2	effect of their judgment on impeachment.....	1	3	1	3
vacancies, how supplied.....	1	2	1	2	how chosen, classed, and terms of service.....	1	3	1	3
what shall be a quorum.....	1	5	1	5	may determine its rules.....	1	5	1	5
<b>Resolution, order or vote, requiring the concurrence of both Houses to undergo the formalities of bills.....</b>	1	7	1	7	may propose amendments to bills for raising revenue... may punish or expel a member members not to be questioned for words spoken in debate... members of, privileged from arrest.....	1	7	1	7
<b>Revenue bills to originate in the House of Representatives...</b>	1	7	1	7	members of, shall not be appointed to office.....	1	6	1	6
<b>Rights, enumeration of certain rights not to operate against reserved rights.....</b>	A	9	6	1	one-fifth may require the yeas and nays.....	1	5	1	5
excessive bail shall not be required, nor excessive fines imposed, nor cruel or unusual punishment inflicted.....	A	8	1	9	President of, to be the Vice-President of the United States.....	1	3	1	3
freedom of speech and of the press.....	A	1	1	9	qualifications of its members... quorum of the (what number) shall be the judge of the elections and qualifications of its members.....	1	3	1	3
in civil cases trial to be by jury and shall only be reexamined according to common law...	A	7	1	9	shall choose their officers..... shall keep a journal, and publish the same, except parts requiring secrecy.....	1	5	1	5
in criminal prosecutions shall have speedy trial by jury, with all the means necessary for his defence.....	A	6	1	9	shall not adjourn for more than three days, nor to any other place, without the consent of the other House.....	1	7	1	5
of liberty of conscience in matter of religion.....	A	1	1	9	shall try impeachments.....	1	2	1	3
not to be compelled to be a witness against himself.....	A	5	1	9	Senator shall not be an elector...	2	1	2	1
not to be deprived of life, liberty, or property without due process of law.....	A	5	1	9	Senators, election of, how prescribed.....	1	4	1	4
not to be twice jeopardized for the same offence.....	A	5	1	9	Slaves, introduction of, from any State not a member of the Confederacy may be prohibited by Congress.....	..	..	1	9
of the citizen declared to be privileges of the citizens of the several States.....	4	2	4	2					

	U. S.		C. S.			U. S.		C. S.	
	Art.	Sec.	Art.	Sec.		Art.	Sec.	Art.	Sec.
Slaves ( <i>continued</i> )					States ( <i>continued</i> )				
right of transit, and sojourn with, in any State guaranteed	..	..	4	2	to vote on account of race, color, or previous servitude..	A	15		
their importation may be prohibited after 1808.....	1	9			passing bills of attainder, <i>ex post facto</i> laws or laws impairing contracts.....	1	10	1	10
their importation prohibited, no law to be passed usurping right of property in.....	..	..	1	9	Supreme Court. (See Court, also Judiciary.)				
their prior servitude no bar to full citizenship.....	A	15			Suits at Common Law, proceedings in.....	A	7	1	9
Soldiers not to be quartered on citizens.....	A	3	1	9	Tax, direct, according to representation.....	1	2	1	2
Speaker of House of Representatives, how chosen.....	1	2	1	2	except by vote of two-thirds of both Houses.....	..	..	1	9
Speech, freedom of.....	A	1	1	9	on exports prohibited.....	1	9		
State, every, guaranteed a Republican form of government, protected by the United (or Confederate) States.....	4	4	4	4	shall be laid only in proportion to census.....	1	9	1	9
State judges bound to consider treaties, the Constitution, and the laws under it, as supreme	6	1	6	1	Tender, what shall be legal.....	1	10	1	10
States, new, may be admitted into the Union (or Confederacy)... may be admitted upon two-thirds vote of both Houses, the Senate voting by States... may be formed within the jurisdiction of others, or by the junction of two or more, with the consent of Congress and the Legislatures of the States concerned.....	4	3	4	3	Territory, or public property, Congress may make rules concerning.....	4	3		
prohibited from coining money depriving any person of life, liberty, or property without due process of law.....	A	14			Test, religious, shall not be required.....	6	1	6	1
emitting bills of credit.....	1	10	1	10	Title from foreign State prohibited	1	9	1	9
engaging in war.....	1	10	1	10	Titles. (See Nobility.)				
entering into any agreement or compact with another State or Foreign Power.....	1	10	1	10	Treason, defined.....	3	3	3	3
entering into treaty, alliance, or confederation.....	1	10	1	10	punishment of, may be prescribed by Congress.....	3	3	3	3
from paying debt or obligation incurred in aid of rebellion against the United States... A 14					two witnesses or confession necessary for conviction....	3	3	3	3
granting letters of marque.....	1	10	1	10	Treasury, money drawn from, only by appropriation.....	1	9	1	9
granting titles of nobility.....	1	10	1	10	Treaties, how made.....	2	2	2	2
keeping troops or ships of war in time of peace.....	1	10	1	10	the supreme law.....	6	1	6	1
laying duties on imports and exports.....	1	10	1	10	States cannot make.....	1	10	1	10
laying duties on tonnage.....	1	10	1	10	Vacancies happening during recess may be filled temporarily by the President.....	2	2	2	2
making anything a tender but gold and silver.....	1	10	1	10	in representation in Congress, how filled.....	1	2	1	2
making or enforcing a law abridging privileges of citizens.....	A	14			Veto of the President, effect of proceedings on.....	1	7	1	7
making or entering into a compact for improvement of certain rivers.....	..	..	1	10	Vice-Presidents, how elected... how elected (Amendment)....	2	1	2	1
may lay tonnage duty on seagoing vessels for the improvement of rivers, etc.....	..	..	1	10	may be removed by impeachment.....	2	4	2	4
removing the rights of citizens					shall in certain cases discharge the duties of President.....	2	1	2	1
					to be President of the Senate... A 12	1	3	1	3
					Vote of a citizen not to be denied or abridged on account of race, color, or previous servitude.....	A	15		
					of one House requiring the concurrence of the other.....	1	7	1	7
					War, Congress to declare.....	1	8	7	8
					Warrants for searches and seizures, when and how they shall issue.....	A	4	1	9
					Weights and Measures, standard of.....	1	8	1	8
					Witness in criminal case, no one compelled to be against himself.....	A	5	1	9
					Yeas and Nays entered on journal and published.....	1	5	1	5

## WASHINGTON'S FAREWELL ADDRESS

TO THE PEOPLE OF THE UNITED STATES.

An exact transfer to print of the autograph copy. The interlineations, erasures, alterations, and substitutions of words or sentences are indicated by numbered foot-notes.

## FRIENDS, AND FELLOW-CITIZENS :

The period for a new election of a Citizen, to administer the Executive Government of the United States, being not far distant, and the time actually arrived, when your thoughts must be employed in designating the person, who is to be clothed with that important trust,<sup>1</sup> It appears to me proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those, out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured, that this resolution has not been taken, without a strict regard to all the considerations appertaining to the relation, which binds a dutiful citizen to his country — and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest, no deficiency of grateful respect for your past kindness; but <sup>2</sup> am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in, the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference of what appeared to be your desire. — I constantly hoped, that it would have been much earlier in my power, consistently with motives, which I was not at liberty to disregard, to return to that retirement, from which I had been reluctantly drawn. — The strength of my inclination to do this, previous to the last election, had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign Nations, and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea. —

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and <sup>3</sup> am persuaded whatever partiality <sup>4</sup> may be retained for my services, <sup>5</sup> that in the present circumstances of our country <sup>6</sup> you will not disapprove my determination to retire.

The impressions, <sup>7</sup> with which, I first <sup>8</sup> undertook the arduous trust, were explained on the proper occasion. — In the discharge of this trust, I will only say, that I have, with good intentions, contributed <sup>9</sup> towards the organization and administration of the government, the best exertions of which a very fallible judgment was capable. — Not unconscious, in the outset, of the inferiority of my qualifications, experience in my own eyes, <sup>10</sup> perhaps still more in the eyes of others, has <sup>11</sup> strengthened the motives to diffidence of myself; and, every day, the increasing weight of years admonishes me more and more, that the shade of retirement is as necessary to me as it will be welcome. — Satisfied that, if any circumstances have given peculiar value to my services, they were temporary, I have the consolation to believe, that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.<sup>12</sup>

In looking forward to the moment, which is <sup>13</sup> intended to terminate the career of my public life, my feelings do not permit me to suspend the deep acknowledgment <sup>14</sup> of that debt of gratitude which I owe to my beloved country, — for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed — of manifesting my inviolable attachment, by services faithful and persevering, though <sup>15</sup> in usefulness unequal to my zeal. — If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that, <sup>16</sup> under circumstances in which the Passions,

<sup>1</sup> erased "for another term."<sup>2</sup> substitute "am supported by" for "act under."<sup>3</sup> sub. "am persuaded" for "that."<sup>4</sup> sub. "may be retained" for "any portion of you may yet retain."<sup>5</sup> sub. "that" for "even they."<sup>6</sup> interlined "you."<sup>7</sup> sub. "with" for "under."<sup>8</sup> sub. "undertook" for "accepted."<sup>9</sup> sub. "towards" for "to."<sup>10</sup> int. "perhaps."<sup>11</sup> sub. "strengthened" for "not lessened."

<sup>12</sup> era. "May I also have that of knowing in my retreat, that the involuntary errors I have probably committed, have been the sources of no serious or lasting mischief to our country. I may then expect to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow-citizens the benign influence of good laws under a free government; the ever favorite object of my heart, and the happy reward, I trust, of our mutual cares, dangers and labours."

(In the margin, opposite the above paragraph, the following note in Washington's handwriting, also erased, "obliterated to avoid the imputation of affected modesty.")

<sup>13</sup> int. "intended."<sup>14</sup> sub. "of" for "demanded by."<sup>15</sup> sub. "in usefulness unequal" for "unequal in usefulness."<sup>16</sup> era. "the constancy of your support."



agitated in every direction, were liable to <sup>1</sup> mislead, amidst appearances sometimes dubious, — vicissitudes of fortune often discouraging, — in situations in which not unfrequently want of success has countenanced the spirit of criticism <sup>2</sup> the constancy of your support was the essential prop of the efforts and <sup>3</sup> a guarantee of the plans by which they were effected. — Profoundly penetrated with this idea, I shall carry it with me to the grave, as a strong incitement to unceasing vows <sup>4</sup> that Heaven may continue to you the choicest tokens of its beneficence — that your union and brotherly affection may be perpetual — that the free constitution, which is the work of your hands, may be sacredly maintained — that its administration in every department may be stamped with wisdom and virtue — that, in fine, the happiness of the people of these States, under the auspices of liberty, may be made complete, by so careful a preservation and so prudent a use of this blessing as will acquire to them the glory <sup>5</sup> of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. — But a solicitude for your welfare, which cannot end but with my life, and the apprehension of danger, natural to that solicitude, <sup>6</sup> urge me on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments; which are the result of much reflection, of no inconsiderable <sup>7</sup> observation, and which appear to me all important to the permanency of your felicity as a People. — These will be offered to you with the more freedom as you can only see in them, the disinterested warnings of a parting friend, who can <sup>8</sup> possibly have no personal motive to bias his counsels. — <sup>9</sup> Nor can I forget, as an encouragement to it your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment. —

The Unity of Government which constitutes you one people, is also now dear to you. — It is justly so; — for it is a main Pillar in the Edifice of your real independence; <sup>10</sup> the support of your tranquillity at home; your peace abroad; of your safety; <sup>11</sup> of your prosperity; <sup>12</sup> of that very Liberty which you so highly prize. — But as it is easy to foresee, that from <sup>13</sup> different causes, and from different quarters, much pains will be taken, many artifices employ to weaken in your minds the conviction of this truth; — as this is the point in your <sup>14</sup> political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed, it is of infinite moment, that you should properly estimate the immense value of your national Union to your collective and individual happiness; — that you should cherish <sup>15</sup> a cordial, habitual, and immovable attachment <sup>16</sup> to it, accustoming yourselves to think and speak of it as of the Palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can in any event be abandoned, and indignantly frowning upon the first dawning of every attempt to alienate any portion of our Country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. — Citizens <sup>17</sup> by birth or choice of a common country, that country has a right to concentrate your affections. — The name of AMERICAN, which belongs to you, in your National capacity, must always exalt the just pride of Patriotism, more than any appellation <sup>18</sup> derived from local discriminations. — With slight shades of difference, you have the same Religion, Manners, Habits, and political Principles. — You have in a common cause fought and triumphed together. — The Independence and Liberty you possess are the work of joint councils, and joint efforts — of common dangers, sufferings and successes. —

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your Interest. —

<sup>1</sup> sub. "mislead" for "wander and fluctuate."

<sup>2</sup> int. "the constancy of your support."

<sup>3</sup> sub. "a" for "the."

<sup>4</sup> era. "the only return I can henceforth make."

<sup>5</sup> era. "or satisfaction."

<sup>6</sup> sub. "urge me on an occasion like the present, to offer" for "encouraged by the remembrance of your indulgent reception of my sentiments on an occasion not dissimilar to the present, urge me to offer."

<sup>7</sup> era. "and experience."

<sup>8</sup> int. "possibly."

<sup>9</sup> int. "Nor can I forget, as an encouragement to it your indulgent reception of my sentiments on a former and not dissimilar occasion."

<sup>10</sup> int. "the support."

<sup>11</sup> era. "in every relation."

<sup>12</sup> era. "in every shape."

<sup>13</sup> sub. "different" for "various."

<sup>14</sup> int. "political."

<sup>15</sup> era. "towards it."

<sup>16</sup> sub. the balance of paragraph as it reads, for "that you should accustom yourselves to reverence it as the Palladium of your political safety and prosperity, adapting constantly your words and actions to that momentous idea; that you should watch for its preservation with jealous anxiety, discountenance whatever may suggest a suspicion that it can in any event be abandoned; and frown upon the first dawning of every attempt to alienate any portion of our Country from the rest, or to enfeeble the sacred ties which now link together the several parts."

<sup>17</sup> sub. "by birth or choice of a common country," for "of a common country by birth or choice,"

<sup>18</sup> era. "to be."



Here every portion of our country finds the most commanding motives for carefully guarding and preserving the Union of the whole.

The *North* in an <sup>1</sup> unrestrained intercourse with the *South*, protected by the equal Laws of a common government, finds in the productions of the latter <sup>2</sup> great additional resources of maritime and commercial enterprise — and precious materials of manufacturing industry. — The *South* in the same intercourse, benefiting by the agency of the *North*, sees its agriculture grow and its commerce expand. Turning partly into its own channels the sea-men of the *North*, it finds its particular navigation enlivened; — and, while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength to which itself is unequally adapted. — The *East*, in a like intercourse with the *West*, already finds, and in the progressive improvement of interior communications, by land and water, will more and more find, a valuable vent for the commodities which it brings from abroad, or manufactures at home. — The *West* derives from the *East* supplies requisite to its growth and comfort, — and what is perhaps of still greater consequence, it must, of necessity, owe the *secure* enjoyment of indispensable *outlets* for its own productions to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest, as *one Nation*. — <sup>3</sup> Any other tenure by which the *West* can hold this essential advantage, <sup>4</sup> whether derived from its own separate strength, or from an apostate and unnatural connection with any foreign Power, must be intrinsically precarious.<sup>5</sup>

<sup>6</sup> While <sup>7</sup> then every part of our Country thus <sup>8</sup> feels an immediate and particular interest in Union, all the parts <sup>9</sup> combined cannot fail to find in the united mass of means and efforts <sup>10</sup> greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their Peace by foreign Nations; and, <sup>11</sup> what is of inestimable value! they must derive from Union an exemption from those broils and wars between themselves, which <sup>12</sup> so frequently alliet neighbouring countries, not tied together by the same government; which their own rivalships alone would be sufficient to produce; but which opposite foreign alliances, attachments and intrigues would stimulate and embitter. — Hence likewise they will avoid the necessity of those overgrown Military establishments, which, under any form of government are inauspicious to liberty, and which <sup>13</sup> are to be regarded as particularly hostile to Republican Liberty: in this sense it is, that your Union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to <sup>14</sup> every reflecting and virtuous mind, — <sup>15</sup> and exhibit the continuance of the UNION as a primary object of Patriotic desire. — Is there a doubt, whether a common government can embrace so large a sphere? — Let experience solve it. — To listen to mere speculation in such a case were criminal. <sup>16</sup> We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. 'Tis well worth a fair and full experiment.<sup>17</sup> With such powerful and obvious motives to Union, <sup>18</sup> affecting all parts of our country <sup>19</sup> while experience shall not have demonstrated its impracticability, there will always be <sup>20</sup> reason to distrust the patriotism of those, who in any quarter may endeavor to weaken its bands.<sup>21</sup>

<sup>1</sup> sub. "unrestrained" for "unfettered."

<sup>2</sup> era. "many of the peculiar."

<sup>3</sup> sub. "Any other" for "The."

<sup>4</sup> sub. "whether derived" for "either."

<sup>5</sup> era. "liable every moment to be disturbed by the fluctuating combinations of the primary interests of Europe, which must be expected to regulate the conduct of the Nations of which it is composed."

<sup>6</sup> era. "And."

<sup>7</sup> int. "then."

<sup>8</sup> sub. "feels" for "finds."

<sup>9</sup> sub. "combined cannot fail to find" for "of it."

<sup>10</sup> era. "cannot fail to find."

<sup>11</sup> sub. "what is" for "which is an advantage."

<sup>12</sup> sub. "so frequently" for "inevitably."

<sup>13</sup> sub. "are to be regarded" for "there is reason to regard."

<sup>14</sup> sub. "every" for "any."

<sup>15</sup> sub. "and" for "they."

<sup>16</sup> sub. "We are authorized" for "'Tis natural."

<sup>17</sup> era. "It may not impossibly be found, that the spirit of party, the machinations of foreign powers, the corruption and ambition of individual citizens are more formidable adversaries to the Unity of our Empire than any inherent difficulties in the scheme. Against these mounds of national opinion, national sympathy and national jealousy ought to be raised."

<sup>18</sup> sub. "affecting" for "as."

<sup>19</sup> era. "have."

<sup>20</sup> sub. "reason" for "cause in the fact itself."

<sup>21</sup> era. "Besides the more serious causes already united as threatening our Union, there is one less dangerous, but sufficiently dangerous to make it prudent to be upon our guard against it. I allude to the petulance of party differences of opinion. It is not uncommon to hear the irritations which these excite vent themselves in declarations that the different parts of the United States are ill affected to each other, in menaces that the Union will be dissolved by this or that measure. Intimations like these are as indiscreet as they are intemperate. Though frequently made with levity and without any really evil intention, they have a tendency to produce the consequence which they indicate. They teach the minds of men to consider the Union as precarious; — as an object to which they ought not to attach their hopes and fortunes: — And thus chill the sentiment in its favour. By

In contemplating the causes which may disturb our Union, it occurs as matter of serious concern, that <sup>1</sup>any ground should have been furnished for characterizing parties by *Geographical* discriminations — *Northern* and *Southern* — *Atlantic* and *Western*; <sup>2</sup>whence designing men may endeavour to excite a belief that there is a real difference of local interests and views. One of the expedients of Party to acquire influence, within particular districts, is to misrepresent the opinions and aims of other districts. — You cannot shield yourselves too much against the jealousies and heart-burnings which spring from these misrepresentations; — They tend to render alien to each other those who ought to be bound together by fraternal affection. — The inhabitants of our Western country have lately had a useful lesson on this <sup>3</sup>head. — They have seen, in the negotiation by the Executive, and in the unanimous ratification by the Senate, of the Treaty with Spain, and in the universal satisfaction at that event, throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the General Government and in the Atlantic States unfriendly to their interests, in regard to the MISSISSIPPI. — They have been witnesses to the formation of two Treaties, that with G. Britain, and that with Spain, which secure to them every thing they could desire, in respect to our Foreign Relations, towards confirming their prosperity. — Will it not be their wisdom to rely for the preservation of these advantages, on the Union by which they were procured? — Will they not henceforth be deaf to those advisers, if such there are, who would sever them from their Brethren, and connect them with Aliens? —

To the efficacy and permanency of your Union, a Government for the whole is indispensable. — No alliances, however strict between the parts, can be an adequate substitute. They must inevitably experience the infractions and interruptions which all alliances in all times have experienced. — Sensible of this momentous truth you have improved upon your first essay, by the adoption of a Constitution of Government, better calculated than your former for an intimate Union, and for the efficacious management of your common concerns. — This government, the offspring of our own choice uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. — Respect for its authority, compliance with its Laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true Liberty. — The basis of our political systems is the right of the people to make and to alter their Constitutions of Government. — But the Constitution which at any time exists, till changed by an explicit and authentic act of the whole People, is sacredly obligatory upon all. — The very idea of the power and the right of the People to establish Government, presupposes the duty of every individual to obey the established Government.

All obstructions to the execution of the Laws, all combinations and associations, under whatever plausible character, with <sup>4</sup>the real design to direct, controul, counteract, or awe the regular deliberation and action of the constituted authorities, are destructive of this fundamental principle and of fatal tendency. — They serve to organize faction, to give it an artificial and extraordinary force — to put, <sup>5</sup>in the place of the delegated will of the Nation, the will of a party; — often a small but artful and enterprising minority of the community; — and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill-concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils and modified by mutual interests. However combinations or associations of the above description may now and then answer popular ends, <sup>6</sup>they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious and unprincipled men will be enabled to subvert the Power of the People and to usurp for themselves the reins of Government; destroying afterwards the very engines which had lifted them to unjust dominion. —

alarming the pride of those to whom they are addressed, they set ingenuity at work to deprecate the value of the thing, and to discover reasons of indifference towards it. This is not wise. — It will be much wiser to habituate ourselves to reverence the Union as the palladium of our national happiness; to accommodate constantly our words and actions to that idea, and to discontinue whatever may suggest a suspicion that it can in any event be abandoned."

[In the margin, opposite the above paragraph, are the words "not important enough."] <sup>1</sup> sub. "any ground should have been furnished for characterizing parties by" for "our parties for some time past have been too much characterized by."

<sup>2</sup> sub. "whence designing men may endeavour to excite a belief that there is a real difference of local interests and views" for "These discriminations — the mere contrivance of the spirit of Party, (always dexterous to seize every handle by which the passions can be wielded, and too skilful to turn to account the sympathy of neighborhood), have furnished an argument against the Union as evidence of a real difference of local interests and views; and serve to hazard it by organizing larger districts of country, under the leaders of contending factions; whose rivalships, prejudices and schemes of ambition rather than the true interests of the Country, will direct the use of their influence. If it be possible to correct this poison in the habit of our body politic, it is worthy the endeavours of the moderate and the good to effect it."

<sup>3</sup> era. "it."

<sup>5</sup> sub. "head" for "subject."

<sup>4</sup> int. "the real."

<sup>6</sup> era. "and purposes."

Towards the preservation of your Government and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular oppositions to its acknowledged authority, but also that you resist with care <sup>1</sup> the spirit of innovation upon its principles however specious the pretexts. — One method of assault may be to effect, in the forms, of the Constitution, alterations which will impair the energy of the system, and <sup>2</sup> thus undermine what cannot be directly overthrown. — In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of Governments, as of other human institutions — that experience is the surest standard, by which to test the real tendency of the existing Constitution of a Country — that facility in changes upon the credit of mere hypothesis and opinion exposes to perpetual change, from the endless variety of hypothesis and opinion; — and remember, especially, that for the efficient management of your common interests, in a country so extensive as ours, a Government of as much vigour as is consistent with the perfect security of Liberty is indispensable. — Liberty itself will find in such a Government, with powers properly distributed and adjusted, its surest Guardian. — <sup>3</sup> It is indeed little else than a name, where the Government is too feeble to withstand the enterprises of faction, to confine each member of the Society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the danger of Parties in the State, with particular reference to the founding of them on Geographical discriminations. — Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the Spirit of Party, generally.

This Spirit, unfortunately, is inseparable from <sup>4</sup>our nature, having its root in the strongest passions of the <sup>5</sup>human mind. — It exists under different shapes in all Governments, more or less stifled, controuled or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy. <sup>6</sup> —

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. — But this leads at length to a more formal and permanent despotism. — The disorders and miseries, which result, gradually incline the minds of men to seek security and repose in the absolute power of an Individual; and sooner or later the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purposes of his own elevation, on the ruins of Public Liberty.

Without looking forward to an extremity of this kind, (which nevertheless ought not to be entirely out of sight), the common and continual mischiefs of the spirit of Party are sufficient to make it the interest and duty of a wise People to discourage and restrain it. —

It serves always to distract the Public Councils and enfeeble the Public administration. — It agitates the community with ill founded jealousies and false alarms, kindles the animosity of one part against another, fomented occasionally riot and insurrection. — It opens the door to foreign influence and corruption, which find a facilitated access <sup>7</sup> to the Government itself through the channels of party passions. Thus, the policy and the will of one country, are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the Administration of the Government, and serve to keep alive the Spirit of Liberty. — This within certain limits, is probably true — and in Governments of a Monarchical cast, Patriotism may look with indulgence, if not with favour, upon the spirit of party. — But in those of the popular character, in Governments purely elective, it is a spirit not to be encouraged. — From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose — and there being constant danger of excess, the effort ought to be, by force of public opinion, to mitigate and assuage it. — A fire not to be quenched; it

<sup>1</sup> sub. "the" for "a."

<sup>2</sup> sub. "thus" for "to."

<sup>3</sup> sub. balance of the paragraph for "Owing to you as I do a frank and free disclosure of my heart, I shall not conceal from you the belief I entertain, that your Government as at present constituted is far more likely to prove too feeble than too powerful."

<sup>4</sup> sub. "our" for "human."

<sup>5</sup> int. "human."

<sup>6</sup> era. "In Republics of narrow extent, it is not difficult for those who at any time hold the reins of Power, and command the ordinary public favor, to overturn the established (Constitution) in favor of their own aggrandizement. — The same thing may likewise be too often accomplished in such Republics, by partial combinations of men, who though not in office, from birth, riches or other sources of destruction, have extraordinary influence and numerous (adherents) — By debauching the military force, by surprising some commanding citadel, or by some sudden and unforeseen movement the fate of the Republic is decided. — But in Republics of large extent, usurpation can scarcely make its way through these avenues. — The powers and opportunities of resistance of a wide extended and numerous nation, defy the successful efforts of the ordinary military force, or of any collections which wealth and patronage may call to their aid. — In such Republics, it is safe to assert, that the conflicts of popular factions are the chief, if not the only inlets, of usurpation and Tyranny."

<sup>7</sup> sub. balance of paragraph for "through the channels of party passions. It frequently subjects the policy of our country to the policy of some foreign country, and even enslaves the will of our Government to the will of some foreign Government."

demand a uniform vigilance to prevent its bursting into a flame, lest, <sup>1</sup> instead of warming, it should consume. —

It is important, likewise, that the habits of thinking in a free country should inspire caution in those entrusted with its administration, to confine themselves within their respective constitutional spheres; avoiding in the exercise of the powers of one department to encroach upon another. — The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, <sup>2</sup> whatever <sup>3</sup> the form of government, a real despotism. — A just estimate of that love of power, and <sup>4</sup> proneness to abuse it, which predominates in the human heart, is sufficient to satisfy us of the truth of this position. — The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the Guardian of the Public Weal <sup>5</sup> against invasions by the others, has been evinced by experiments ancient and modern; some of them in our country and under our own eyes. — To preserve them must be as necessary as to institute them. — If in the opinion of the People, the distribution or modification of the Constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. — But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the <sup>6</sup> customary weapon by which free governments are destroyed. — The precedent <sup>7</sup> must always greatly overbalance, in permanent evil any partial or <sup>8</sup> transient benefit which the use <sup>9</sup> can at any time yield.

Of all the dispositions and habits which lead to political prosperity, Religion and morality are indispensable supports. — In vain would that man claim the tribute of Patriotism, who should labour to subvert these great Pillars of human happiness, these firmest props of the duties of Men and Citizens. — The more Politician, equally with the pious man, ought to respect and to cherish them. — A volume could not trace all their connections with private and public felicity. — Let it simply be asked where is the security for property, for reputation, for life, if the sense of religious obligation *desert* the oaths, which are the instruments of investigation in Courts of Justice? — And let us with caution indulge the supposition, that morality can be maintained without religion. — Whatever may be conceded to the influence of refined education on minds of peculiar structure — reason and experience both forbid us to expect that national morality can prevail in exclusion of religious principle. —

'Tis substantially true, that virtue or morality is a necessary spring of popular government. — The rule indeed, extends with more or less force to every species of Free Government. — Who that is a sincere friend to it, can look with indifference upon attempts to shake the foundation of the fabric? —

<sup>10</sup> Promote then as an object of primary importance, institutions for the general diffusion of knowledge. — In proportion as the structure of a government gives force to public opinion, it is essential that public opinion should be enlightened. —

As a very important source of strength and security, cherish public credit. — One method of preserving it is to use it as <sup>11</sup> sparingly as possible; avoiding occasions of expense by cultivating peace, but remembering also that timely disbursements to prepare for danger frequently prevent much greater disbursements to repel it — avoiding likewise the accumulation of debt, not only by <sup>12</sup> shunning occasions of expense, but by vigorous exertions in time of Peace to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burthen which we ourselves ought to bear. — The execution of these maxims belongs to your Representatives, but it is necessary that public opinion should <sup>13</sup> co-operate. — To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that towards the payment of debts there must be Revenue that to have Revenue there must be taxes — that no taxes can be devised which are not more or less inconvenient and unpleasant — that the intrinsic embarrassment inseparable from the selection of the proper objects (which is always a choice of difficulties) ought to be a decisive motive for a candid construction of the conduct of the Government in making it, and for a spirit of acquiescence in the measures for obtaining Revenue which the public exigencies may at any time dictate. —

<sup>1</sup> sub. "instead of warming, it should" for "it should not only warm, but."

<sup>2</sup> era. "under." <sup>3</sup> sub. "the form of government, a real" for "forms, a."

<sup>4</sup> era. "the." <sup>5</sup> sub. "against" for "from."

<sup>6</sup> sub. "customary" for "usual and natural." <sup>7</sup> era. "of its use."

<sup>8</sup> sub. "transient" for "temporary." <sup>9</sup> era. "itself."

<sup>10</sup> sub. the entire paragraph for "Cultivate industry and frugality, as auxiliaries to good morals and sources of private and public prosperity. — Is there not room to regret that our propensity to expense exceeds our means for it? Is there not more luxury among us and more diffusively, than suits the actual stage of our national progress? Whatever may be the apology for luxury in a country, mature in the Arts which are its ministers, and the cause of national opulence — can it promote the advantage of a young country, almost wholly agricultural, in the infancy of the arts, and certainly not in the nationality of wealth?"

(Over this paragraph is wafered a piece of paper, on which the passage as printed in the text is written.) <sup>11</sup> sub. "sparingly" for "little."

<sup>12</sup> sub. "shunning" for "avoiding."

<sup>13</sup> sub. "co-operate" for "coincide."

Observe good faith and justice towards all Nations.<sup>1</sup> Cultivate peace and harmony with all. — Religion and morality enjoin this conduct; and can it be that good policy does not equally enjoin it? — It will be worthy of a free, enlightened, and, at no distant period, a great nation, to give to mankind the magnanimous and too novel example of a People always guided by an exalted justice and benevolence. — Who can doubt that, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it? Can it be, that Providence has not connected the permanent felicity of a Nation with its Virtue? The experiment, at least, is recommended by every sentiment which ennobles human nature. — Alas! is it rendered impossible by its vices?

In the execution of such a plan nothing is more essential than that<sup>2</sup> permanent, inveterate antipathies against particular nations and passionate attachments for others should be excluded; and that in place of them just and amicable feelings towards all should be cultivated. — The Nation, which indulges towards another<sup>3</sup> an habitual hatred or<sup>4</sup> an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. — Antipathy in one Nation against another<sup>5</sup> disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable, when accidental or trifling occasions of dispute occur. — Hence frequent collisions, obstinate, envenomed, and bloody contests. — The Nation prompted by ill-will and resentment sometimes impels to War the Government, contrary to<sup>6</sup> the best calculations of policy. The Government sometimes participates in the<sup>7</sup> national propensity, and adopts through passion what reason would reject; — at other times, it makes the animosity of the Nation subservient to projects of hostility instigated by pride, ambition, and other sinister and pernicious motives. — The peace often, sometimes perhaps the Liberty, of Nations has been the victim. —

So, likewise a passionate attachment of one Nation for another produces a variety of evils. — Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest in cases where no real common interest exists, and infusing into one<sup>8</sup> the emulities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducement or justification: It leads also to concessions to the favorite Nation of privileges denied to others, which is apt doubly to injure the Nation making the concessions<sup>9</sup>; by unnecessarily parting with what ought to have been retained,<sup>10</sup> and by exciting jealousy, ill-will, and a disposition to retaliate, in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted, or deluded citizens (who devote themselves to the favourite Nation) facility to betray, or sacrifice the interests of their own country, without odium, sometimes even with popularity; — gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation. —

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent Patriot. — How many opportunities do they afford to tamper with domestic factions, to practise the arts of seduction, to mislead public opinion, to influence or awe the public councils! Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence,<sup>11</sup> I conjure you to believe me,<sup>12</sup> fellow-citizens, the jealousy of a free people ought to be<sup>13</sup> constantly awake, since history and experience prove that foreign influence is one of the most baneful foes of Republican Government. — But that jealousy to be useful, must be impartial; else it becomes the instrument of the very influence to be avoided, instead of a defence against it. — Excessive partiality for one foreign nation and excessive dislike of another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. — Real Patriots, who may resist the intrigues of the favourite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests. —

The great rule of conduct for us, in regard to foreign Nations is, <sup>14</sup>in extending our commercial relations, to have with them as little *Political* connection as possible. — So far as we have already formed engagements let them be fulfilled with <sup>15</sup>perfect good faith. — Here let us stop. —

Europe has a set of primary interests, which to us have none, or a very remote relation. — Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. — Hence therefore it must be unwise in us to implicate ourselves,

<sup>1</sup> era. "and cultivate peace and harmony with all, for in public as well as in private transactions, I am persuaded that honesty will always be found to be the best policy."

<sup>2</sup> sub. "permanent, inveterate" for "noted."

<sup>3</sup> sub. "an" for "a."

<sup>4</sup> sub. "an" for "a." <sup>5</sup> era. "begets of course a similar sentiment in that others."

<sup>6</sup> sub. "the best" for "its own."

<sup>7</sup> int. "national."

<sup>8</sup> era. "another."

<sup>9</sup> era. "1stly."

<sup>10</sup> era. "2dly."

<sup>11</sup> int. "I conjure you to,"

<sup>12</sup> sub. "fellow-citizens" for "my friends."

<sup>13</sup> sub. "constantly" for "incessantly."

<sup>14</sup> int. "in extending our commercial relations."

<sup>15</sup> era. "circumspection indeed, but with."



by <sup>1</sup> artificial <sup>2</sup> ties in the ordinary vicissitudes of her politics, <sup>3</sup> or the ordinary combinations or collisions of her friendships, or enmities.

Our detached and distant situation invites and enables us to pursue a different course. — If we remain one People, under an efficient government, the period is not far off, when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve <sup>4</sup> upon to be scrupulously respected. — When <sup>5</sup> belligerent nations, under the impossibility of making acquisitions upon us, will <sup>6</sup> not lightly hazard the giving us provocation <sup>7</sup>; when we may choose peace or war, as our interest guided by <sup>8</sup> justice shall counsel. —

Why forego the advantages of so peculiar a situation? — Why quit our own to stand upon foreign ground? — Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interests, honour, or caprice? —

'Tis our true policy to steer clear of permanent alliances, <sup>9</sup> with any portion of the foreign world; — so far, I mean, as we are now at liberty to do it — for let me not be understood as capable of patronizing infidelity to <sup>10</sup> existing engagements <sup>11</sup> (I hold the maxim no less applicable to public than to private affairs, that honesty is <sup>12</sup> always the best policy). — <sup>13</sup> I repeat it therefore, let those engagements be observed in their genuine sense. — But in my opinion it is unnecessary and I would be unwise to extend them. —

Taking care always to keep ourselves, by suitable establishments, on a respectably defensive posture, we may safely trust to <sup>14</sup> temporary alliances for extraordinary emergencies. —

Harmony, liberal intercourse with all Nations, are recommended by policy, humanity and interest. — But even our commercial policy should hold an equal and impartial hand; — neither seeking nor granting exclusive favours or preferences; — consulting the natural course of things; — diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; — establishing, with Powers so disposed — in order to give trade a stable course, to define the rights of our Merchants, and to enable the Government to support them — conventional rules of intercourse, the best that present circumstances and mutual opinion will permit; but temporary, and liable to be from time to time abandoned or varied, as experience and circumstances shall dictate; constantly keeping in view, that 'tis folly in one nation to look for disinterested favours <sup>15</sup> from another, — that it must pay with a portion of its independence for whatever it may accept under that character that by such acceptance, it may place itself in the condition of having given equivalents for nominal favours and yet of being reproached with ingratitude for not giving more. — There can be no greater error than to expect or calculate upon real favours from Nation to Nation. — 'Tis an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my Countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression, I could wish, — that they will controul the usual current of the passions, or prevent our Nation from running the course which has hitherto marked the destiny of Nations. — But if I may even flatter myself, that they may be productive of some partial benefit; some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism, this hope will be a full recompense for the solicitude for your welfare, by which they have been dictated. —

How far in the discharge of my official duties, I have been guided by the principles which have been delineated, the public Records and other evidences of my conduct must witness to You and to the World. — To myself, the assurance of my own conscience is, that I have at least believed myself to be guided by them.

In relation to the still subsisting War in Europe, my Proclamation of the 22d of April, 1793, is the index to my Plan. — Sanctioned by your approving voice and by that of your Representatives in both Houses of Congress, the spirit of that measure has continually governed me: — uninfluenced by any attempts to deter or divert me from it.

After deliberate examination with the aid of the best lights I could obtain, <sup>16</sup> I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound in duty and interest to take, a Neutral position. — Having taken it, I determined, as far as should depend upon me, to maintain it, with moderation, perseverance and firmness. —

<sup>1</sup> era. "an."

<sup>2</sup> sub. "or" for "in."

<sup>3</sup> era. "neither of two."

<sup>7</sup> era. "to throw our weight into the opposite scale."

<sup>8</sup> era. "our."

<sup>10</sup> sub. "existing" for "pre-existing."

<sup>11</sup> sub. ("I hold the maxim no less applicable to public than to private affairs," for "for I hold it to be as true in public, as in private transactions.")

<sup>12</sup> int. "always."

<sup>13</sup> sub. "I repeat it therefore, let those engagements" for "these must."

<sup>14</sup> int. "temporary."

<sup>15</sup> sub. "from" for "at."

<sup>16</sup> era. ("and from men disagreeing in their impressions of the origin, progress and nature of that war").

<sup>2</sup> sub. "ties" for "connection."

<sup>4</sup> sub. "upon" for "to observe."

<sup>6</sup> int. "not."

<sup>9</sup> era. "intimate connections."

<sup>1</sup> The considerations which respect the right to hold this conduct, <sup>2</sup> it is not necessary on this occasion <sup>3</sup> to detail. I will only observe, that according to my understanding of the matter, that right, so far from being denied by any of the Belligerent Powers, has been virtually admitted by all. —

The duty of holding a neutral conduct may be inferred, without any thing more, from the obligation which justice and humanity impose on every Nation, in cases in which it is free to act, to maintain inviolate the relations of Peace and Amity towards other Nations. —

The inducements of interest for observing that conduct, will best be referred to your own reflections and experience. — With me, a predominant motive has been to endeavour to gain time to our country to settle and mature its yet recent institutions, and to progress without interruption to that degree of strength and consistency, which is necessary to give it, humanity speaking, the command of its own fortunes.

Though in reviewing the incidents of my Administration, I am unconscious of intentional error — I am nevertheless too sensible of my defects not to think it probable that I <sup>4</sup> may have committed many errors. — <sup>5</sup> Whatever they may be I fervently beseech the Almighty to avert or mitigate <sup>6</sup> the evils to which they may tend. — I shall also carry with me the hope that my country will never cease to view them with indulgence; and that after forty-five years of my life dedicated to its service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.<sup>7</sup>

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man, who views in it the native soil of himself and his progenitors for <sup>8</sup> several generations; — I anticipate with pleasing expectation that retreat, in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow-citizens, the benign influence of good Laws under a free Government, — the ever favourite object of my heart, and the happy reward, as I trust, of our mutual cares, labours, and dangers.

United States }  
19<sup>th</sup> September } 1796

G<sup>o</sup> WASHINGTON.

Toward the close of the first term of Washington, not intending to longer serve as President, he submitted to his friend Madison for elaboration the main features of an address to the American people, that he purposed to present them upon his retirement.

<sup>1</sup> The entire paragraph, with two exceptions below noted as 2 and 3, is a substitute for "The considerations which respect the right to hold this conduct, some of them of a delicate nature, would be improperly the subject of explanation on this occasion. I will barely observe that according to my understanding of the matter, that right so far from being denied by any belligerent Power, has been virtually admitted by all." —

The above paragraph is erased from the word — conduct — and this sentence interlined, — "would be improperly the subject of particular discussion on this occasion. I will barely observe that to me they appear to be warranted by well-established principles of the Laws of Nations as applicable to the nature of our alliance with France in connection with the circumstances of the War, and the relative situation of the contending Parties." —

A piece of paper subsequently wafered over both sentences, and on the paper is the text as is shown in the Address. On the margin is noted, "This is the first draft, and it is questionable which of the two is to be preferred."

<sup>2</sup> sub. "it is not necessary" for "some of them of a delicate nature would be improperly the subject of explanation."

<sup>3</sup> int. "to detail."

<sup>4</sup> int. "may."

<sup>5</sup> sub. "Whatever they may be I" for "I deprecate the evils to which they may tend, and."

<sup>6</sup> sub. "the evils to which they may tend" for "them."

<sup>7</sup> era. "May I without the charge of ostentation add, that neither ambition nor interest has been the impelling cause of my actions — that I have never designedly mis-used any power confided to me nor hesitated to use one, where I thought it could redound to your benefit? May I without the appearance of affectation say, that the fortune with which I came into office is not bettered otherwise than by the improvement in the value of property which the quick progress and uncommon prosperity of our country have produced? May I still further add without breach of delicacy, that I shall retire without cause for a blush, with no sentiments alien to the force of these vows for the happiness of his country so natural to a citizen who sees in it the native soil of his progenitors and himself for four generations?"

On the margin of this page is noted: "This paragraph may have the appearance of self-distrust and mere vanity." —

There is also written on the margin of the paragraph inserted in the Address: "Continuation of the paragraph preceding the last ending with the word 'rest.'"

<sup>8</sup> sub. "several" for "four."

Being prevailed upon to accept a second term, the necessity of the address was interrupted. Near the close of his eight years in office, and determined to retire upon its expiration, he on May 15, 1796, submitted the original address to his confidential friend, Alexander Hamilton, for suggestions. Hamilton returned the original to Washington, having made a copy, which he recast, after several conferences with John Jay; the redressed copy was later despatched to Washington, who completed the address as presented in the text.

Sparks, in his "Life of Washington," referring to the farewell address, remarks: "He had no pride in authorship; his object always was to effect the purpose in hand, and for that he occasionally invoked assistance to ensure a plain and clear exposition of his thoughts and intentions."

The address was published to the people, September 19, 1796; nearly six months before his term of office expired, and nearly two months prior to election day, a formal notice to all parties of his determination to retire.

The original address as published is in the possession of the New York Public Library (Astor, Lenox, and Tilden foundations), having been purchased by Mr. James Lenox (the founder of the Lenox Library) for \$2000 at an auction sale in Philadelphia by the administrators of the estate of Mr. David C. Claypoole, proprietor and editor of the *Daily Advertiser*, in which Philadelphia paper it was published September 19, 1796.

The address is preserved in a dark leather framed case, under lock and key, through the bevelled glass front of which the valuable document is exposed so as to show uppermost the opening and closing pages; the latter or left-hand sheet — page 32 — exhibiting date and the signature reading:—

United States }  
19<sup>th</sup> September } 1796

G<sup>o</sup> Washington

The entire address is in the handwriting of Washington, rather sparsely written upon thirty-two pages of quarto letter paper, sewed together as a book (each sheet is nine inches long by seven inches wide), the centre edge carrying three perforations through which is inserted pale blue ribbon with the ends tied in a knot. Each letter sheet carries on its upper right-hand corner the page number in a pen-marked circle; on the lower corner dropped below the line appears the commencing word of the next page, or sheet.

There are many alterations, erasures of paragraphs, lines struck out and interlinings. The tenth, eleventh, and sixteenth pages are almost expunged, save only a few lines; one-half of the thirty-first page is all effaced.

The written address is composed of 1086 lines and 174 erased lines.



Mr. Claypoole was consulted by Washington relative to its publication, and immediately accepted; after proofs were presented to Washington, revised, and returned, Mr. Claypoole in handing back the manuscript asked if he could retain it, which request was granted; thus Mr. Claypoole became the owner of the national relic. It always remained in his possession until the purchase by Mr. Lenox.

A tracing of the autograph of Washington, from the last page of the original manuscript of his "Farewell Address."<sup>1</sup>

*United States }  
19<sup>th</sup> September } 1796 } G. Washington*

## THE EMANCIPATION PROCLAMATION.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

### A PROCLAMATION.

WHEREAS, on the twenty-second day of September, in the year of our Lord one thousand eight hundred and sixty-two, a proclamation was issued by the President of the United States, containing, among other things, the following, to wit:—

"That on the first day of January, in the year of our Lord one thousand eight hundred and sixty-three, all persons held as slaves within any State or designated part of a State, the people whereof shall then be in rebellion against the United States, shall be then, thenceforward, and forever free; and the Executive Government of the United States, including the military and naval authority thereof, will recognize and maintain the freedom of such persons, and will do no act or acts to repress such persons, or any of them, in any efforts they may make for their actual freedom.

That the Executive will, on the first day of January aforesaid, by proclamation, designate the States and parts of States, if any, in which the people thereof, respectively, shall then be in rebellion against the United States; and the fact that any State, or the people thereof, shall on that day be in good faith, represented in the Congress of the United States, by members chosen thereto at elections wherein a majority of the qualified voters of such State shall have participated, shall, in the absence of strong countervailing testimony, be deemed conclusive evidence that such State, and the people thereof, are not then in rebellion against the United States."

Now, therefore, I, Abraham Lincoln, President of the United States, by virtue of the power in me vested as Commander-in-Chief of the Army and Navy of the United States in time of actual armed rebellion against the authority and government of the United States, and as a fit and necessary war measure for suppressing said rebellion, do, on this first day of January, in the year of our Lord one thousand eight hundred and sixty-three, and in accordance with my purpose so to do, publicly proclaimed for the full period of one hundred days from the day first above-mentioned, order and designate, as the States and parts of States wherein the people thereof, respectively, are this day in rebellion against the United States, the following, to wit: Arkansas, Texas, Louisiana, (except the parishes of St. Bernard, Plaquemines, Jefferson, St. John, St. Charles, St. James, Ascension, Assumption, Terre Bonne, Lafourche, Ste. Marie, St. Martin and Orleans, including the City of New Orleans), Mississippi, Alabama, Florida, Georgia, South Carolina, North Carolina and Virginia (except the forty-eight counties designated as West Virginia, and also the counties of Berkley, Accomac, Northampton, Elizabeth City, York, Princess Anne and Norfolk, including the cities of Norfolk and Portsmouth), and which excepted parts are, for the present, left precisely as if this proclamation were not issued.

<sup>1</sup> By courtesy of Mr. Victor H. Paltsits, Assistant Librarian, Lenox Library, New York.

And by virtue of the power and for the purpose aforesaid, I do order and declare that all persons held as slaves within said designated States and parts of States are, and henceforward shall be free; and that the Executive Government of the United States, including the military and naval authorities thereof, will recognize and maintain the freedom of said persons.

And I hereby enjoin upon the people so declared to be free, to abstain from all violence, unless in necessary self-defense; and I recommend to them that, in all cases when allowed, they labor faithfully for reasonable wages.

And I further declare and make known that such persons, of suitable condition, will be received into the armed service of the United States, to garrison forts, positions, stations, and other places, and to man vessels of all sorts in said service.

And upon this act, sincerely believed to be an act of justice, warranted by the Constitution, upon military necessity, I invoke the considerate judgment of mankind and the gracious favor of Almighty God.

In witness whereof I have hereunto set my name and caused the seal of the United States to be affixed.

L. S.

Done at the City of Washington, this first day of January, in the year of our Lord one thousand eight hundred and sixty-three, and of the Independence of the United States of America the eighty-seventh.

By the President:

ABRAHAM LINCOLN.

WILLIAM H. SEWARD, *Secretary of State.*

### Slaves Emancipated.

Arkansas <sup>1</sup> .....	111,104	Louisiana <sup>1</sup> .....	247,734	South Carolina <sup>1</sup> .....	402,541
Alabama <sup>1</sup> .....	435,132	“.....	85,281	Tennessee.....	275,784
Delaware.....	1,798	Maryland.....	87,188	Texas <sup>1</sup> .....	180,682
Florida <sup>1</sup> .....	61,753	Mississippi <sup>1</sup> .....	436,696	Virginia <sup>1</sup> .....	450,437
Georgia <sup>1</sup> .....	462,232	Missouri.....	114,465	“.....	29,013
Kentucky.....	225,490	North Carolina <sup>1</sup> .....	275,081	West Virginia.....	12,761
Total.....					3,895,172

<sup>1</sup> By Proclamation of President Lincoln, January 1, 1863.

The other States, by proclamation, accepting the 13th Amendment. (Passed February 1, 1865. Declared December 18, 1865.)

The original draft is on four pages of foolscap paper, and was subsequently presented by President Lincoln to the managers of the Sanitary Fair in Chicago, who sold it for the benefit of the soldiers, a Mr. J. B. Bryan of Chicago buying it for \$3000.

The entire proclamation is in the handwriting of the President except the last two paragraphs, “In witness whereof,” etc., which were written in by his Private Secretary, John G. Nicolay. The signature exhibits a tremulous hand incident to the reception of visitors for two or three hours, it being New Year’s Day, the callers making their appearance just before the finish of the proclamation, and each caller shaking hands with the President.

The pen and holder used was given to Senator Sumner, and by him presented to the late George Livermore of Boston, Massachusetts. It is now (1903) owned by the Press Club of New York City. It was a common cedar holder, and a steel pen known as the “Washington.”

The preliminary proclamation referred to was written in June, 1862, and read to Lincoln’s Cabinet for criticism or remarks as to its features or

details. Secretary Seward suggested it be held until some substantial advantage was gained in the field, as at the time there had been so many reverses, it might be considered a cry of despair. The suggestion was accepted and the Proclamation held until after the battle of Antietam (September 17-19). The preliminary Proclamation issued September 22, 1862.

PROCLAMATION OF AMNESTY.

It accompanied the President's message to the 38th Congress, with the hope of weakening the moral as well as the material strength of the Confederates.

WHEREAS, in and by the Constitution of the United States, it is provided that the President "shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment;" and whereas a rebellion now exists whereby the loyal State governments of several States have for a long time been subverted, and many persons have committed and are now guilty of treason against the United States; and, whereas with reference to said rebellion and treason, laws have been enacted by Congress declaring forfeitures and confiscation of property and liberation of slaves, all upon terms and conditions therein stated; and also declaring that the President was thereby authorized at any time thereafter, by proclamation, to extend to persons who may have participated in the existing rebellion, in any State or part thereof, pardon and amnesty, with such exceptions and at such times and on such conditions as he may deem expedient for the public welfare; and whereas the congressional declaration for limited and conditional pardon accords with well-established judicial exposition of the pardoning power; and whereas, with reference to said rebellion, the President of the United States has issued several proclamations with provisions in regard to the liberation of slaves; and whereas it is now desired by some persons heretofore engaged in said rebellion to resume their allegiance to the United States, and to inaugurate loyal State governments within and for their respective States: Therefore,

I, Abraham Lincoln, President of the United States, do proclaim, declare, and make known to all persons who have, directly or by implication, participated in the existing rebellion, except as hereinafter excepted, that a full pardon is hereby granted to them and each of them, with restoration of all rights of property, except as to slaves, and in property cases where rights of third parties shall have intervened, and upon the condition that every such person shall take and subscribe an oath, and thenceforward keep and maintain such oath inviolate; and which oath shall be registered for permanent preservation, and shall be of the tenor and effect following, to wit:

"I, ———, do solemnly swear, in presence of Almighty God, that I will henceforth faithfully support, protect, and defend the Constitution of the United States, and the Union of States thereunder; and that I will in like manner, abide by and faithfully support all acts of Congress passed during the existing rebellion with reference to slaves, so long and so far as not repealed, modified, or held void by Congress, or by decision of the Supreme Court; and that I will, in like manner, abide by and faithfully support all proclamations of the President made during the existing rebellion having reference to slaves, so long and so far as not modified or declared void by decision of the Supreme Court. So help me God."

The persons excepted from the benefits of the foregoing provisions are, all who are, or shall have been, civil or diplomatic officers or agents of the so-called confederate government; all who have left judicial stations under the United States to aid the rebellion; all who are, or shall have been, military or naval officers of said so-called confederate government, above the rank of colonel in the army, or of lieutenant in the navy; all who left seats in the United States Congress to aid the rebellion; all who resigned commissions in the Army or Navy of the United States, and afterwards aided the rebellion; and all who have engaged in any way in treating colored persons, or white persons in charge of such, otherwise than lawfully as prisoners of war, and which persons may have been found in the United States Service as soldiers, seamen, or in any other capacity.

And I do further proclaim, declare and make known, that whenever, in any of the States of Arkansas, Texas, Louisiana, Mississippi, Tennessee, Alabama, Georgia, Florida, South Carolina, and North Carolina, a number of persons, not less than one-tenth in number of the votes cast in such State at the presidential election of the year of our Lord 1860, each having taken the oath aforesaid, and not having since violated it, and being a qualified voter by the election law of the State existing immediately before the so-called Act of Secession, and excluding all others shall re-establish a State government which shall be republican, and in nowise contravening said oath, such shall be recognized as the true government of the State, and the State shall receive thereunder the benefits of the constitutional provision which declares that the United States shall guarantee to every State in this Union a republican

form of government, and shall protect each of them against invasion; and, on application of the Legislature, or the Executive (when the Legislature cannot be convened), against domestic violence.

And I do further proclaim, declare and make known that any provision which may be adopted by such State government in relation to the freed people of such State, which shall recognize and declare their permanent freedom, provide for their education, and which may yet be consistent, as a temporary arrangement, with their present condition as a laboring, landless and homeless class, will not be objected to by the National Executive. And it is suggested as not improper, that, in constructing a loyal State government in any State, the name of the State, the boundary, the subdivisions, the constitution, and the general code of laws, as before the rebellion, be maintained, subject only to the modifications made necessary by the conditions hereinbefore stated, and such others, if any, not contravening said conditions, and which may be deemed expedient by those framing the new State government.

To avoid misunderstanding, it may be proper to say that this proclamation so far as it relates to State governments, has no reference to States wherein loyal State governments have all the while been maintained, and for the same reason, it may be proper to further say that whether members sent to Congress from any State shall be admitted to seats, constitutionally rests exclusively with the respective Houses, and not to any extent with the Executive. And still further, that this proclamation is intended to present the people of the States wherein the national authority has been suspended, and loyal State governments have been subverted, a mode in and by which the national authority and loyal State governments may be re-established within said States, or in any of them; and, while the mode presented is the best the Executive can suggest, with his present impressions, it must not be understood that no other possible mode would be acceptable.

Given under my hand, at the City of Washington, the 8th day of December, A.D. 1863, and of the Independence of the United States of America the eighty-eighth.

By the President:

ABRAHAM LINCOLN.

WM. H. SEWARD, *Secretary of State.*

## Amnesty Proclamation.

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

Terms by which the people of the States that had been in rebellion might receive full amnesty and pardon, and be re-invested with the rights to exercise the functions of citizenship.

WHEREAS, The President of the United States on the 8th day of December, 1863, did, with the object of suppressing the existing rebellion, to induce all persons to lay down their arms, to return to their loyalty, and to restore the authority of the United States, issue proclamations offering amnesty and pardon to certain persons who had directly or by implication engaged in said rebellion; and

WHEREAS, Many persons who had so engaged in the late rebellion have, since the issuance of said proclamation, failed or neglected to take the benefits offered thereby; and

WHEREAS, Many persons who have been justly deprived of all claim to amnesty and pardon thereunder, by reason of their participation directly or by implication in said rebellion, and continued in hostility to the Government of the United States since the date of said proclamation, now desire to apply for and obtain amnesty and pardon:

To the end, therefore, that the authority of the Government of the United States may be restored, and that peace, and order, and freedom may be established, I, Andrew Johnson, President of the United States, do proclaim and declare, that I hereby grant to all persons who have directly or indirectly participated in the existing rebellion, except as hereafter excepted, amnesty and pardon, with restoration of all rights of property, except as to slaves, except in cases where legal proceedings under the laws of the United States, providing for the confiscation of property of persons engaged in rebellion, have been instituted, but on the condition, nevertheless, that every such person shall take and subscribe to the following oath, which shall be registered, for permanent preservation, and shall be of the tenor and effect following, to wit:

"I do solemnly swear or affirm in presence of Almighty God, that I will henceforth support, protect, and faithfully defend the Constitution of the United States, and will, in like manner, abide by and faithfully support all laws and proclamations which have been made during the existing rebellion with reference to the emancipation of slaves. So help me God."

The following classes of persons are excepted from the benefits of this proclamation.

1. All who are or have been pretended diplomatic officers, or otherwise domestic or foreign agents of the pretended Confederate States.
2. All who left judicial stations under the United States to aid in the rebellion.

3. All who have been military or naval officers of the pretended Confederate Government above the rank of colonel in the army, and lieutenant in the navy.

4. All who left their seats in the Congress of the United States to aid in the rebellion.

5. All who resigned or tendered the resignation of their commissions in the army and navy of the United States to evade their duty in resisting the rebellion.

6. All who have engaged in any way in treating otherwise than lawfully as prisoners of war, persons found in the United States service as officers, soldiers, seamen, or in other capacities.

7. All persons who have been or are absentees from the United States for the purpose of aiding the rebellion.

8. All military or naval officers in the rebel service who were educated by the Government in the Military Academy at West Point, or at the United States Naval Academy.

9. All persons who held the pretended offices of Governors of the States in insurrection against the United States.

10. All persons who left their homes within the jurisdiction and protection of the United States, and passed beyond the Federal military lines into the so-called Confederate States for the purpose of aiding the rebellion.

11. All persons who have engaged in the destruction of the commerce of the United States upon the high seas, and all persons who have made raids into the United States from Canada, or been engaged in destroying the commerce of the United States on the lakes and rivers that separate the British provinces from the United States.

12. All persons who, at a time when they seek to obtain the benefits hereof by taking the oath herein prescribed, are in military, naval or civil confinement or custody, or under bond of the military or naval authorities or agents of the United States as prisoners of any kind, either before or after their conviction.

13. All persons who have voluntarily participated in said rebellion, the estimated value of whose taxable property is over twenty thousand dollars.

14. All persons who have taken the oath of amnesty, as prescribed in the President's proclamation of December 8, 1863, or the oath of allegiance to the United States since the date of said proclamation, and who have not thenceforward kept the same inviolate; provided, that special application may be made to the President for pardon by any person belonging to the excepted classes, and such clemency will be extended as may be consistent with the facts of the case and peace and dignity of the United States. The Secretary of State will establish rules and regulations for administering and recording the said amnesty oath, so as to insure its benefits to the people, and guard the government against fraud.

In testimony whereof, I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington, this the 29th day of May, 1865, and of the Independence of the United States of America the 89th.

By the President,

WILLIAM H. SEWARD, *Secretary of State.*

ANDREW JOHNSON.

## CESSATION OF THE SPANISH-AMERICAN WAR.

**July 26, 1898.** Proposition on behalf of Spain submitted at Washington by M. Cambon, the French Ambassador.

**July 30, 1898.** Counter proposition submitted.

**August 9, 1898.** Spanish reply received by the President.

**August 12, 1898.** Protocol signed by William R. Day, Secretary of State, and Jules Cambon, representing Spain.

**September 11, 1898.** Protocol signed by the Queen Regent of Spain.

**October 1, 1898.** Commissioners appointed under the Protocol held their first joint convention at Paris.

**November 21, 1898.** Ultimatum of the American Commissioners presented.

**December 10, 1898.** Treaty of Peace signed.

December 24, 1898. Treaty placed in hands of the President by the Commissioners.

January 4, 1899. Treaty received by the Senate.

February 6, 1899. Treaty ratified.

February 10, 1899. Treaty signed by President McKinley.

March 17, 1899. Treaty signed by the Queen Regent.

April 11, 1899. Exchange of ratifications effected at the White House, Washington.

May 1, 1899. Payment of \$20,000,000 to Spanish government (the first anniversary of the battle of Manila Bay).

### The Peace Protocol.

[Spanish-American War.]

Protocol of agreement between the United States and Spain, embodying the terms of a basis for the establishment of peace between the two countries:

William R. Day, Secretary of State of the United States, and His Excellency Jules Cambon, Ambassador Extraordinary and Plenipotentiary of the Republic of France at Washington, respectively possessing for this purpose full authority from the Government of the United States and the Government of Spain, have concluded and signed the following articles, embodying the terms on which the two Governments have agreed in respect to the matters hereinafter set forth, having in view the establishment of peace between the two countries, that is to say:

ARTICLE I. Spain will relinquish all claim of sovereignty over and title to Cuba.

ARTICLE II. Spain will cede to the United States the Island of Porto Rico and other islands now under Spanish sovereignty in the West Indies, and also an island in the Ladrões, to be selected by the United States.

ARTICLE III. The United States will occupy and hold the city, bay, and harbor of Manila pending the conclusion of the treaty of peace, which shall determine the control, disposition, and government of the Philippines.

ARTICLE IV. Spain will immediately evacuate Cuba, Porto Rico, and other islands now under Spanish sovereignty in the West Indies, and to this end each Government will, within ten days after the signing of this protocol, appoint Commissioners, and the Commissioners so appointed shall, within thirty days after the signing of this protocol, meet at Havana for the purpose of arranging and carrying out the details of the aforesaid evacuation of Cuba and the adjacent Spanish islands, and each Government will, within ten days after the signing of this protocol, appoint other Commissioners, who shall, within thirty days after the signing of this protocol, meet at San Juan in Porto Rico for the purpose of arranging and carrying out the details of the aforesaid evacuation of Porto Rico and other islands now under Spanish sovereignty in the West Indies.

ARTICLE V. The United States and Spain will each appoint not more than five Commissioners to treat of peace, and the Commissioners so appointed shall meet at Paris not later than October 1, 1898, and proceed to the negotiation and conclusion of a treaty of peace, which treaty shall be subject to ratification according to the respective constitutional forms of the two countries.

ARTICLE VI. Upon the conclusion and signing of this protocol, hostilities between the two countries shall be suspended, and notice to that effect shall be given as soon as possible by each Government to the commanders of its military and naval forces.

Done at Washington, in duplicate, in English and in French, by the undersigned, who have hereunto set their hands and seals, the 12th day of August, 1898.

SEAL

WILLIAM R. DAY.

SEAL

JULES CAMBON.

## Proclamation of Amnesty in the Philippines.

WHEREAS, During the course of the insurrection against the kingdom of Spain and against the government of the United States, persons engaged therein, or those in sympathy with or abetting them, committed many acts in violation of the laws of civilized warfare (but it is believed that such acts were generally committed in ignorance of those laws and under orders issued by the civil or military insurrectionary leaders); and

WHEREAS, It is deemed to be wise and humane, in accordance with the beneficent purposes of the government of the United States toward the Filipino people, and conducive to peace, loyalty, and order among them, that the doers of such acts who have not already suffered punishment shall not be held criminally responsible, but shall be relieved from punishment for participation in these insurrections and for unlawful acts committed during the course thereof of a general amnesty and pardon;

Now, therefore, be it known that I, Theodore Roosevelt, President of the United States of America, by virtue of the power and authority vested in me by the constitution, do hereby proclaim and declare, without reservation or condition, except as hereinafter provided, a full and complete pardon and amnesty to all persons in the Philippine archipelago who have participated in the insurrections aforesaid, or who have given aid and comfort to persons participating in said insurrections, for the offenses of treason or sedition, and for all offenses, political in their character, committed in the course of such insurrections, pursuant to orders issued by the civil or military insurrectionary authorities, or which grew out of internal political feuds or dissensions between Filipinos and Spaniards, or the Spanish authorities, or which resulted from internal political feuds or dissensions among the Filipinos themselves during either of said insurrections:

Provided, however, that the pardon and amnesty hereby granted shall not include such persons committing crimes since May 1, 1902, in any province of the archipelago in which at the time civil government was established; nor shall it include such persons as have been heretofore finally convicted of the crimes of murder, rape, arson, or robbery by any military or civil tribunal organized under the authority of Spain or of the United States of America; but special application may be made to the proper authority for pardon by any person belonging to the exempted classes, and such clemency as is consistent with humanity and justice will be liberally extended; and, further,

Provided, That this amnesty and pardon shall not affect the title or right of the government of the United States or that of the Philippine Islands to any property or property rights heretofore used or appropriated by the military or civil authorities of the government of the United States or that of the Philippine Islands, organized under authority of the United States by way of confiscation or otherwise; and,

Provided, further, that every person who shall seek to avail himself of this proclamation shall take and subscribe the following oath before any authority in the Philippine archipelago authorized to administer oaths, namely:

"I, \_\_\_\_\_, solemnly swear (or affirm) that I recognize and accept the supreme authority of the United States of America in the Philippine Islands and will maintain true faith and allegiance thereto, that I impose upon myself this obligation voluntarily without mental reservation or purpose of evasion, so help me God."

Given under my hand at the city of Washington, this fourth day of July, in the year of our Lord one thousand nine hundred and two, and in the one hundred and twenty-seventh year of the independence of the United States.

THEODORE ROOSEVELT.

By the President,  
ELIHU ROOT, *Secretary of War.*

## THE CONGRESS OF THE UNITED STATES.

All legislative powers granted by the Constitution of the United States are vested in a Congress, composed of a SENATE and a HOUSE OF REPRESENTATIVES.

The two Houses are independent of each other and of the Executive.

The power of Congress is absolute within the scope of its authority.

The only check on the power of Congress to legislate within its authority is the President of the United States; his right of veto (see "Veto," in Index). The President in this connection is sometimes spoken of as the "Third House."

Legislation of each, exceeding the constitutional power of Congress and



of the President, can be declared unconstitutional by the United States Supreme Court on an appeal to that body by any affected party.

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In the House, the influence of the people is felt directly, according to their numbers; while the Senate provides the means of defending the smaller States from the possible encroachment of the larger, and assures their safety. (Constitution, Art. 5.) The House represents the people, the Senate represents the States.

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The Representatives being elected more frequently than the Senators, and directly by the people, are apt to be more fully informed of the present feelings of their constituents, and therefore more likely to be swayed; thus, it is known as the popular, or Lower, or younger House. The Senate, on account of the long term of the Senators, is more conservative, and therefore it is spoken of as the Upper, or eldest, House.

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The names Upper House and Lower House originated about the year 1718, in Massachusetts, when the Representatives gave the designation to the Council "as a fleer, and to intimate that they might consider themselves in another capacity than as a Privy Council." — *Drake's Hist. of Boston*, p. 55s.

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Each House of Representatives lasts for two years; this period is known as "a Congress."

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Each House is the judge of the election returns, and qualifications of its own members; may punish disorderly conduct; may expel by a vote of two-thirds.

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Members of Congress cannot legally have any interest in any contract with, or claim against the Government; they are forbidden to prosecute cases before the Court of Claims, or to present claims to any of the Departments. No military or naval officer, and no person in the civil service of the government, is eligible to Congress.

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Congress is required to meet every year — the Constitution appointing the first Monday in December — "unless they shall by law appoint a different day." There must be at least two sessions of each Congress.

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The two Houses must adjourn without day when the two years' term of the members of the House expires. During a session, neither House can adjourn for more than three days without the consent of the other, nor to any other place than that in which the two Houses are sitting; in case of disagreement between the two Houses as to the time of adjournment, the President may adjourn them to such time as he shall think proper.



The place of meeting of Congress is not fixed by the Constitution — the law regulates this. The Act of 1790 locates the seat of Government in “all that part of the territory of the United States included within the present limits of the District of Columbia” (Rev. Stat. Sec. 1795) — this is not, in a restricted sense, the City of Washington. The President can assemble Congress at some other place, when the prevalence of a contagious disease, or other circumstances, endangers the health or lives of its members (Rev. Stat. Sec. 34).

*First Session* begins on the first Monday of December of the odd-numbered years, and continues until adjournment, ordinarily in August.

There is nothing to prevent the “first session,” called the “long session,” continuing until the first Monday of the next December, when it must end. If Congress is assembled by special proclamation of the President before the first Monday in December, and does not adjourn by that day, the coming of that day does not interrupt the session.

*Second Session* begins on the first Monday of December in the even-numbered year, and continues until twelve noon of March 4th following.

By a law, the Congress elected under the Articles of Confederation (passed September 13, 1788), Wednesday, March 4, 1789, was appointed for the Assembly of the first Constitutional Congress, and the inauguration of the new government. There was no quorum, so that the House did not organize until March 30, 1789, and the Senate until April 6, 1789.

Until 1851 it was understood that the limit of the Congressional term, and the legislative powers of each succeeding Congress, were presumed to cease at midnight of March 3d of each alternate odd-numbered year. At the close of the 31st Congress in 1851, the propriety of this limitation was called in question, and the point was made that since in the Presidential years a new administration is not inaugurated until 12 o'clock on the 4th of March, the interpretation of the law commonly received would create an interregnum of twelve hours' duration. It was ruled by Speaker Howell Cobb, of Georgia, that the term of an outgoing Congress did not expire until 12 o'clock noon of March 4th, and that rule has since stood. A statute was passed (approved January 22, 1867): —

“In addition to the present regular terms of the meeting of Congress, there shall be a meeting of the Fortieth Congress of the United States, and of each succeeding Congress thereafter, at 12 o'clock meridian, on the fourth day of March, the day on which the term begins for which the Congress is elected, except that, when the fourth of March occurs on Sunday (see Index, “Inauguration Day”), then the meeting shall take place at the same hour on the succeeding day.”

The above repealed April 20, 1871, but as an authoritative declaration of the limits of the Congressional term it must be regarded as still in force. (See Congress 40, Ses. 1, page 147.)

The political day throughout the sessions of Congress properly begins,

for legislative purposes, at 12 o'clock noon; if the calendar day of same falls on Sunday, then the succeeding day; consequently the duration of each Congress expires by law on the 4th day of March of each alternate odd year.

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Congress may be convened at any time, when not in session, by proclamation of the President, "on extraordinary occasions" (see page 146). He has no power to adjourn it, or to prorogue Congress, except in case of disagreement. No President has ever had occasion to adjourn Congress.

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An Act of Congress may control the acts of the State legislature as to place, time, and manner of elections; except as to place of choosing Senators, in which the State legislature remains supreme.

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Executive sessions, for the consideration of certain communications from the President, are held with closed doors, and the record kept in a separate journal, which is not published.

From the organization of the Senate, March 4, 1789, until December session in 1794, its sessions were all held with closed doors, except during the discussion in February, 1794, of the right of Albert Gallatin, as Senator from Pennsylvania, to a seat, when it was insisted he was an alien and ineligible. No reports of the debates of Congress prior to 1799 have been preserved.

When considering treaties and nominations, the sessions are with closed doors.

One of the rules of the House provides for secret sessions to consider confidential communications. There is no instance in which the House has excluded the public from its debates.

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The Territories are represented in the House of Representatives by a delegate elected by the Territory; he has the right of debate, but no vote, not being recognized by the Constitution. His admission to the floor is by statute. Territorial legislation is subject to Congressional control, their courts are provided for, the judges being appointed by the President of the United States, and confirmed by the Senate, and over which the Supreme Court of the United States has appellate jurisdiction. (See "Constitution," on the Porto Rico decision, in "Political Vocabulary.")

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When the rules of the two Houses of Congress conflict, the House of Representatives rules are of greater authority than those of the Senate in determining the *parliamentary law* of the country, but of no authority in any other assembly.

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THE SENATE, or "upper house" of Congress, consists of two Senators

from every State, regardless of size or population of the State, chosen by the respective State legislatures for a term of six years, in such a way that one-third of the whole body of the Senate goes out of office every two years; so that there is never a complete alteration of its membership at one time, but at all times members in the Senate familiar with the legislation, under which plan it is less liable to the effects of political excitement than the House. It is regarded as a permanent body; continual and perpetual in existence.

There is never a new Senate.

When the first Senate was organized, ten States were represented. May 14, 1789, they were divided into three classes; one of six members, the other two of seven each. The members of each class then drew lots, the class drawing number one to serve two years, number two to serve four years, and number three, six years. The classes were so arranged that no two Senators from one State fell in the same class. As the other three States sent Senators, they were assigned by lot in the same way, a blank being so used as to keep the classes even. As the terms of the classes expired, then successors were elected for six full years. Senators from new States are assigned by lot in the presence of the Senate so as to keep the three classes nearly even.

The Act of Congress, 1866, provides that in every State each branch of the legislature shall first vote separately, and *viva voce*, for Senator. These votes are declared in joint Assembly on the following day, and if no candidate has received a majority vote of each House, both Houses in joint Assembly elect a Senator by ballot. If a vacancy occurs in the Senate, when the legislature of the State interested is not in session, it may be filled by appointment of the Governor, until the legislature next meets, when a Senator is chosen for the unexpired term. If a legislature fails to elect, having had an opportunity, the Governor cannot fill the vacancy: so decided by the first regular session 51st Congress, in the cases of Montana, Wyoming, and Washington.

The Vice-President of the United States acts as Chairman of the Senate (Constitution, Art. 1, Sec. 3), his only function. He appoints no committees, has no vote (unless in the case of an equal division), he decides no questions of order, this being within the authority of the Senate; he is not, strictly speaking, a member of the Senate.

The Senate elects of its members a President *pro tempore*, to cover an absence of the Vice-President, as in the event of sickness, death, or succession to the Presidency. The President *pro tempore* votes on all questions. His office is held at the pleasure of the Senate. When there is no Vice-President, the President *pro tempore* of the Senate receives the salary of the Vice-President.

The Senate has three functions:—

*Legislative.* To pass bills, which alone with the action of the House of Representatives become acts of Congress, on the assent of the President or passage over his veto.

*Executive.* To approve or disapprove the President's nominations of Federal officers, including judges, ministers of State, and ambassadors, and by a two-thirds majority of members present, treaties presented by the President (if less than two-thirds approve, the treaty fails).

The Senate may amend a treaty and return it amended to the President ; there is no law to prevent the Senate proposing a draft of a treaty to the President and requesting him to prepare one. (See "President.")

*Judicial.* Sit as a court for the trial of impeachments prepared by the House of Representatives.

Senate bills do not die by effluxion of time.

Senate Standing Committees and their chairmen are chosen by ballot, and appointed for two years, or the Congressional period. Select Committees last one session.

Bills after the first and second readings go to a Standing Committee, who examine and amend it, reporting it back to the Senate.

A Senator must be thirty years of age, nine years a citizen of the United States, and at the time of his election a resident within the State for which he is chosen.

Albert Gallatin of Pennsylvania, elected in 1798, and James Shields of Illinois, in 1849, were disqualified by reason of an insufficient citizenship—the only cases in the history of Congress.

Salary, \$5000 per year, with \$125 per annum allowance for stationery and newspapers, and mileage at rate of twenty cents a mile for travel to and from Washington for every annual session. Deductions are made for absence without leave.

#### COMPENSATION.

1789-1815.....	\$6 per day.	1865-1871.....	\$5000 per year.
1815-1817.....	\$1500 per year.	1871-1873.....	\$7500 per year.
1817-1855.....	\$8 per day.	1873-.....	\$5000 per year.
1855-1865.....	\$3000 per year.		

Mileage: 1789-1815, \$6 for every necessary mile going to and from the Capitol; 1815-1817, no mileage; 1817-1865, \$8 for every twenty miles; 1865-1871, twenty cents per mile; 1871-1873, actual expenses of travel; 1873-, twenty cents per mile. In 1795 Senators received one dollar per day more than Representatives.

THE HOUSE OF REPRESENTATIVES, or "lower house," is composed of members chosen for two years by the people of each State, based on the population. (See Index, "Apportionment.")

Members of the House of Representatives are the only persons holding office under the United States government who derive their appointment directly from the people.

A Representative must be at least twenty-five years of age, seven years a citizen of the United States, and at time of election a resident within the State for which he is chosen.

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**REPRESENTATIVES-AT-LARGE.** Since 1842, when it is impossible or difficult for the State legislature to district the State in time for an election, or when it is not desirable to do so, in the event of Congress allowing a State one or more additional Representatives under a new apportionment, they are elected for the whole State and designated as Representatives-at-large.

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The House chooses its Speaker and other officers from among its members. The Speaker is elected for two years, and has the right to vote on all questions; he is required to vote when his vote will decide the pending question, or when the vote is by ballot.

The Clerk of the last preceding House acts as a sort of temporary Chairman until a Speaker is chosen, members address him, and he decides questions of order.

The Speaker selects all members of each of the Standing Committees, including their chairmen.

Every member of the House is placed on some one of the Standing Committees as nominated by the Speaker, the Standing Committees sitting through two sessions. Select Committees and their chairmen last one session.

April, 1789 (First Congress), the House appointed committees by ballot; it was discontinued in January, 1790, under a rule: "All committees shall be appointed by the Speaker unless otherwise specially directed by the House," which rule has since been adopted by each successive Congress.

All measures are referred to the Standing Committees after the first and second reading, and their power over a Bill is unlimited. A majority of the members is considered a quorum. When there is a dispute as to proper committee for a reference of a measure it is decided by a vote of the House.

Committees can amend or extinguish a Bill by reporting adversely, or delaying it to near the close of sessions, or not report it at all.

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Salary of the Speaker, \$8000 per annum. He is the second political figure in the United States, in rank standing next to the President and on a level with the justices of the Supreme Court.

The salary of a Representative is the same as a Senator (*q.v.*).

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The House of Representatives, in theory, is purely legislative; it has no share in the executive functions of the Senate (*q.v.*). It has the exclusive right of initiating revenue bills (Constitution, Art. I., Sec. 7), impeaching officials, and choosing a President should there be no absolute majority of presidential electors for any one candidate.

The House does not regularly meet until a year has elapsed from the time when it was elected, except it be specially convoked by the President. A House elected in November, 1902, will not meet until December, 1903, unless called together by the President subsequent to March 4, 1903. The "old" House continues to sit for nearly four months after the election of members of the "new" House.

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Bryce in his "American Commonwealth," says the origin of the *Senate* and *House of Representatives* is due partly to the fact that in some colonies there had existed a small "Governor's Council" in addition to the popular representative body, and "partly to a natural disposition to imitate the mother country with its Lords and Commons, a disposition which manifested itself both in colonial days and when the revolting States were giving themselves new Constitutions, for up to 1776 some of the colonies had gone on with a legislature of one house only."

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It is noted in the Constitution, Art. I., Sec. 6, that Senators and Representatives are "privileged from arrest during their attendance at the sessions of their respective houses." The original cause of this exemption (except for felonies during a session) was incident to the following circumstance:—

The Hon. George Ferrars, a member of Parliament, being in attendance on the House, was taken in execution by a sheriff's officer for debt, and committed to the Compter prison, in March, 1542. The House dispatched their sergeant to require his release, which was resisted, and an affray taking place, his mace was broken. The House in a body repaired to the Lords to complain, when the contempt was adjudged to be very great, and the punishment of the offenders were referred to the Lower House. On another messenger being sent to the sheriffs by the Commons, they delivered up the Senator, and the civil magistrates and the creditor were committed to the Tower, the inferior officers to Newgate, and an act was passed releasing Mr. Ferrars from liability from debt. The king, Henry VIII, highly approved of all these proceedings, and the transaction became the basis of that rule of Parliament which exempts members from arrest. — *Holinshed*.

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The only States that have tried to do with a single House are Pennsylvania, Georgia, and Vermont. Pennsylvania in 1790, after four years' experience, gave it up. Georgia tried it for twelve years, until 1789. Vermont after fifty years abolished it in 1836.

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The "upper house" is called the *Senate* in all States.

The "lower house" is the *House of Delegates* in Maryland, Virginia, and West Virginia; the *Assembly* in California, Nevada, Florida, New York, and Wisconsin; the *General Assembly* in New Jersey; and the *House of Representatives* in the other States. The lower house was called the *House of Commons* by North Carolina prior to 1868. (See "Legislature," in "Political Vocabulary.")

Representatives in Congress

Which each State is entitled to at the different census. Also ratio of representation at each date. See Constitution, Art. 1., Sec. 2, and Amendment XIV., Sec. 2; also "Apportionment," under "Political Vocabulary."

	FIRST CONGRESS REPRESENTED	CONST. 30,000 TO MAR. 4, 1793	33,000 TO MAR. 4, 1803	38,000 TO MAR. 4, 1813	55,000 TO MAR. 4, 1823	40,000 TO MAR. 4, 1833	47,000 TO MAR. 4, 1843	70,000 TO MAR. 4, 1853	93,423 TO MAR. 4, 1863	127,381 TO MAR. 4, 1873	131,425 TO MAR. 4, 1883	151,911 TO MAR. 4, 1893	173,001 TO MAR. 4, 1903	194,782 TO MAR. 4, 1913	To MAR. 4, 1923	To MAR. 4, 1933
Alaska.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Alabama.....	16	.....	.....	.....	.....	3	5	7	7	6	8	8	9	9	.....	.....
Arizona.....	.....	.....	.....	.....	.....	.....	.....	.....	1	2	3	4	5	6	7	.....
Arkansas.....	24	.....	.....	.....	.....	.....	.....	.....	2	3	4	5	6	7	8	.....
California.....	31	.....	.....	.....	.....	.....	.....	.....	2	3	4	5	6	7	8	.....
Colorado.....	44	.....	.....	.....	.....	.....	.....	.....	.....	.....	11	1	2	3	4	.....
Connecticut.....	1	5	7	7	7	6	6	4	4	4	4	4	4	4	4	.....
Delaware.....	1	1	1	1	2	1	1	1	1	1	1	1	1	1	1	.....
Florida.....	29	.....	.....	.....	.....	.....	.....	.....	1	1	2	2	2	3	3	.....
Georgia.....	1	3	2	4	6	7	9	8	8	7	9	10	11	11	.....	.....
Guam.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Hawaii.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Idaho.....	52	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	1	.....
Illinois.....	15	.....	.....	.....	.....	1	3	7	9	14	19	20	22	25	.....	.....
Indian.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Indiana.....	14	.....	.....	.....	.....	3	7	10	11	11	13	13	13	13	13	.....
Iowa.....	29	.....	.....	.....	.....	.....	.....	.....	2	6	9	11	11	11	11	.....
Kansas.....	37	.....	.....	.....	.....	.....	.....	.....	1	1	3	7	8	8	8	.....
Kentucky.....	2	.....	2	6	10	12	13	10	10	9	10	11	11	11	11	.....
Louisiana.....	12	.....	.....	.....	.....	3	3	4	4	5	6	6	6	7	7	.....
Maine.....	16	.....	.....	.....	.....	7	8	7	6	5	5	4	4	4	4	.....
Maryland.....	1	6	8	9	9	9	8	6	6	5	6	6	6	6	6	.....
Massachusetts.....	1	8	14	17	20	13	12	10	11	10	11	12	13	14	.....	.....
Michigan.....	24	.....	.....	.....	.....	.....	.....	3	4	6	9	11	12	12	12	.....
Minnesota.....	35	.....	.....	.....	.....	.....	.....	.....	2	2	3	5	7	9	9	.....
Mississippi.....	15	.....	.....	.....	.....	1	2	4	5	5	6	7	7	8	8	.....
Missouri.....	17	.....	.....	.....	.....	1	2	5	7	9	13	14	15	16	.....	.....
Montana.....	51	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	1	1	1	1	.....
Nebraska.....	40	.....	.....	.....	.....	.....	.....	.....	.....	1	1	3	6	6	6	.....
Nevada.....	38	.....	.....	.....	.....	.....	.....	.....	.....	1	1	1	1	1	1	.....
N. Hampshire.....	1	3	4	5	6	6	5	4	3	3	3	2	2	2	2	.....
N. Jersey.....	1	4	5	6	6	6	6	5	5	5	7	7	8	10	.....	.....
N. Mexico.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
New York.....	1	6	10	17	27	34	40	34	33	31	33	34	34	37	.....	.....
N. Carolina.....	1	5	10	12	13	13	13	9	8	7	8	9	9	10	.....	.....
N. Dakota.....	51	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	2	.....
Ohio.....	8	.....	.....	6	14	19	21	21	21	19	20	21	21	21	.....	.....
Oklahoma.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Oregon.....	35	.....	.....	.....	.....	.....	.....	.....	11	1	1	1	2	2	2	.....
Pennsylvania.....	1	8	13	18	23	26	28	24	25	24	27	28	30	32	.....	.....
Philippine Is.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Porto Rico.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Rhode Island.....	1	1	2	2	2	2	2	2	2	2	2	2	2	2	2	.....
S. Carolina.....	1	5	6	8	9	9	9	7	6	4	5	7	7	7	7	.....
S. Dakota.....	51	.....	.....	3	6	9	13	11	10	8	10	10	10	10	10	.....
Tennessee.....	4	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Texas.....	29	.....	.....	.....	.....	.....	.....	.....	2	4	6	11	13	16	.....	.....
Tutuila.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Utah.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Vermont.....	2	.....	2	4	6	5	5	4	3	3	3	2	2	2	2	.....
Virginia.....	1	10	19	22	23	22	21	15	13	11	9	10	10	10	10	.....
Washington.....	51	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
West Virginia.....	38	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Wisconsin.....	30	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Wyoming.....	52	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Totals.....	.....	65	105	141	181	213	240	223	237	243	293	325	356	386	.....	.....

<sup>1</sup> States admitted after apportionment.

## UNITED STATES CONGRESSIONAL SESSIONS.

To find the number of years covered by a given Congress, double the number of Congress, and add 1789; the result being the year in which Congress closed. [EXAMPLE, third 6th Congress.  $30 \times 2 = 60 + 1789 = 1849$ .] To find the number of Congress sitting in any given year. [EXAMPLE, 1849 - 1789 =  $60 \div 2 = 30$ .] If the remainder is an uneven number, add 1 to it, and half the result gives the Congress of which the year will be the first. [1850 - 1789 =  $61 \div 2 = 31$ .]

The \* in the first column in refers to Special Sessions. See "Extra Congress," page 146. See page 135, "The Congress of the United States," for sessions ending March 3.

Congress	SESSIONS				SENATE			HOUSE OF REPRESENTATIVES		
	Where Convened	Commencement	Termination	Duration	Pro tempore President	State	Elected	Speaker	State	
1*	New York	Mar. 4, 1789	Sept. 29, 1789	269	John Langdon	N.H.	Apr. 6, 1789	F. A. Muhlenberg	Pa.	
...	"	Jan. 4, 1790	Aug. 12, 1790	220						
...	Philadelphia	Dec. 6, 1790	Mar. 3, 1791	87				Jonathan Trumbull	Conn.	
2	"	Oct. 24, 1791	May 8, 1792	197	Richard H. Lee	Va.	Apr. 18, 1792			
...	"	Nov. 5, 1792	Mar. 2, 1793	118	John Langdon	N.H.	Nov. 5, 1792			
3*	"	Dec. 2, 1793	June 9, 1794	189				F. A. Muhlenberg	Pa.	
...	"	Nov. 3, 1794	Mar. 3, 1795	120	Ralph Izard	S.C.	May 31, 1794			
...	"	Dec. 7, 1795	June 1, 1796	177	Henry Tazewell	Va.	Feb. 20, 1795			
...	"	Dec. 5, 1796	Mar. 3, 1797	89	Samuel Livermore	N.H.	May 6, 1796		N.J.	
5*	"	May 15, 1797	July 10, 1797	56	William Bingham	Pa.	Feb. 16, 1797			
...	"	Nov. 13, 1797	July 16, 1798	245	William Bradford	R.I.	July 6, 1797			
...	"	Dec. 3, 1798	Mar. 3, 1799	90	Jacob Read	S.C.	Nov. 22, 1797			
...	"	Dec. 2, 1799	May 14, 1800	164	Theodore Sedgwick	Mass.	June 27, 1798			
...	Washington	Nov. 17, 1800	Mar. 8, 1801	106	John Laurence	N.Y.	Dec. 6, 1798			
7	"	Dec. 7, 1801	May 3, 1802	147	James Ross	Pa.	Mar. 1, 1799			
...	"	Dec. 6, 1802	Mar. 3, 1803	87	Samuel Livermore	N.H.	Dec. 2, 1799	Theo. Sedgwick	Mass.	
8*	"	Oct. 17, 1803	Mar. 27, 1804	162	Uriah Tracy	Conn.	May 14, 1800			
...	"	Nov. 5, 1804	Mar. 3, 1805	118	John E. Howard	Md.	Nov. 21, 1800			
9	"	Dec. 2, 1805	Apr. 21, 1806	140	James Hillhouse	Conn.	Feb. 28, 1801			
...	"	Dec. 1, 1806	Mar. 3, 1807	92	Abraham Baldwin	Ga.	Dec. 4, 1801	Nathaniel Macon	N.C.	
10*	"	Oct. 26, 1807	Apr. 25, 1808	182	Stephen R. Bradley	Vt.	Dec. 14, 1802			
...	"	Nov. 7, 1808	Mar. 3, 1809	116	John Brown	Ky.	Oct. 1, 1803			
...	"	May 22, 1809	June 28, 1809	37	Jesse Franklin	N.C.	Mar. 10, 1804			
...	"	Nov. 27, 1809	May 1, 1810	155	Joseph Anderson	Tenn.	Jan. 15, 1805			
...	"	...	...	...	Samuel Smith	Md.	Dec. 2, 1805			
...	"	...	...	...	Samuel Smith	Md.	Mar. 2, 1807			
...	"	...	...	...	Stephen R. Bradley	Vt.	Apr. 16, 1808	Jos. B. Varnum	Mass.	
...	"	...	...	...	John Milledge	Ga.	Dec. 28, 1808			
...	"	...	...	...	Andrew Gregg	Pa.	Jan. 30, 1809			
...	"	...	...	...	John Gaillard	S.C.	June 26, 1809			
...	"	...	...	...			Feb. 28, 1810			



...	8	Washington	Dec.	3, 1810	Mar. 8, 1811	....	90	John Pope.....	Ky.....	Feb. 28, 1811	.....
12*	1	"	Nov.	4, 1811	July 6, 1812	....	245	Wm. H. Crawford.....	Ga.....	Mar. 24, 1812	Henry Clay..... Ky.
13	1	"	Nov.	2, 1812	Mar. 8, 1813	....	121	.....	.....	.....	.....
13	1	"	May	24, 1813	Aug. 2, 1813	....	70	.....	.....	.....	.....
...	2	"	Dec.	6, 1813	Apr. 18, 1814	....	133	Jos. B. Varnum.....	Mass.....	Dec. 6, 1813	Langdon Cheves..... S.C.
...	3	"	Sept.	19, 1814	Mar. 8, 1815	....	165	.....	.....	.....	.....
14	1	"	Dec.	4, 1815	Apr. 30, 1816	....	148	John Gaillard.....	S.C.....	Nov. 25, 1814	.....
14	2	"	Dec.	2, 1816	Mar. 8, 1817	....	91	John Gaillard.....	S.C.....	Dec. 2, 1816	Henry Clay..... Ky.
15	1	"	Dec.	1, 1817	Apr. 20, 1818	....	140	John Gaillard.....	S.C.....	Dec. 1, 1817	.....
...	2	"	Nov.	16, 1818	Mar. 8, 1819	....	107	Jas. Barbour.....	Va.....	Feb. 15, 1818	.....
16	1	"	Dec.	6, 1819	May 15, 1820	....	161	.....	.....	.....	.....
...	2	"	Nov.	13, 1820	Mar. 8, 1821	....	110	John Gaillard.....	S.C.....	Jan. 25, 1820	John W. Taylor..... N.Y.
17	1	"	Dec.	3, 1821	May 8, 1822	....	156	John Gaillard.....	S.C.....	Feb. 1, 1822	Phillip P. Barbour..... Va.
...	2	"	Dec.	2, 1822	Mar. 8, 1823	....	91	.....	.....	.....	.....
18	1	"	Dec.	1, 1823	May 27, 1824	....	177	John Gaillard.....	S.C.....	May 21, 1824	Henry Clay..... Ky.
...	2	"	Dec.	6, 1824	Mar. 8, 1825	....	81	.....	.....	.....	.....
19	1	"	Dec.	5, 1825	May 22, 1826	....	168	Nathaniel Macon.....	N.C.....	May 20, 1826	Jno. W. Taylor..... N.Y.
...	2	"	Dec.	4, 1826	Mar. 8, 1827	....	89	Nathaniel Macon.....	N.C.....	Mar. 2, 1827	..... N.C.
20	1	"	Dec.	3, 1827	May 26, 1828	....	175	Samuel Smith.....	Md.....	May 15, 1828	Andrew Stevenson..... Va.
...	2	"	Dec.	1, 1828	Mar. 8, 1829	....	92	.....	.....	.....	.....
21	1	"	Dec.	7, 1829	May 31, 1830	....	175	.....	.....	.....	.....
...	2	"	Dec.	6, 1830	Mar. 8, 1831	....	87	.....	.....	.....	.....
22	1	"	Dec.	5, 1831	July 16, 1832	....	224	L. W. Tazewell.....	Va.....	July 9, 1832	.....
...	2	"	Dec.	3, 1832	Mar. 8, 1833	....	90	H. L. White.....	Tenn.....	Dec. 8, 1832	John Bell..... Tenn.
23	1	"	Dec.	2, 1833	June 30, 1834	....	210	H. L. White.....	Tenn.....	Dec. 2, 1833	.....
...	2	"	Dec.	1, 1834	Mar. 8, 1835	....	92	Geo. Polndexter.....	Miss.....	June 2, 1834	.....
24	1	"	Dec.	2, 1835	July 4, 1836	....	210	John Tyler.....	Va.....	Dec. 3, 1835	Jas. K. Polk..... Tenn.
...	2	"	Dec.	5, 1836	Mar. 8, 1837	....	88	Wm. E. King.....	Ala.....	July 1, 1836	.....
25*	1	"	Sept.	4, 1837	Oct. 16, 1837	....	42	.....	.....	.....	.....
...	2	"	Dec.	4, 1837	July 9, 1838	....	217	.....	.....	.....	.....
...	3	"	Dec.	3, 1838	Mar. 8, 1839	....	90	.....	.....	.....	.....
26	1	"	Dec.	2, 1839	July 21, 1840	....	232	.....	.....	.....	.....
...	2	"	Dec.	7, 1840	Mar. 8, 1841	....	86	.....	.....	.....	.....
27*	1	"	May	31, 1841	Sept. 13, 1841	....	106	Samuel L. Southard.....	N.J.....	Mar. 1, 1841	.....
...	2	"	Dec.	6, 1841	Aug. 31, 1842	....	268	.....	.....	.....	John White..... Ky.
...	3	"	Dec.	5, 1842	Mar. 8, 1843	....	88	Willie P. Mangum.....	N.C.....	May 31, 1842	.....
28	1	"	Dec.	2, 1843	June 17, 1844	....	196	.....	.....	.....	.....
...	2	"	Dec.	2, 1844	Mar. 8, 1845	....	91	.....	.....	.....	John W. Jones..... Va.

## UNITED STATES CONGRESSIONAL SESSIONS—Continued.

Congress	Sessions	SESSIONS				SENATE				HOUSE OF REPRESENTATIVES	
		Where Convened	Commencement	Termination	Duration	Pro tempore President	State	Elected	Speaker	State	
29	1	Washington	Dec. 1, 1845	Aug. 10, 1846	292	David R. Atchison	Mo.	Aug. 8, 1846	John W. Davis	Ind.	
...	2	"	Dec. 7, 1846	Mar. 8, 1847	86						
30	1	"	Dec. 6, 1847	Aug. 14, 1848	252						
...	2	"	Dec. 4, 1848	Mar. 3, 1849	89				Robt. C. Winthrop	Mass.	
31	1	"	Dec. 3, 1849	Sept. 80, 1850	302	Wm. R. King	Ala.	May 6, 1850	Howell Cobb	Ga.	
...	2	"	Dec. 2, 1850	Mar. 8, 1851	92						
32	1	"	Dec. 1, 1851	Aug. 31, 1852	275				Linn Boyd	Ky.	
...	2	"	Dec. 6, 1852	Mar. 3, 1853	88	David R. Atchison	Mo.	Dec. 20, 1852			
33	1	"	Dec. 5, 1853	Aug. 7, 1854	245						
...	2	"	Dec. 4, 1854	Mar. 8, 1855	90	Jesse D. Bright	Ind.	Dec. 5, 1854			
34	1	"	Dec. 3, 1855	Aug. 18, 1856	250	Jesse D. Bright	Ind.	June 11, 1856	Nathaniel P. Banks	Mass.	
...	2	"	Aug. 21, 1856	Aug. 30, 1856	10						
...	3	"	Dec. 1, 1856	Mar. 8, 1857	98	James M. Mason	Va.	Jan. 6, 1857	Jas. L. Orr	S.C.	
35	1	"	Dec. 7, 1857	June 1, 1858	180	Benj. Fitzpatrick	Ala.	Dec. 7, 1857			
...	2	"	Dec. 6, 1858	Mar. 8, 1859	88				Wm. Pennington	N.C.	
36	1	"	Dec. 5, 1859	June 25, 1860	293						
...	2	"	Dec. 3, 1860	Mar. 4, 1861	96	Solomon Foot	Vt.	Feb. 16, 1861	Galusha A. Grow	Pa.	
37	1	"	July 4, 1861	Aug. 6, 1861	34						
...	2	"	Dec. 2, 1861	July 17, 1862	227						
...	3	"	Dec. 1, 1862	Mar. 4, 1863	92						
38	1	"	Dec. 7, 1863	July 2, 1864	210						
...	2	"	Dec. 5, 1864	Mar. 3, 1865	88	Daniel Clark	N.H.	Apr. 26, 1864	Schuyler Colfax	Ind.	
39	1	"	Dec. 4, 1865	July 28, 1866	236	Lafayette S. Foster	Conn.	Dec. 5, 1865			
...	2	"	Dec. 3, 1866	Mar. 4, 1867	90						
40	1	"	Mar. 4, 1867	Mar. 20, 1867	26	Benj. F. Wade	O.	Mar. 4, 1867			
...	2	"	July 3, 1867	July 20, 1867	17						
...	3	"	Nov. 21, 1867	Dec. 2, 1867	11						
...	2	"	Dec. 2, 1867	July 27, 1868	239						
...	3	"	Sept. 21, 1868	Sept. 22, 1868	1						
...	4	"	Oct. 16, 1868	Nov. 10, 1868	25						
...	5	"	Dec. 4, 1868	Mar. 4, 1869	87						
41	1	"	Mar. 4, 1869	Apr. 10, 1869	37	Henry B. Anthony	R.I.	Mar. 23, 1869	Jas. G. Blaine	Me.	
...	2	"	Dec. 6, 1869	July 13, 1870	221						
...	3	"	Dec. 5, 1870	Mar. 4, 1871	88						
42	1	"	Mar. 4, 1871	Apr. 20, 1871	47						
...	2	"	Dec. 4, 1871	June 10, 1872	140						
...	3	"	Dec. 2, 1872	Mar. 4, 1873	91						

43	Washington	Dec.	1, 1873	June 23, 1874	204	M. H. Carpenter	Wis.	Dec. 2, 1873	
44	"	Dec.	1, 1874	Mar. 4, 1875	86				
45*	"	Dec.	6, 1875	Aug. 15, 1876	233	Thos. W. Ferry	Mich.	Dec. 9, 1875	Michael C. Kerr Sam J. Randall
46*	"	Dec.	15, 1876	Mar. 3, 1877	49				
47	"	Dec.	3, 1877	June 20, 1878	199				
48	"	Dec.	8, 1877	Mar. 3, 1879	91				
49	"	Mar.	18, 1879	July 1, 1879	105	A. G. Thurman	O.	Apr. 15, 1879	
50	"	Dec.	1, 1879	June 16, 1880	108				
51	"	Dec.	6, 1880	Mar. 8, 1881	87				
52	"	Dec.	5, 1881	Aug. 8, 1882	246	Thos. F. Bayard	Del.	Oct. 10, 1881	Jno. W. Kiefer
53*	"	Dec.	4, 1882	Mar. 4, 1883	90	David Davis	Ill.	Oct. 13, 1881	
54	"	Dec.	3, 1883	July 7, 1884	217	Geo. F. Edmunds	Vt.	Dec. 4, 1883	Jno. G. Carlisle
55*	"	Dec.	1, 1884	Mar. 3, 1885	93				
56	"	Dec.	7, 1885	Aug. 5, 1886	241	John Sherman	O.	Dec. 7, 1885	
57	"	Dec.	6, 1886	Mar. 3, 1887	88	John J. Ingalls	Kan.	Feb. 25, 1887	
58*	"	Dec.	5, 1887	Oct. 20, 1888	320				
59	"	Dec.	3, 1888	Mar. 4, 1889	91				
60	"	Dec.	2, 1889	Oct. 1, 1890	304				
61	"	Dec.	1, 1890	Mar. 4, 1891	93				
62	"	Dec.	8, 1891	Aug. 5, 1892	141	Chas. F. Manderson	Neb.	Mar. 1, 1891	Thos. B. Reed
63*	"	Dec.	5, 1892	Mar. 4, 1893	89				
64	"	Aug.	1, 1893	Nov. 3, 1893	88	Ischam G. Harris	Tenn.	Mar. 27, 1893	Chas. F. Crisp
65	"	Dec.	4, 1893	Aug. 28, 1894	268				
66	"	Dec.	3, 1894	Mar. 4, 1895	91				
67	"	Dec.	2, 1895	June 11, 1896	192	Wm. P. Frye	Me.	Feb. 7, 1896	Thos. B. Reed
68*	"	Dec.	1, 1896	Mar. 4, 1897	87				
69	"	Mar.	15, 1897	July 24, 1897	131				
70	"	Dec.	6, 1897	Mar. 4, 1898	88				
71	"	Dec.	5, 1898	Mar. 4, 1899	89				
72	"	Dec.	4, 1899	Mar. 4, 1900	92				
73*	"	Dec.	3, 1900	Mar. 4, 1901	95				David B. Henderson
74	"	Dec.	2, 1901	July 1, 1902	213				
75	"	Dec.	1, 1902	Mar. 8, 1903	92				
76*	"	Nov.	9, 1903	Dec. 4, 1903	28				
77	"	Dec.	1, 1903	April 28, 1904	142				
78	"	Dec.	5, 1904	Mar. 4, 1905	89				Mos. G. Cannon
79	"	Dec.	4, 1905						

### Extra Sessions of Congress.

The Constitution, Art. II. Sec. 3, provides the President "may, on extraordinary occasions, convene both Houses, or either of them."

The Senate has often been called in Special Session to transact executive business, but the House of Representatives has never been called alone.

It is now the custom for a President, a few days before he retires from office, to issue a proclamation calling the Senate together immediately following the inauguration of his successor. This gives the Senate an opportunity to elect a President *pro tempore*, and the incoming President an opportunity to nominate his Cabinet and other officers.

CONGRESS 1, SESSION 1. Called for March 4, 1789; did not assemble until April 6, 1789. The object was to count the electoral votes.

CONGRESS 5, SESSION 1. Called by President John Adams, March 25, 1797; convened May 15, 1797. Owing to suspension of diplomatic intercourse with France, on the pretext, on the part of the French Directory, that the Jay treaty was a violation on the part of the United States of a solemn compact in relation to the French West India possessions. Charles C. Pinckney, Minister to France, had been expelled by the Directory, which issued further orders for depredation on American commerce. President Adams's recommendations approved. Session closed July 10, previously fixing November 13, time of meeting of second session.

CONGRESS 8, SESSION 1. Called by President Jefferson; convened October 17, 1803. Incident to the secret cession of Louisiana by the King of Spain to France, the Intendant of Louisiana being instructed to make the formal delivery precisely as it was held by France when ceded to Spain. In the execution of this mandate the Intendant proclaimed that New Orleans was closed as a place of deposit for merchandise, foreign commerce being forbidden that port unless carried on by Spanish subjects in Spanish bottoms. The President authorized to take possession of Louisiana under the French Treaty concluded at Paris in April, and an act passed "erecting Louisiana into two Territories, and providing for the temporary government thereof."

CONGRESS 10, SESSION 1. Called by President Jefferson; convened October 26, 1807. The attack upon the *Chesapeake* by the *Leopard*, and the seizure of alleged deserters from the British navy under the "right of search" claimed by Great Britain. Also unsettled differences with Spain.

CONGRESS 11, SESSION 1. Called by President Madison; convened May 22, 1809, on account of difficulties with England.

CONGRESS 12, SESSION 1. Called by President Madison; convened November 4, 1811. To consider questions growing out of foreign affairs, particularly those resulting from the British Orders in Council, and the French Edicts, which seriously affected commerce. The affair of the *Little Belt* deemed likely to lead to war. The President urged upon Congress "the duty of putting the United States into an armor and attitude demanded by the crisis, and corresponding with the national spirit and

expectations." The session terminated July 6, 1812, the second session fixed for November 2, 1812, and the first session of the Thirteenth Congress for May 24, 1813.

CONGRESS 13, SESSION 3. Called by proclamation of President Madison, August 8; convened September 19, 1814. In order to provide for Treasury deficiencies, and consider negotiations then on foot with Great Britain to decide "whether it should require arrangements adapted to a return of peace, or order the more effective provisions for the prosecuting of war."

CONGRESS 25, SESSION 1. Called by President Van Buren; convened September 4, 1837. The general and almost simultaneous suspension of specie payments in the month of May, 1837, and the deficit in the Treasury.

CONGRESS 27, SESSION 1. Called by President Harrison, March 17, 1841; convened May 31, 1841. "Sundry and important and weighty matters principally growing out of the condition of the revenue and finances of the country," the proclamation stated.

CONGRESS 34, SESSION 2. Called by President Pierce; convened August 21, 1856. To make provision for the army for the ensuing fiscal year. At the first session the House and Senate could not agree on the Army Bill, and the hour for adjournment fixed upon having arrived, the Speaker's hammer fell, announcing the termination of the session (August 18, 1856), leaving the Army Bill unpassed.

Immediately upon adjournment President Pierce called this extra session.

CONGRESS 37, SESSION 1. Called by proclamation of President Lincoln, April 15, 1861; convened July 4, 1861. Declaring the laws of the Republic were opposed in South Carolina, Georgia, Alabama, Florida, Mississippi, Louisiana, and Texas, "by combinations too powerful to be suppressed by the ordinary course of judicial proceedings, or by the powers vested in the marshals of law."

Congress was asked to consider and determine such measures as in their wisdom they thought fit and public safety might seem to demand. Session closed August 6, 1861, both branches being in full accord with the Administration in respect to the policy to be pursued toward the seceding States.

CONGRESS 40, SESSION 1. Extra sessions (of three) by adjournment to keep a check upon the Southern policy of President Johnson.

Provision had been made for the meeting of this Congress and all succeeding Congresses immediately after the adjournment of the preceding Congress (see page 135), to prevent the organization of any pseudo-Congress by Northern Democrats and other Southern claimants of admission.

CONGRESS 41, SESSION 1. Extra session, as per proviso noted above in extra sessions of Fortieth Congress.

CONGRESS 42, SESSION 1. Extra, under conditions as applied to the two preceding Congresses.

This was the last Congress governed by the special provision.

CONGRESS 45, SESSION 1. Called by President Hayes; convened October 15, 1877. On account of the failure of the Forty-fourth Congress to make the usual appropriations for the army and for the ensuing fiscal year, the difference between the houses being the House provision in the fifth section of the bill, which imposed restrictions upon the President in regard to the use of troops in Louisiana and South Carolina for the purpose of installing and maintaining the Packard and Chamberlain governments in those States. Session ended December 3, 1877.

CONGRESS 46, SESSION 1. Called by President Hayes; convened March 18, 1879. Because the Forty-fifth Congress had adjourned (March 3, 1879) without making the usual appropriations for the legislative, executive, and judicial service, and for the support of the army for the fiscal year ending June 30, 1880.

CONGRESS 53, SESSION 1. Called by proclamation of President Cleveland, June 30, 1893; convened August 7, 1893. The Preamble reciting that "distrust and apprehension concerning the financial situation which pervade all business circles have already caused great loss and damage to our people, and threaten to cripple our merchants, stop the wheels of manufacture, bring distress and privation to our farmers, and withhold from our workmen the wages of labor; that the present perilous condition is largely the result of a financial policy which the Executive branch of the Government finds embodied in unwise laws which must be executed until repealed by Congress."

CONGRESS 55, SESSION 1. Called by proclamation of President McKinley, March 6, 1897, directly for the enactment of a tariff law, in accord with the words of his inaugural "to stop deficiencies by the restoration of that protective legislation which has always been the firmest prop of the Treasury."

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA.

A PROCLAMATION.

WHEREAS, public interests require that the Congress of the United States should be convened in extra session at 12 o'clock on the 15th day of March, 1897, to receive such communications as may be made by the Executive:

Now, therefore, I, William McKinley, President of the United States of America, do hereby proclaim and declare that an extraordinary occasion requires the Congress of the United States to convene in extra session at the Capitol in the city of Washington on the 15th day of March, 1897, at 12 o'clock, noon, of which all persons who shall at that time be entitled to act as members thereof are hereby required to take notice.

Given under my hand and the seal of the United States, at Washington, the sixth day of March, in the year of our Lord one thousand eight hundred and ninety-seven, and of the independence of the United States the one hundred and twenty-first.

WILLIAM MCKINLEY.

By the President.

JOHN SHERMAN, *Secretary of State.*

## POLITICAL PARTIES.

## FACTIONS, COALITIONS, LEAGUES, AND FEDERATIONS.

**Abolitionists.** During the Revolution, and when the Constitution was made, various societies were formed for the *abolition* of slavery, the first originating in Philadelphia, April 14, 1775, with Benjamin Franklin as President. A second society, with the same purpose in view, formed in New York, January 25, 1785, with John Jay as President (later succeeded by Alexander Hamilton). These were the beginning of many throughout the States, their meetings, publications, and petitions being treated respectfully until the development of cotton planting in the early part of the nineteenth century raised the price of slaves, when the struggle between the anti-slavery and pro-slavery interests began. The contest out of which the term *abolition* grew, dates with William Lloyd Garrison's arraignment of slave-holders as criminals in 1829, he two years later publishing *The Liberator*. This was afterward followed by the formation in Boston of the *New England Anti-Slavery Society*, for the purpose of promoting the cause of emancipation, and with a similar object at Philadelphia, the creation of the *American Anti-Slavery Society* in 1833.

The *Abolition Party* was organized in December, 1839, at Warsaw, Genesee County, New York, at a mass convention, nominating James G. Birney, of New York, for President, and Francis G. LeMoynes, of Pennsylvania, for Vice-President. The party had one vital principle, the abolition of slavery, looked upon as a movement of a few political cranks. Its total vote in 1840 aggregated 7069, one-third of which was cast in New York and one-fourth in Massachusetts. In 1840 the *Abolitionists* divided into two wings, one favoring abolition through constitutional amendment, the other denouncing the Constitution as a bulwark of slavery. Wendell Phillips was the chief spokesman of the latter faction, or *Liberty Party* (*q. v.*). *Abolitionists* was applied to the Whigs by the Democracy in 1840.

*Abolitionists* and *Republicans* mated on the ground of anti-slavery in 1860, the advocacy of which culminated in the Emancipation Proclamation (*q. v.*) of January 1, 1863. In February, 1866, slavery was abolished forever from the territory of the United States by Act of Congress.

*Abolitionist* was a term of contempt applied by the Democrats in 1860 to all Republicans, and by the people of the South to all Northerners who were not Democrats.

The slavery agitation had two periods; during the first, 1780-1819, it was general and spiritless; during the second, 1820-1865, it became sectional and aggressive. It was during this latter period the term *abolitionist* was first applied to the agitators for emancipation.

The word *abolitionist* had been applied in England and her colonies to the anti-slavery agitators, led by William Wilberforce, who, on May 22,



1787, formed a committee "for the *abolition* of the slave trade," under the presidency of Granville Sharp. As a word, *abolitionist* had been in use in America by the Quakers of Pennsylvania before the Revolution, as early as 1696. As a *party name*, it belongs distinctively to the movement of which Garrison was the first apostle.

The Abolition, Whig, and Federal were parties of liberal ideas and aggressiveness; when their mission was accomplished, each disappeared until called into life to meet a new crisis.

**Absaloms.** Appeared in New York City during the National Campaign of 1900, the word originating with the *New York Sun*. The Democratic party pushed forward young men as candidates, forming Young Men's Leagues to rouse enthusiasm among the first voters. The application of the sobriquet was to the type of young man who wants to anticipate the course of nature in stepping into the shoes of his elders.

**Agrarians.** Sometimes applied to the *Loco-focos* (*q.v.*), or "equal rights" party, founded in 1835. Later the Abolitionists and Republicans were branded as Agrarians by the pro-slavery party.

*Agrarian Law*, from the Latin *ager*, land, is a law for making land the common property of a nation, and not the particular property of individuals. In a modified form, it means a re-distribution of land, giving to each citizen a portion.

**Albany Regency.** A *Democrat* section (see *Buck-tails*), a junta of astute Democratic politicians, having their headquarters at Albany, N. Y. They controlled the action of the local Democratic State Party for many years (1820 to 1854), which gave them great weight in national politics. By a soft, conciliatory perseverance, they gained the entire control of the Republican party in the State, with its patronage and machinery.

**The Allied Third Party.** A product of Public Ownership men, Populists of all persuasions, Free Silver Republicans, Socialists, Single Taxers, and Bryan Democrats, formed at Kansas City, Missouri, June 19, 1901, as a local or State party, which expected to be finally taken up by the dissatisfied in the old parties from other States. Principles:—

Public ownership of all public utilities, as railroads, telegraphs, etc.

While awaiting the legislation necessary to secure public ownership, rigid control of freight and passenger rates, and severe penalties for rebates and other discriminations by railroads.

Taxation of railroads and other public utility corporations in the same proportion as the value of farm and other property.

Direct legislation by the initiative and referendum, to the end that the people may initiate good legislation and veto bad legislation.

A graduated income tax, to the end that wealth, which receives government protection, shall bear its just share of the cost of the government.

That whatever is used as money shall be full legal tender, issued by the general government in sufficient volume for business purposes, and that volume fixed in proportion to population.

Just election laws throughout the State.

Home rule for cities, and abolition of the present system of using the police as a standing army to carry primary elections in the interest of dishonest politicians, representing still more dishonest special privilege corporations.

Election of United States Senators by popular vote.



**Amalgamationists.** Applied by the apologists of slavery to the Abolitionists, claiming they were favoring a miscegenation of the white and black races. *Miscegenation* was a (1860) war-coined word. Webster notes it as "ill-advised," should be *Miscegeneration*.

**American.** The Kansas-Nebraska bill of 1853 occasioned a split in the Whigs in 1854, who allied with the *Know-nothings* (*q.v.*) and became the *American* party. It disappeared from national politics in 1860, having split into "North Americans" and "South Americans." In the South, the "South American" faction took the place of the *Whigs*. In a way, the Constitutional Union party (1860) was its successor.

In convention at Philadelphia, September 16-17, 1887, the name again assumed by a party politic, founded on love for our country and its institutions ". . . believing that America should be governed by Americans." (See "Know-nothings.")

The platform of principles adopted was:—

1. Restriction (regulation) of immigration.
2. Extension of the time required for naturalization to fourteen years.
3. The protection and promotion of the American Free School System.
4. American lands for American settlers.
5. No public lands for sectarian uses.

That immigration should be restricted, not prohibited; that the pauper and criminal classes, the anarchist and the socialist—men whose avowed principles are antagonistic to the laws—should be inhibited from becoming American citizens.

That the time for naturalization should be extended to fourteen years. Perhaps an educational qualification might be added. Some foreigners might be permitted to vote in a less period of time, but the great mass do not understand our language, are almost uneducated, and know nothing of our laws or customs.

That the American Free School System should be protected and extended to and in every city, town, and village in our land, that all children may have an opportunity to secure an education, that no division of the school-fund be made for schools under religious control or in which doctrines of the creed are taught.

That American lands should be reserved for American settlers—not exclusively American born—but such citizens as will occupy and improve them, not for syndicates or foreign capitalists.

That no public funds or property, or money raised by taxation, be applied to sectarian use. That there should be an entire separation of Church and State, every religious denomination to support its own institutions.

**American National.** A mass convention held in Pittsburg, Pa., June 9, 1875, nominating a president and vice-president; the party disappearing with the convention. The platform based on religious principles,

prohibition of intoxicating drinks and secret lodges, the cultivation of the morals of men, specie payment, justice to Indians, abolition of electoral colleges.

**The American Party.** A new party, was organized at St. Louis, Mo., August 25th and 26th, 1897, adopting a strong American home protective platform, based on freedom of thought, and "freedom from foreign influences which are not wholly in harmony with our American republican form of government."

**American Prohibition.** Held a convention in Chicago, June 19, 1884. Its platform, in the main, was an exact reproduction of the American National (*q.v.*).

**The American Protective Association** — or, A. P. A., as it is more often styled. A secret political regulator, with a claim of "America for Americans," not only of native birth, but for "all who will be true Americans, irrespective of race, color, creed, original nationality, or previous condition of life," sound legislation impartially and unflinchingly enforced. Its declaration of principles as published are: —

First, "loyalty to true Americans, which knows neither birthplace, race, creed, nor party. . . ."

Second, disclaims political partisanship, teaching its members "to be intensely active in the discharge of their political duties in or out of party lines, because it believes that all problems confronting our people will be best solved by a conscientious discharge of the duties of citizenship by each individual."

Third, while tolerant of all creeds, holds that support of any ecclesiastical power of non-American character, which claims higher sovereignty than that of the United States, is irreconcilable with American citizenship.

Fourth, upholds the constitutional guaranty of religious liberty, interpreting it as restricted to the individual.

Fifth, considers "the non-sectarian free public schools" as "the bulwark of American institutions," and protests "against the employment of the subjects of any un-American ecclesiastical power as officers or teachers of our public schools."

Sixth, condemns "the support from the public treasury . . . of any sectarian school, reformatory, or other institution not owned and controlled by public authority."

Seventh, believes "exemption from taxation is equal to a grant of public funds," demanding "that no real or personal property be exempt from taxation, the title to which is not vested in national or State governments."

Eighth, protests "against the enlistment in the United States army or navy, or in the militia of any State, of any person not an actual citizen."

Ninth, demands "for the protection of our citizen laborers, the prohibition of the importation of pauper labor, and the restriction of all immigration to persons who can show their ability and honest intentions to become self-supporting American citizens."

Tenth, demands "change of naturalization laws by a repeal of the act authorizing the naturalization of minors without a previous declaration, . . . that no aliens shall be naturalized or permitted to vote in any State . . . who cannot speak the language of the land, and who cannot prove seven years' continuous residence in this country from the date of his declaration of intention."

Eleventh, protests "against the gross negligence and laxity with which the judiciary . . . administer the present naturalization laws, and against the practice of naturalizing aliens at the expense of committees or candidates, as the most prolific source of the present prostitution of American citizenship to the basest of uses."

Twelfth, demands "that all hospitals, asylums, reformatories, or other institutions in which people are under restraint, be at all times subject to public inspection, whether they are maintained by the public or private corporations or individuals."

Thirteenth, demands "that all national or State legislation affecting financial, industrial, or commercial interests be general in character, and in no instance in favor of any one section of the country or any one class of the people."

The A. P. A. was founded by H. F. Bowers, who says: —

"The condition of affairs in this country in 1887, and up to that time, was such that the institutions of our Government were controlled and the patronage was doled out by an

Ecclesiastical element under the direction and heavy hand of a foreign ecclesiastical potentate. This power became so influential that it stood as a unit in many places against the institutions of the country. Through the Legislature of Maryland at one time it destroyed the public school system of that State. Seeing these things, I felt that it was necessary that something should be done. Gathering around me six men who had the courage of their convictions, we met in my office in Clinton on March 15, 1887, and laid the foundations of the order. That same day we formulated the ritualistic work and adopted a constitution. The chief idea we had in view in the constitution was this: that we had no right under the Constitution of this country to oppose any religious body on account of its dogmatic views, faith, etc., but we did believe we had a right to oppose it when it became a great political factor. We believed then and we believe now that every man in this country has a right to worship God according to the dictates of his conscience, but we did not believe that the Constitution intended to convey the right to any set of men to control and manipulate the political affairs of this country to the aggrandizement of any ecclesiastical power."

See "Know-nothing Party." The difference between the two parties is, that the A. P. A. admit to membership men of all nationalities without regard to the country or place of birth. If a member is a foreigner he must become a naturalized citizen of the United States and prepare himself for the duties of citizenship. The "Know-nothings" admitted only American-born citizens to membership.

The first Supreme Council meeting held at Clinton, Iowa, in 1889. The seven original organizers were divided, *politically*, three Republicans, two Democrats, one Populist, and one Prohibitionist; *religiously*, one Methodist, one Baptist, one Presbyterian, one Congregationalist, one Lutheran, and one of no religion.

**American Republican.** Formed in 1842, in New York, as the successor of the Native American Party of 1835. It became the precursor of the Know-nothings, demanding public offices should be filled only by native Americans, and naturalization should not be allowed until after a sojourn of twenty-one years in the country.

**Anti-Clintonians.** See "Buck-tails."

**Anti-expansionists.** See "Anti-imperialists."

**Anti-Federalists.** One of the first two political parties under the present Constitution, the outcome of the *Particularists* (*q.v.*). They were the opposers of the ratification of the Constitution of the United States, which was then spoken of as the *Federal Constitution*.

The Anti-Federalists were unwilling to take certain great powers from the States and give them to the general government, were jealous of the power of Congress, too much national power, lest a monarchy should be established, and were strong adherents to rights of State and local self-government. See "Federalists."

In 1791 withdrew against the Constitution, turning against financial measures of the Federals toward funding of State debts. In 1796 became the *Republican* party, branching into Jeffersonian Republicanism, afterward becoming the *Democrat*. See "Republican," "Democrat," and "National."

**The Anti-imperialistic League of America.** An organization that was the outcome of the Spanish-American War, politically con-

structed in Chicago, Illinois, in 1899, to oppose the Republicans under whose administration the colonies fell into the possession of the country. The direct object was to unite the gold Democracy of 1896, the Free Silver Republicans, and the followers of silver advocates who were losing faith in the money issue. See "Anti-imperialists," "Anti-expansionists," "Free Silver."

**Anti-imperialists.** A section of the Republicans and Democrats who in 1898 were opposed to the expansion and continuous possession of territory by conquest or otherwise, incident to the Spanish-American War. The word directly adopted in Boston, Massachusetts, based upon a remark by President McKinley in a speech at a dinner of the Home Market Club, when referring to the war issues of expulsion of Spanish sovereignty in the islands, he remarked: "No *imperial* designs lurk in the American mind. They are alien to American sentiment, thought, and purpose."

**Anti-Mason.** Arose in New York after the death of William Morgan of Batavia, N.Y., a member of the Masonic fraternity, who was mysteriously murdered in 1826, for alleged exposure, it was claimed, of Masonic secrets. This circumstance was seized on for political capital, on the ground that persons who made their civil obligations subordinate to their obligations to each other, should be deemed unworthy to hold civil office, resulting in 1827 in the formation of an Anti-Masonic party in western New York. It was the only outlet for the old Federalists (*q.v.*), most of whom were in sympathy with the opposition of the new party to Masonic and all other secret societies. In September, 1830, some two years before the Presidential election, a national convention to nominate candidates was held in Philadelphia; it adjourned to meet in Baltimore, September, 1831, at which time a national candidate was named. The party met with no success. It was the first of the moral or one-idea parties, such as leave the government alone. In 1832 tempted to fuse with the National Republicans, but declined, declaring it party interest to discard the two great political organizations. In 1835 its Governor of Pennsylvania was elected, when the original cause having been exhausted, the party merged into others, verifying an assertion, that a party based on a single idea could not be permanent.

**Anti-Mongolian.** A faction in California, Nevada, and Oregon in 1878, having a strong feeling against the Chinese as immigrants, claiming they brought down wages in competing with whites. Advocated their exclusion from the country. See "Sand-lot."

**Anti-monopolists.** See "Loco-foco."

**Anti-monopoly.** Formed May 14, 1884, at Chicago, under the title of *The Anti-monopoly Organization of the United States*, demanding economical government, enactment and enforcement of equitable laws,

including an Interstate Commerce Law (a law enacted in 1887), establishing Labor Bureaus, providing Industrial Arbitration, direct vote for Senators, graduated income tax, payment of the national debt as it matures, and "fostering care" for agriculture; and denouncing the tariff and granting of lands to corporations. Joined issue with the Greenback Labor Party under the name of the "People's Party."

**Anti-Nebraska.** First assumed by Northern Whigs, who had broken with the Southern Whigs, on the subject of the Kansas-Nebraska Bill, 1853, drawing reinforcements from Democrats opposed to the extension of slavery in the territories.

They held to old Federal principles, believing in the supremacy of the nation, and denouncing State sovereignty, using the name *Republican* as a party name, with a meaning the reverse of the Jeffersonian application, its use synonymous with *nationality*.

**Anti-poverty Society.** Formed in New York, March 26, 1887, by Henry George and Edward McGlynn (Catholic priest). Its doctrine, "that involuntary poverty is the result of the human laws that allow individuals to hold as private property that which the Creator has provided for the use of all." In view of which they propose "the shifting of all taxes from products of labor to land values. Products of labor, being produced by the individual, it is confiscation to take them away from him; land values, being produced by the community as a whole, it is confiscation to take them away from the community."

Oppose exclusive *ownership* of land, but uphold exclusive *possession* of land; tax land values, not land; disturb no possession of land, taking what the people create, *i.e.*, land values, leaving all improvements to be the absolute untaxed property of the man who made them.

As a political organization it has been of no importance other than an annex of the Labor Party.

**Anti-renters.** A faction formed in November, 1844, in Albany, Rensselaer, Columbia, Greene, Schoharie, Otsego, and Delaware Counties, N.Y., that disapproved of physical opposition to the laws authorizing summary collection of rent by distress and sale unreasonably oppressive, as provision of forfeiture in leases were of such trifling and frivolous character, insisting if relief could be obtained in no other way, the State should exercise its right of *eminent domain*.

As a party (1850) they were against the Whigs and Democrats.

**Anti-slavery.** Formed in 1820 in Philadelphia, and as its name expresses, was opposed to the extension of slavery. See "Abolitionists."

**Anti-snappers.** That section of the Democratic party in New York that assembled in Convention at Syracuse in September, 1892. They were opposed to David B. Hill, and everybody but Cleveland at the Chicago Convention. They were not recognized at Chicago, as they were

declared irregular, being composed of the "kicking" or independent element. See "Snappers."

**Aristocrats.** Applied by the *Republicans* to a section of the Federalists in 1796. Also called the *British Party* (*q.v.*). See "Silk Stockings."

**Barn-burners.** Seceders from the Democratic party of New York (1844) who joined the *Free-soilers* (*q.v.*), being the more radical and progressive section of the Democratic party in New York, otherwise called the *Young Democracy*, as opposed to the conservative tendencies of "Hunker-ism." See "Hard-shells," "Hunkers," and "Soft-shells."

The name *Barn-burners* derived from the story of a Dutchman who ridded his barns of rats by burning them down, the *Barn-burners* advocating the extermination of banks and corporations to root out the abuses it was alleged they gave rise to.

Thurlow Weed, in a letter to Geo. W. Curtis (1873), assumes that it started in the "Dorr's Rebellion" (*q.v.*), when the followers of Dorr were termed "robbers," "rioters," "incendiaries," and "barn-burners," as they were said to have plotted incendiary fires after their failure in open fight.

The radical Barn-burners called the conservative element "Old Hunkers" (see "Hunker") from their stubborn resistance to active reforms; the latter retorting with "Barn-burners," alluding to them as reckless lawbreakers. During the agitation arising out of the slavery question, the "Old Hunkers" maintained their usual conservative attitude, while most of the Barn-burners joined the Free-soil party of 1848 (*q.v.*).

**Black and Tans.** One of the factions of the Republican party in Texas and South Carolina, originating in Texas in 1892. The "Black and Tans" were the permanent and regular organization, consisting of white men and negroes (see "Lily Whites"). The "Black and Tans" and "Lily Whites" in 1896 settled their differences, losing their different designations.

**Black Cockade Federalist.** A common term of reproach in the decadence of the Federal party (*q.v.*). On the side of the hat of the Continental uniform was worn a black cockade. When the intense war feeling against France roused by the XYZ mission became useful in politics, the black cockade was adopted as a patriotic badge by the Federalists, provoking anger of the more violent Republicans, it being adopted as a reminder of the tri-color cockade which the Republicans had been accustomed to wear as a mark of affection for France.

**Black Republicans.** The prefix "Black" was given by the pro-slavery or conservative party (Democrats and Southerners) to the Republican party in 1860, owing to their strong anti-slavery declarations and their alleged *fondness* for the negro. Being favorable to the abolition of

slavery, its members were ranked as friends of the blacks, or negroes. Its first application was by the Oligarchy in the South, subsequently freely used by their partisans in the North (see "Republican"). It became a reference from 1857 until 1870.

**Bloody-shirts.** Applied to those Republicans who are continually raising the late war issues; appealing to war sentiments. The term originated from a disguise of the Ku-Klux-Klan (*q.v.*), pictured by the Republicans as covered with negro blood.

**Blue-light Federalists.** Extremists in opposition to the War of 1812. Similar in position to *Copperheads* (*q.v.*) in the Civil War. The name applied from a circumstance connected with the blockade of the harbor of New London, Conn., by the British, where Decatur with two frigates was detained, several attempts at night being made to get to sea; Decatur maintaining that on each departure *blue lights* were burned at the harbor's mouth as signals to the British vessels, and that Federalists — *Blue-light Federalists* — gave the signals.

**Bobolitionist.** A derisive epithet for Abolitionist (*q.v.*), used by the enemies of the emancipation movement in its early days. The word appeared as early as 1824, in a "bobolition celebration" at Boston, July 14.

**Border Ruffians.** Applied in Kansas to persons from Missouri and other places who menaced the right of the Northern settlers. The name, in 1855, given to the political faction of Missouri pro-slavery men by the anti-slavery party.

**Border-state Men.** Applied in the 38th Congress to members of the House of Representatives from the "Border States."

Prior to the Civil War, the "Border States" were Delaware, Maryland, Virginia, Kentucky, Missouri, Tennessee, and Arkansas, being the Slave States adjoining the Free States. Their nearness to the Free States caused frequent attempts on the part of slaves to escape, and from them came the most bitter complaints about the non-execution of fugitive slave laws. They objected to making slavery an issue (Virginia was the only Border State that seceded during the Rebellion).

**Bourbon.** A political name for a Southern Democrat of the factions or turbulent disposition, sarcastically the result of *bourbon* or similar stimulants. An extreme Conservative of the Democratic party.

**British Faction.** Given the *Republican* party by the Federalists, during the war issues of 1812.

**British Party.** Applied to the Federalists in 1796, because they favored the granting of power to the general government, which they thought should be strengthened. For this action the Federalists were accused of adopting British ideas, to a great extent savoring an attachment



to Great Britain. The Anti-Federalists raised a political cry of "Monarchy and a King," as favored by the Federalists, which in time became phrased as the *British Party*.

**Broad Constructionists.** See "Strict Constructionists."

**Broad-gauge Prohibitionists.** See "National of 1896," also "Prohibition."

**Buck-tails.** Given the Madisonians in 1816, an order of Tammany, a division of the Democrats; afterward the *Albany Regency* (*q.v.*). Friends of DeWitt Clinton, in his campaign for Governor of New York, applied the name to the party opposed to the administration of Clinton. They were a leading order, and from the circumstance of their wearing in their hats, as an insignia on certain occasions, a portion of the tail of the deer, the friends of Clinton gave those who wore them the name Buck-tails.

"The beer and those *buck-tails* I never forget;  
But oft, when alone and unnoticed by all,  
I think, Is the porter cask foaming there yet?  
Are the *buck-tails* still swinging at Tammany Hall?"

— Fanny, HALLECK.

**Burrites.** Those favoring Aaron Burr for Governor of New York in 1804, a faction, chiefly of Democrats, organized by him through his connection with the Tammany Society. In 1807, coalesced with the Lewisites, adherents of Morgan Lewis, to form the body called "Martling Men," later Buck-tails (*q.v.*).

**Carpet-baggers.** Applied to Northern Republicans, who it was alleged came South after the war, and by the aid of negro votes were elected to local and State offices. Being so-called *transient* politicians, it was said they brought all their effects in their carpet-bags. See "Scalawags."

**Charcoals.** A radical faction in Missouri during the Civil War, who believed slavery to be a moral enormity, "the sum of all villainies," as well as an impediment to the prosperity of the State. The name an allusion to the Blacks. See "Claybanks."

**Citizen's Union.** As its name implies, a union of citizens that organized as a party in New York City, March 20, 1897, to bring about reform in the city government; to instil in the public mind the immense importance of purely municipal interests, and the need of seeking the protection of those interests without regard to partisan predilection. Seth Low, later President of Columbia University, was their candidate for the first mayoralty of the Greater New York (1897). It was originated by disaffected Republicans and Democrats, later supported by opponents of bossism in local political matters. They were nicknamed "Cits."

**Claybanks.** A conservative faction in Missouri during the Rebellion, opponents to "Charcoals" (*q.v.*), believing slavery free of moral taint, but a curse to the State's material interest.



**Clintonians.** A political faction in New York State, an offshoot of the Democratic-Republicans, who opposed long terms of office, caucus nominations, a Virginia president, and an official regency. It originated in 1800, with DeWitt Clinton as a leader. They were opposed to the *Marling Men* (*q.v.*) on the Madison election. At the death of Clinton in 1828, and with the increase in the voting population, the faction disappeared, uniting with the Federalists.

**Coalition.** The union of the supporters of Clay with those of John Q. Adams, in the House in 1825, thus giving the presidency to Adams.

**Colonizationists.** Were a faction of anti-slavery tendencies, offering a remedy in agitating the returning of the negroes to Africa at governmental expense, to be located in colonies.

**Conscience Whigs.** The Whigs in Congress had taken the position that the slavery question, which they regarded as settled by the compromise of 1850, should not be re-opened, and those opposed were in Massachusetts known as *Conscience Whigs*. These mostly became Free-soilers, or, later, Republicans, when that party was formed. See "Silver Grays" and "Woolly Heads." An alliance of dissatisfied Whigs, seceding "Barn-burners," and radicals of the old "Liberty Party."

**Conservatives.** A division of the Democracy that was against specie currency. In 1837-1840, when support of the sub-treasury bill had become the test of Democracy, those Democrats who opposed it as dangerous to the financial interests of the country, formed a temporary alliance under the name of Conservatives, voting with the Whigs on this single question, but in other questions generally with Democrats.

The name also applied to Southern whites who protested against provisional government after the Rebellion.

In the North, during the Rebellion, the name occasionally used as synonymous with *Democrat*.

**Constitutionalists.** A Pennsylvania organization in 1776-1790, favoring the maintenance of that democratic constitution as opposed to the party called Republican, who desired to see a stronger government substituted; called themselves Federalists and their adversaries Anti-Federalists, yet, to speak logically, it was the Anti-Federal party that sustained a federal plan, while the Federalist contended for one more nearly national. It became the germ of the Pennsylvania Anti-Federalists, and at a later date known as Democrats. From 1804 to 1808 the name assumed by those moderate Democrats who desired to maintain the then existing Constitution as opposed to the Conventionalists (*q.v.*), or "friends of the people" who desired to see it made more popular.

The Anti-Federalists objected to the new Constitution, alleging the States would be consolidated and their sovereignty crushed; personal liberty endangered, since no security furnished for freedom of speech

and liberty of the press, nor assurance adequate against arbitrary arrest or forcible seizure, and the denial of jury trials in civil cases.

**Constitutional-Union.** As patriotic a party as was ever organized. It assembled at Baltimore, Md., May 9, 1860, in a union of remnants of the Whigs and native Americans of the South, who hated the Democrats, yet could not join the Republican party, who had fears the slave question would end in war, and so endeavored to restore harmony. In the North they feared disunion more than they feared slavery; in the South they hated disunion almost as much as they hated abolition. A national candidate was named, with no declaration of principles other than in the motto, "The Constitution of the Country, the Union of the States, and the Enforcement of the Laws." The party disappeared at the beginning of the Civil War. See "Hards" and "Softs."

**Constructionists.** See "Strict Constructionists," also "Broad Constructionists."

**Conventionalists** in Pennsylvania politics, 1804 to 1808. Assumed by the extreme Democrats who desired to see a new convention called to modify the Constitution of the State in a radically democratic sense. They were opposed to the Constitutionalists (*q.v.*).

**Coodies.** A political sect of 1814, or believers in the opinions of a person signing himself Abimeleck Coody, a Federalist. In a series of articles that appeared in a New York daily, he addressed himself to the Federal party, endeavoring to show the impropriety of opposing the war, and urging them to come forward in defence of their country. Coody was a *nom de plume* of Gulian C. Verplanck, their leader.

**Coons.** Nickname first applied to the Whigs during the Presidential campaign of 1836. The Whigs had styled Martin Van Buren "an old fox," upon which the Democrats retaliated by calling Henry Clay "that same old coon," facetiously insinuating he had been treed by the "old fox." The Whigs caught up the epithet and adopted the raccoon as their emblem, carrying live "coons" in their processions, also painting pictures of raccoons on their banners.

**Copperheads.** Sobriquet given a political faction in the Free-labor States, generally considered to be a party or faction that was in secret sympathy with the Confederate States during the Civil War, giving aid by endeavoring to thwart the measures of the national government.

*Copperhead*, the popular name for the *Trigonocephalus contortrix*, a venomous snake of this country. It strikes without warning. Sometimes called the "dumb rattlesnake."

"Of all the factions men we've seen,  
Existing now or long since dead,  
No one was ever known so mean  
As him we call a *Copperhead*;  
A draft-evading *Copperhead*;  
A rebel-aiding *Copperhead*;  
A growling, slandering, scowling, pandering,  
Vicious, States-rights *Copperhead*." — JOHN HOPELY, 1864.

The application is in reference to noisome or noiseless enemies, first given to the Indians, then the Dutch colonists ("Knickerbocker," Washington Irving), lastly, the "Anti-war Democrats." See "Peace Democracy."

**Corporal's Guard.** Given to the few supporters of Tyler's administration (1841-1845).

**Cotton Whigs.** Those Whigs in the North in 1850-1856 who were willing for the sake of conciliating the Southern Whigs to make as little opposition as possible to the extension of slavery.

**County Democracy.** An offshoot of Tammany in 1871, being the result of one of the conditions of political organizations, that when an overcrowding in leaders or aspiring leaders takes place, a competitive organization is promulgated. The *County Democracy* was a creation affecting local city interests. It was of little importance after 1886.

**Cuckoos.** Applied in 1893 to the defenders of the administration, or Cleveland Democrats. The use of the word is descriptive of that portion of the Democratic party who are the thick-and-thin defenders of all acts of the administration.

The word, "cuckoo," was introduced by Senator John T. Morgan, of Alabama, on October 18, 1893, in his remarks on the Silver Repeal Bill. "The trumpet had sounded, the forces were marshalled, the clock had struck at the White House, and the *cuckoos* here all put their heads out of the boxes and responded, to inform us of the time of day; but they did not seem fully to know what they were talking about, and never took pains to find out the state of the law. . . ."

Its original use was lost sight of until later, when the Repeal Bill was returned to the House and Representative Tracy had thanked the administration men for their loyalty: then Representative Wilson uttered the call or cry of the cuckoo. Instantly the remarks of Senator Morgan received new life, and Mr. Tracy's remarks were drowned by laughter. Subsequently, when friends of the administration took the floor to defend some particularly unpopular act of the President, it was customary for the opposition to make reference to the sweetness with which they sung the cuckoo song.

**Dayton Platform Democracy.** A faction of the Democracy who, at convention in Montgomery County, Ohio, May, 1871, under the leadership of Clement C. Vallandigham, adopted a "new departure" by abandoning the policy of obstruction and opposition, accepting the Thirteenth, Fourteenth, and Fifteenth Amendments; and opposed the "dangerous tendency which the Republican party has for some time been manifesting to treat the amendments as having practically abrogated the whole Constitution; or, in other words, as having constituted the majority in both houses as supreme judges of what is and what is not constitutional;"

to treat the reconstruction measures as finalities, putting the Southern States on a footing of equality with the Northern States. It was such a radical reform or change of base, it became politically known as a "new departure."

**Democrat.** Anglicized from the French word, *démocrate*, which finds its derivation from two Greek words, *demos*, the "people," *kratos*, "government," literally, "one who is in favor of government by the people."

The party first developed as the *Anti-Federalist* (*q.v.*), who, owing to the adoption of the Constitution, were left without a cause, so in 1792 became the *Republican* party on the war issues; those members in 1793 who were abusive partisans of France, not being acknowledged by the Republicans as of their party, were called Democrats, the word originating under the following circumstance:—

In 1793, Citizen Edmond Charles Genet, Ambassador from France to the United States, who was here in the interest of France, regarding her war with England and other nations, assisted in the creation of the *Democratic Society*, formed on the plan of the Jacobin Clubs of France, the first society being instituted in Philadelphia, May 30 of that year. They were created for the purpose of encouraging sympathy for France, of scrupulously examining all government innovations, and alleged to guard the rights of man. Their careers were marked by the abuse of the excise laws and of the government; they disappeared in about 1794, with the overthrow of Robespierre and suppression of the Jacobin Clubs of France.

Jefferson himself never adopted the name "Democrat." Gradually that which had been used as a term of reproach became the ordinary designation of the party. See "Republican."

Later the Republicans and Democrats were united in action, receiving the designation of *Democrat-Republicans* (*q.v.*), *Federal Republicans* (*q.v.*), the party again dividing into two wings, on the general lines of strict and loose construction, Jackson being elected as an advocate of the former. His advocates were known as "Jackson men," ultimately taking the name *Democrat* as a party in 1812, at the second election of Madison as President. As a party, it has in fact remained almost intact both in form and name from the first Presidential election (1789), being aided by conservatism and a policy of negation.

The party was constructed and maintained upon the principle of popular government or popular sovereignty, with an indifference to the subject of slavery as to whether it was voted up or down. See "Loco-foco."

In 1860 it lost a section on popular sovereignty (*q.v.*), which took the name of *National Democrats* (*q.v.*). In 1872 it indorsed the Liberal-Republicans as to the necessity of reform, a change demanded lest the disease of one political organization infect the body politic, and lest in making no change of men or parties the country obtain no change of measures and no real reform. See "Dayton Platform Democracy."

In 1896 its regularity was disturbed by a free-silver (*q.v.*) and semi-anarchistic tendency, or seizure by the Populists (see "Popocrat" and "Demulists"), the "sound money" and "old-line" Democrats forming the "National Democrats" (*q.v.*).

In 1900, as a party name it became identified with a further amalgamation of negatives, free-silver-semi-anarchism, anti-imperialism, and anti-expansion; the latter phrase as opposing the administration (McKinley) of the Philippine situation, the Democrats favoring the immediate surrender of the islands to Aguinaldo and his alleged Filipino Republic. See "Anti-expansion," "Anti-imperialists."

Cartoon emblem, *the donkey*, adopted by the caricaturist, Thomas Nast, in January, 1870, because of the party's ability alleged to do the wrong thing so carefully.

**Democrat-Republican.** Formed out of the Anti-Federalists, who were disposed to so call themselves to avoid the opposite of the extremes which they charged against the Federalists, their theory aiming at the direct popular control over the government, widening of the right of suffrage, the limitation of the powers of federal government, and the conservation of the powers reserved to the States government by the Constitution; literally a construction party. See "National Republicans" and "Democrat."

It retained its title until 1825, when the co-title, "Republican," was generally dropped, except in some States, it continuing, notably in Pennsylvania, until 1840. The name changed to "Democrat," or the party of strict constructionists. The Second Congress was a political division of Federalists and Democrat-Republicans. See "Republican."

**Demulist.** Introduced by *Harper's Weekly* during the campaign of 1896. A composite word formed from *Democrat* and *Populist*, signifying an old-time Democrat who has been inoculated with the free-silver bacillus, and who tries to draw the line at it. See "Popocrat."

**Dough-faces.** Applied in 1820, from a remark that "they were plastic in the hands of demagogues;" a reference to the action of certain Republicans, who, for the sake of a compromise, voted in favor of striking slavery out of the Missouri Compromise Bill of 1820.

Also used as a nickname; given to Northern favorers and abettors of negro slavery; meaning a politician who is accessible to political influences and considerations. Likewise given to such Northern members of Congress as manifested especial willingness to fall in with the views and demands of the South on questions involving slavery; *i.e.* the Northerner false to the principles of emancipation, or the Southerner false to the principles of slavery.

The term applied to that branch of the Democracy who lived in the North, and yet approved of the caucus measure passed in 1838, which required all bills pertaining to the holding of slaves to be laid on the table

without debate. This measure identified the party as it then existed with the slave-holding interest.

When John Randolph, of Virginia (who was opposed to the bill), first used the word, he spelled it "d-o-e," an allusion to the timid animal that shrinks from seeing its own face in the water. See "Copperheads."

"**Drys.**" A nickname given the Prohibitionists in the Western States. See "Wets."

**Dudes and Pharisees.** Applied in the Presidential campaign of 1884 to those Republicans that refused to vote for Blaine. "Dude" to represent the over-carefulness and scrupulousness of these voters; "Pharisees," the "holier than thou" spirit, which was attributed to them. See "Mugwumps."

**Equal Rights.** A faction of Democrats, in 1835, opposed to banking institutions and monopolies of all kinds. As bank paper had become the money of the country, therefore the restraining law which was then in full force, conferred on these soulless institutions a power equal to the exclusive power of coining money for the use of the community. Consequently this party objected to legislative grants of exclusive rights to any class of men. They were the outcome of the Workingman's League that sprang up in 1829. See "Loco-foco."

"**Equal Rights Party**" was a title assumed by the Woman's Rights party, or Female Suffragists, at a convention in San Francisco, September 20, 1884. Belva A. Lockwood, of the District of Columbia, nominated for President, and Marietta L. Snow, of California, for Vice-President. The most diplomatic, sectional, political adroitness displayed in their platform was, "such a distribution of the public funds for the increase of the facilities of inter-commercial relations as will restore the South to her former industrial prestige, develop the exhaustless resources of the West, foster the iron, coal, and woollen interests in the Middle States, and revive the manufactures of the East."

**Essex Junto.** A faction of Ultra-Federalists who followed the lead of certain public men from Essex County, Massachusetts, including Pickering and Fisher Ames as the most prominent, who, representing the commercial interest of the country, were foremost in their demands for a strong Federal government. They allied themselves with the Federalist party after the adoption of the Constitution, as the most uncompromising adherents of Alexander Hamilton. The sobriquet was given them in 1781, by John Hancock, from their leaders being residents of Essex County.

The nickname was revived by John Adams whom they antagonized, and who sought to represent them as a British faction hostile to France. They were held responsible for the opposition to the War of 1812, which culminated in the Hartford Convention.

**Expansionists.** The promoters or advocates for extended possessions. A political name originating as the result of the Spanish-American War, and directly applied to the Republican party. See "Anti-expansionists," "Anti-imperialists."

**Farmer's Alliance.** The full title is "The National Farmer's Alliance and Industrial Union."

Since 1876 numerous organizations of farmers have been established in various sections of the country: the "National Grange of the Patrons of Husbandry" is the oldest and non-political; "The Farmer's Mutual Benefit Association," "National Farmer's League," "Patrons of Industry," and other important farmer institutions.

The Texas and New York branches of a "Farmer's Alliance" associated and secured incorporation as "The National Farmer's Alliance and Coöperation Union," which order consolidated with "The National Agricultural Wheel," October 1, 1889.

At Ocala, Florida, in December, 1890, articles of consolidation agreed upon, absorbing "The Farmer's Mutual Benefit Association," a membership in Illinois, Iowa, and Indiana, and "The National Colored Farmer's Alliance," with a membership in the South.

The Alliance is a secret order. It takes in its membership both sexes, the minimum age being 16 years. The object, officially declared, is: "To labor for the education of the agricultural classes in the science of economic government in a strictly non-partisan spirit. To indorse the motto: 'In things essential, unity; and in all things, charity.' To develop a better state mentally, morally, socially, and financially. To create a better understanding for sustaining civil officers in maintaining law and order . . . secure harmony and good-will . . . suppress personal, local, sectional, national prejudice, and complete other inter-benevolent doings."

In its *political declarations* it is "strictly non-partisan . . . all political parties are represented . . . and expected to work in their respective parties to secure a just recognition of the rights of the farmer." See "Wheeler's."

**Feather-heads.** See "Half-breeds."

**Federal, Federalist.** From the French word *Fédéraliste*, derived from Latin *fœdus, fœderis*; a covenant, a league.

One of the first two political parties under the new Constitution (1787). It was the outcome of the *strong government Whigs (q.v.)* and supported every preliminary step looking to the abandonment of the Articles of the Confederation, and advocated the adoption of the *Federal* Constitution, in which it eventually succeeded, thereby creating the *Federal* government, hence its name. It was the political party which favored the administration of Washington for President. See "National," 1776-1777.

Through Adams's administration, the Alien and Sedition laws lost to the party the election of 1800. In 1808 it recovered with a strong

minority, though bitterly opposing the war policy of the Republicans on which, as a party, it eventually split; softened into Federal Republicans or Constitutional Americans, stigmatizing all others as Democrats. The party finally merged into Whigs (*q.v.*).

As a party it disappeared with its candidate of 1816, Rufus King. See "Blue-light Federalists," "High-minded Federalists."

Its unpatriotic course in the War of 1812, and the odium excited by the Hartford Convention utterly destroyed it. It distrusted the people too much for permanent success in America. Following the independence of the States, after their establishment and recognition, came the question of their future government; some preferred to remain separate and absolutely independent, others favored a Federal Union with a central national government for protection against foreign aggression and to prevent strife between States.

The *Federalists* desired the strong central government feature. The *Anti-Federalists* contended nothing was needed but the independence of each State, a continuation of the league between the States; a situation with no power to regulate commerce, to prevent or punish offences against its own laws, to support an army or compel enlistment — *Anti-Federalism* signified opposition to the tendency of centralization of power in the general government. See "Anti-Federalist."

*Federal Party* was the first political name adopted by the citizens of the Philippine Islands in 1900. Its principal centre of activity was at Manila in Luzon. The party platform promulgated December 23, 1900.

**Federal Republicans.** Same as *National Republicans* (*q.v.*).

**Federate.** Formed from the remnants of the defeated parties of 1900, embracing Silver Republicans, Socialists, Populists, and dissatisfied Democrats. Conference held at St. Louis, Missouri, December 29, 1900, to endeavor to find ground upon which all the reform parties could stand and make common cause against the two "old" parties instead of frittering away their strength by running independent tickets. See "People's Party."

**Fiatists.** See "Greenback."

**Fire Eaters.** Applied in 1857 to strong anti-slavery politicians of the North. The Southern politician who vehemently denounced the Union also so called.

**Free Democracy.** The straight "out and out" Democrats in New York, who in convention (1848) nominated Martin Van Buren. They represented the Liberty Party, Anti-slavery, Whigs, and Free Soil Democracy, advocating anti-slavery principles.

**Free Nigger.** A term used in the South, being applied to the Abolitionist of the North.

**Free Silverites.** A political designation in 1896 and 1900 of those advocating the free and unlimited coinage of silver by the government,



claiming that at the ratio of 16 to 1 silver and gold will circulate side by side in the currency of the country; that gold will not be expelled; that the country will not go to a silver monometallic basis, but the commercial ratio between gold and silver bullion will become identical with the 16 to 1 coinage ratio. That gold is out of circulation; that under the gold standard it is only a question of time when all gold will leave the United States. That the country has committed itself to an erroneous financial system, the longer it lasts the greater the suffering at the end. That all banking systems of the world floating representative money must maintain a gold reserve to float their outstanding paper and token money, which contemplates money reserves, leaving none for circulation among the people.

That no substance should be selected as the sole material of primary money that does not contemplate its being in the possession of the people and circulating among them.

That the money dealer deals in property upon which all civilization is depending. It is the blood of civilization in which he deals, and when he absorbs it he strangles civilization. See "Gold Bugs," also "Monometallism," and "Ratio" in Index.

#### The Silver Policy of the Government.

From 1792 to 1853 the government coined both gold and silver for any one who presented the bullion for such purpose. The act of February 21, 1853, however, stopped the free coinage of fractional silver and empowered the Director of the Mint to purchase silver bullion for the government, to be used in minting coins of a lower denomination than one dollar.

The act of February 12, 1873, stopped the coinage of the old standard silver dollar of 412½ grains and authorized the coinage of the trade dollar of 420 grains, for private individuals, making it a legal tender for \$5. The trade dollar was deprived of its legal tender feature by joint resolution of July 22, 1876, and dropped from the list of coins March 3, 1887.

On February 28, 1878, an act of Congress (known as the Bland Act), passed over the veto of the President, restored the standard silver dollar of 412½ grains as a full legal tender coin, and directed the purchase by the government of \$2,000,000 to \$4,000,000 worth of silver bullion per month for coinage into dollars. Holders of the coin were authorized to deposit the same with the United States Treasurer and to receive therefor certificates of deposit, known as silver certificates. These certificates are not legal tender, although receivable for customs, taxes, and all public dues, and are redeemable only in silver.

On July 14, 1890, a law (known as the Sherman Act) stopped the compulsory coinage of silver dollars, and increased purchases of silver bullion to 4,500,000 ounces per month, against which treasury notes, redeemable in gold or silver coin at the discretion of the Secretary of the Treasury, were authorized to be issued. These notes were made a legal tender in payment of all debts, public and private, and receivable for customs, taxes, and all public dues.

On November 1, 1893, that portion of the act of July 14, 1890, directing the purchase of 4,500,000 ounces of silver bullion per month and the issue of Treasury notes therefor was repealed. The repealing act declares it "to be the policy of the United States to continue the use of both gold and silver as standard money, and to coin both gold and silver into money of equal intrinsic and exchangeable value."

#### Purchases of Silver.

The government purchases of silver under the acts of 1878 and 1890 were:—

	Fine ounces.	Cost.	Average price per fine ounce.	Bullion value silver dollar.
Act of 1878 (1878 to 1891) . . . . .	291,292,019	\$308,199,262	\$1.0583	.8185
Act of 1890 (Aug. 13, '90 to Nov. 1, '93; date of the repeal of the purchasing clause of the act of July 14, 1890) . . . . .	168,674,682	155,931,002	.9244	.7150

The net profits on the coinage of silver, including small balance on hand at the mints on July 1, 1878, from that date to June 30, 1895, were \$75,643,803. The seigniorage on coinage of silver dollars, under act of 1890, to November 1, 1895, was \$8,252,508.

**Free Soilers.** Adopted a platform at Buffalo, N.Y., August 9, 1848, declaring Congress had no more power to make a slave than to make a king, that it should abolish slavery where it constitutionally had the power so to do (intending to apply to the District of Columbia), that it should not interfere with the slave States, but prohibit it in the Territories.

The Free Soilers were joined by the old Liberty party (*q.v.*) and by many Democrats who were offended at the support given by Southern Democrats to the efforts to establish slavery in the territories lately won from Mexico. It became the nucleus of the modern Republican party, drawing largely from the Whigs who were opposed to the Omnibus Bill (*q.v.*). Also called "Free Democracy" (*q.v.*); also see "Barn-burners."

The name of *Free Soilers* came from the party cry, of "free soil, free speech, free labor and freemen."

**French Party.** Applied to the Republicans in 1796, who were accused of being friends of France (see "British Party"). The Republicans declared themselves to be the only true friends of the people and stigmatized all others as aristocrats and monarchists.

**Fusion.** An alliance of parties and factions in New York City, in the local fall election of 1901 as against Tammany (*q.v.*).

**Garooos.** Application of the initial letters of the German-American Reform Union, a political posse in 1894 banded to sway power for the party that gave to them most favors in appointments. The prefix German-American a bait to catch the German vote of New York City.

**Gazoos.** An offshoot or seceders from the Garooos (*q.v.*) in 1895. The term derived from the initial letters of German-American Citizens Union. The Gazoos were the strong reform element attaching themselves to the party that evidenced the greatest benefit to public affairs.

**"Gold Bugs."** A political party term applied in 1896 to those men who wanted gold as the only basis for all currency used in this country, "a sound money" platform. Opposite to "Free Silverites" (*q.v.*). The "Gold Bugs" claiming both gold and silver cannot be used as bases permanently, if so, silver would become the only basis; reasoning that all our business with foreigners outside of the country is done on a gold basis, that we reckon up our business in gold, and have to pay in gold. If we had free coinage of silver at the ratio of 16 to 1, *i.e.* a ratio which shall require a silver coin to contain sixteen times as much silver as a gold coin of equal value shall contain gold, every one having gold would hoard it or export it, compelling the use of silver worth from 50 to 55 cents for a dollar, because in the open market it would, on this basis, take 28 to 31 parts of silver to be worth one part of gold. That at the time (1896), the price of bullion would make the  $371\frac{1}{4}$  grains of silver in a dollar worth  $53\frac{1}{2}$  cents, so that with free coinage (*q.v.*) any one could carry \$53.50 worth of bullion to the mints and receive one hundred standard dollars, so that if

the dollars could be kept at the same value as at present, the government, by its stamp, would make a present to the owner of the silver bullion of a profit of \$46.50; that under free coinage, silver dollars would not be worth one hundred cents each (see "Ratio" in Index). The government by its credit could sustain a limited number of these dollars at an equality with gold dollars, but with free coinage the government could not support the enormous fictitious value of the coins minted. The amount of bullion contained would be the actual value.

With the great influx of bullion under a free unlimited coinage of silver fully established, and 371½ grains when coined into a dollar ceased to be worth any more than the bullion, mining interests would be at a standstill.

**Gold Democrats.** See "National Democrats."

**Goo-Goos.** A nickname given the Good Government Club of New York, a political body irrespective of party, formed in 1894 for the better government of city political matters. The term "goo-goo" given the faction by the *New York Evening Sun*, is an abbreviation of Goo(d) Go(vernment), and expresses the inarticulate utterances of children in politics as well as in nature.

**G.O.P.** Initial letters of the *Grand Old Party*, a designation of the modern Republican Party.

**Grangers.** A secret society first formed in Washington, December 4, 1867, and known as the *Patrons of Husbandry*; the subordinate lodges were known as *granges*, hence the party name.

The object was coöperation among farmers, in purchasing supplies from first hands, thereby doing away with middle men; and while declared not to be political, in order to serve the interest of certain land ends, it became necessary that individuals representative of their interests should be in Congress, and to serve this purpose the combined influence of the *grangers* was secretly brought to bear in voting, so that in time a strong political party was in actual existence, somewhat on the principle of the Know-nothings (*q.v.*).

**Greenback.** Organized in convention at Indianapolis, November 25, 1874. "That the legal-tender notes of the government are the standard of value throughout the country, because they will employ every hand to labor, or purchase every foot of land within its borders, for a given sum, and for any limited time, while gold fluctuates according to its production, the price of American securities in foreign countries, or the caprice of speculators in London, Frankfort, and Wall Street." That as national bank-notes issued by the National Banks are guaranteed by government bonds deposited with the United States Treasury, bonds on which the government pays interest, the Greenbackers desired to substitute "greenbacks" (bills, paper money), or so-called "fiat money," for these bank-notes as a circulating medium. Hence the name.

In 1884 they amalgamated with the labor element under the name of *National Labor and Greenback Party*, as against Democrats. Also called *Inflationists*, *Soft Money Men*, and *Fiatists*.

**Half-breeds.** A contempt word flung at a faction of the New York "Stalwarts" (*q. v.*) by the partisans of Hon. (Senator) Roscoe Conkling, significant of not being full-blooded Republicans. Also called *Feather-heads*, applied as meaning light-brained. In 1881, during the contest over the United States senatorship, to fill the vacancies caused by the resignation of Senators Platt and Conkling, when Conkling was seeking an indorsement and vindication by a reelection, the waverers were called "Half-breeds," as contradistinguished from "Stalwarts."

**Hards and Softs.** Factions of the New York Democracy that appeared at the convention at Charleston, South Carolina, April 23, 1860. In New York the "hards" had been elected by districts, while the "softs" were chosen by state convention, which met at Syracuse late in 1859.

The "hards" had been existent from 1852 to 1860, and inclined to an alliance with the pro-slavery Democracy elsewhere.

**Hard-shells.** These terms date from the efforts made to reunite the Cass and Van Buren Democracy of 1848, who were known as *Hunkers* (*q. v.*) and *Burn-burners* (*q. v.*), the divisions being known as *Hard-shells* and *Soft-shells*, the former favoring the execution of the Fugitive Slave Law, and going for a distribution of offices among the Nationals, while the other was a loud stickler for union and harmony.

The *Hard-shells* embraced the Cass Hunkers of 1848 of the national school of politics, while the *Soft-shells* were composed of the remnants of the Van Buren and Adams party of 1848.

*Hard-shell, soft-shell*, terms used to designate the crab in its various states of crustaceous development. By a figure of speech applied to rigid, unyielding conservatism on the one side, and flexible liberality on the other.

**High-flying Federalists.** A sobriquet given to a portion of the Federalist Party that were attached to official pomp and splendor, in the first years of the government.

**High-minded Federalists.** Those whom Governor Clinton (1820) was most inclined to favor were continually lauding him, creating the characteristics of a *personal party*, and there was among his confidential friends and favorites a total want of independence of character and a suppleness of disposition disgusting to the feelings of all truly *high-minded* and honorable men who entertained a decent self-respect.

From urging this view of the character of Clinton and his confidential friends, this class of Federalists acquired the name of *High-minded Federalists*. Practically at this date (1820) the Federalists as a political party in New York State became extinct.

**Hindoos.** Applied in 1856 to the *Know-nothings* in consequence of their candidate for the Presidency, Daniel Ullman, being alleged to be a native of Calcutta.

**Huge Paws.** Applied in New York as a nickname to the working-men of the Democratic party.

**Hui Kuokoa.** A native-born Hawaiian faction formed in July, 1902. Bolters of the Home Rule Democratic Party.

**Hunkers.** A sobriquet given in 1844 to the conservative wing of the Democratic Party, as opposed to the Young Democracy, or Barn-burners. The Hunkers clung to the homestead, or old principles, accepting the pro-slavery doctrine of the South without question.

The "Hunkers" were also called "Hard-shells" (*q.v.*), while their opponents, the "Barn-burners" (*q.v.*), some of whom leaned toward the restriction of the institution of slavery, were called "Soft-shells" (*q.v.*).

"Hunker," or "hanker" (Dutch *hunkeren*). A slang word always used in connection with the word "after." They hunkered after, or wished for office. Paley says, "without *hankering* after something better." It is given by some authorities as probably a corruption of "hunger." The text (Mat. v. 6), "Blessed are they which do hunger and thirst after righteousness," shows the affinity, even if it does not establish the identity, of the two words "hunger" and "hunker."

**Imperialists.** See "Anti-imperialists."

**Independents.** See "Mugwumps."

**Independent Democrats.** See "Abolitionists."

**Independent Greenbacks.** See "Greenbacks."

**Independent Home Rule.** One of the three original Territorial parties of Hawaii (1900), Republicans, Democrats, and Independents.

A following of native Hawaiians possessing a lingering attachment for their traditions and their late sovereign, Queen Liliuokalani, who, to resent the manner of their treatment by the "powerful white minority" that brought about the abolition of the monarchy and the annexation to the United States, united toward securing a delegate to Congress as a rebuke to their rulers. The party elected the first Hawaiian representative (Territorial) to Congress, 1900.

**Independent Labor.** Organized in New York City, August 17, 1899, adopting a platform that trusts and combinations are the results of economic law and can only be met by the people assuming ownership and operation of all industries when they come under control of monopolies, trusts, and combines; also that labor and labor unions shall be considered first and all the time.

**Independent Political Union.** A local organization in New York City, September, 1901, launched by the "Civic Council," a non-partisan labor and reform association, originating in 1900. Ownership of public utilities, and changes in the primary and voting laws, were advanced.

**Independent Republicans.** See "Mugwump."

**Indocrat.** A composite of Independent and Democrat, originating in 1891 with Senator Kyle, of South Dakota, to supply a political designation for the Congressional Directory, he being a compromise candidate, a fusion of the Populists and Democrats; of neither factions was he a member, but an Independent Democrat with Republican inclinations. The establishment of an Indocratic party was later seriously proposed in the West, sundry candidates for elective offices so styling themselves.

**Industrial Congress.** A handful of labor agitators who met at Philadelphia, June 13, 1848, and nominated Gerrit Smith, of New York, for President, and William S. Waite, of Illinois, for Vice-President.

**Inflationists.** See "Greenbacks."

**Irregulars.** A Republican division in Pennsylvania, in 1876, on a local State matter, the Republican Party proper being called in contradistinction *Regulars*.

**Jacobins.** A term given to the Republican-Democratic Party in 1793-1794. See "Democrat."

**Jeffersonian.** Assumed by the Gold Democrats of Pennsylvania, on August 25, 1896, who were bolters of the Democracy opposed to free silver. By the election laws of some States they were prevented from using the name Democratic. See "National Democrats."

**Kearneyism.** See "Sand Lot."

**Know-nothings.** Bartlett, in his "Americanisms" notes: "The *Know-nothing* party was first formed by a person of some notoriety in New York, who called himself 'Ned Buntline' (Edward Z. C. Judson). Ned was once a midshipman in the United States Navy, but left the service, and commenced the business of Americanism on a large scale, by founding a secret political order, of so exclusive a character that none were to be admitted as members whose grandfathers were not natives of the country. It is a difficult matter in a country like the United States, where free inquiry is so common, to keep anything secret; and so Ned instructed his proselytes and acolytes to reply to all questions in respect to the movements of the new party, 'I don't know.' So that they were at first called *Don't Knows*, and then *Know-nothings*, by outsiders, who knew nothing further of them than that they invariably replied to all questions, 'I don't know.'"

The platform was:—

1. Repeal of all naturalization laws.
2. None but native Americans for office.
3. A pure American common-school system.
4. War to the hilt on Romanism.

In Louisiana and other parts of the country they were disposed to be more liberal toward Roman Catholics, admitting such as were born in the

United States. There was also a difference of opinion regarding slavery, on which issue the party divided into North and South Americans.

Its cardinal principle was Americans must rule Americans. Its countersign was, "Put none but Americans on guard to-night," which was an order of General Washington issued during the Revolution. See Index.

Their plan of action was to select the best American Whig or American Democrat on the respective tickets and quietly vote for him, being in reality an arbiter of elections.

They were a development of the *American Party* (*q.v.*), and after some notable successes at the polls, went to pieces.

**Ku-Klux-Klan, or K. K. K.** A secret society of great political significance in the Southern Central States. Originally organized in June, 1866, as a secret association of Southerners, for purposes of amusement during the stagnation that followed immediately after the war. It developed, in 1868, into an immense political organization, with the object to maintain order against internal lawlessness and resist encroachment of Federal authority that threatened the ascendancy of the negro, aiming to intimidate the negro voters in order to defeat the Republicans.

*Kuklux*, a corruption of the Greek word *kyklos*, "a circle," the *Klan* added to increase the alliterative force of the jingle.

They travelled at night, disguised, among the negro sections, not hesitating at various outrages on the race; and before their disbandment by Republican Congressional action, in 1872, it is stated they had reached nearly 300,000 in members. Their general purpose was similar to the White Liners (*q.v.*) of Louisiana.

**Labor.** A general name given to *labor* politics; the divisions or factions are *United Labor*, *Union Labor*, *Progressive Labor*, *Labor Reform*, and *Anti-poverty Society* (*q.v.*). All divided on the interpretation of the term, "the land for the people," and a direct maintenance and protection of the laborer.

**Labor Reform.** Met at Columbus, Ohio, February 21, 1872. It had its origin in Massachusetts with a trade union of shoemakers, who took the name of "Knights of St. Crispin," the outcome of trouble with a manufacturer who brought a car-load of Chinese from California to operate his machinery. Its platform had been made by trade union bosses and political adventurers, consequently of a very radical nature. See "Labor."

**Large State.** See "National (1776-1777)."

**Law and Order.** The party first using the name as a faction were the opponents of Dorr in the Dorr Rebellion (*q.v.*). See "Suffrage Party."

**Liberal Democratic.** A faction of the Democratic party, origi-

nating in New York City in June, 1902; composed of the ultra-Bryan Democracy, the Chicago Platform Democracy, and old-time Populists.

**Liberal Republicans.** A section of the Republican party "unappreciated and unrewarded," who fused with the Democrats in 1871, the basis of their complaint being that the enforcement of the acts of Congress were at the time designed more for the political advancement of Grant's adherents than for the benefit of the country; that instead of suppressing, they were calculated to promote a war of races in the South; that Grant was seeking the establishment of a military despotism. Their leading features were universal suffrage and amnesty, reform of the tariff and civil service; the desire, however, to reform and not to defeat the Republican party soon got the upper hand, and the new departure was short-lived, disappearing with Greeley's defeat in 1872.

It had its origin in Missouri (1870), being then a Republican split on the question of the removal of the disqualification imposed upon rebels by the State Constitution during the Civil War. Opposites were called *Radicals*. Charles Sumner and Carl Schurz, in the United States Senate about this time, were prominent representatives of one of its aspects.

**Liberty.** A party that, in 1840, grew out of the American Anti-Slavery Society, whose adherents numbered William Lloyd Garrison, Wendell Phillips, Salmon P. Chase, and others, less remarkable for numbers than for persistent agitation for associations to effect the abolition of slavery. Had various Presidential candidates, and in 1848 merged into *Free Soilers (q.v.)* and *Abolitionists (q.v.)*. This was the first appearance of a national anti-slavery party.

**Liberty League.** An abolition body that met in convention at Rochester, New York, June 2, 1848, and nominated Gerrit Smith, of New York, for President.

**Lily Whites.** A faction of the Republican party in Texas, started in 1892 by about fifteen or twenty delegates, — white Republicans who refused to have anything to do with the negroes. See "Black and Tans." Also a South Carolina faction.

**Lincoln Brotherhood.** Political associations of negroes in the South, after the Civil War, to protect their rights of suffrage.

**Lincoln League.** A political party in Florida (1901), made up exclusively of white Republicans.

**Lincoln Republicans.** A faction originating in Minnesota in 1900, as successors of the "Free Silver Republicans" and the "National Silver Republicans."

**Little Giants.** Advocates of the Stephen A. Douglas party in the autumn of 1860. Mr. Douglas was a short, powerful man; in allusion to his mental strength and shortness in stature he was called by his admirers "Little Giant."



**Loco-foco.** A division arose in the Democratic party (October 29, 1835) in consequence of the nomination of Gideon Lee as the Democratic candidate for Congress, by the committee chosen for that purpose. The nomination, as customary, had to be confirmed at a general meeting of Democrats, called for October 29, 1835, at Tammany Hall, New York City. Lee's friends, anticipating opposition, assembled in large numbers in order to support him. The selection of chairman was the first question that arose, and it tested the strength of the divisions. The Tammany men (friends of Mr. Lee) supported Mr. Varion, while the *Anti-monopolists* did similar office for Mr. Curtis; each side claimed their candidate as the duly elected presiding officer, whereupon great confusion ensued, and during the excitement the lights were extinguished.

The *Equal Rights* (Anti-monopolists) party, having witnessed similar occurrences, or having received some intimations that such would be the course of their opponents, had previously provided themselves with *Loco-foco* matches and candles, and the room was relighted in a moment. The meeting continued, and the Equal Rights section accomplished their object.

The *Courier and Enquirer* newspaper, the Whig paper, dubbed the Anti-monopolists who used the matches with the name of *Loco-focos*. They ultimately became dominant in the Democratic party of New York State. Quick rotation in office was one of their creeds; they believed in getting the best possible services out of public officials by making the tenures short and all offices elective, thus insuring to the people the possibility of judging and quickly ridding themselves of public servants who should be found wanting. The making of the judiciary in the State elective, the law for removing the disability of married women from holding separate property, were the result of their activity.

From an epithet of contempt, *Loco-foco* became one of distinction, finally accepted as synonymous with Democrat, being generally applied to that party throughout the country, and in vogue up to the outbreak of the Civil War.

*Loco-foci*, "instead of fire," applied as *loco-foco* to a cigar with a match composition at the outer end, invented by John Marck, of New York, and introduced in 1834 as a "self-lighting cigar." Webster notes its derivation as a word coined in imitation of the word *locomotive*, which by the vulgar was supposed to mean "self-moving."

**Madisonians.** See "Buck-tails."

**Martling Men.** Combination of the *Lewisites* and *Burrites* against the *Clintonians*; a division in the Democratic ranks in 1807. The name applied from their meeting place, Martling's Long Room, New York City.

**"Middle-of-the-road Men."** A picturesque term applied to and adopted by the People's Party in 1896 (*q.v.*), commonly called the Populists (*q.v.*), indicating their independent course between the two old historic parties. Also called "Mid-roaders."

**Mobocrats.** Applied to the Republicans by the Federalists in 1794.

**Monarchists.** Given by the Republicans to a section of the Federalists in 1796, who were also called the *British Party* (*q.v.*), alleging they favored a monarchy.

**Monocrats.** The Federalists so dubbed by the Republicans in 1794.

**Mossbacks.** A subdivision of the Democratic Party in Ohio and elsewhere, supposed to comprise the old fogies of the party as opposed to the "kids." In the vernacular, a "mossback" is a large, savage, snapping or alligator turtle, that has lived so long in the depths of some pond that his back has become covered with a growth of moss-like algæ.

**Mugwump.** Imparted in the Blaine-Cleveland Presidential campaign of 1884 to the *Independents* or Republican seceders who favored the Democratic candidate for the reason that a change in administration was necessary, as twenty-four years was long enough for a party to be in power; too long a life ingrafted corruption. The nickname applied to the independent voters and thinkers "who hold themselves superior to party trammels." An alternative sobriquet is furnished by the compound *Dudes and Pharisees* (*q.v.*).

The meaning of the word in the original had no connection with its political application or use, being taken up in its present meaning as a party *seceder*; with this definition it was first used by Governor Waller of Connecticut, the term having been local among the Indian tribes of New England and later with the people, becoming colloquial for a man of consequence, or rather one who deemed himself so. In this sense the *New York Sun* of June 15, 1884, characterized the "Independent Republican" movement, whose members had set themselves up as the superiors of their former associates, speaking of them as "Mugwumps," after which the word became politically current. The direct individual application on the part of the *Sun* was to one D. O. Bradley, of Tarrytown, New York.

*Mugwump*, corruption of *mugquomp* (Algonkin), "leader," "chief." It first appeared in print in Eliot's Indian Bible (1661) in Genesis xxxvi., translating English word *duke*, Hebrew *athiph*, a "leader."

In 1840, during the Tippecanoe campaign, the Lake County (Indiana) *Great Western*, Solon Robinson, editor, mentions, "Then the great Mugwump was delivered of a speech. . . ." In 1865, "Uncle Nat. Eaton, formerly of Calais, but now Mugwump No. 2 of Middlesex," appears in the Montpelier (Vermont) *Argus and Patriot*, Hiram Atkins, editor. In 1872 the word appeared as a headline in the Indianapolis (Indiana) *Sentinel*, Henry F. Keenan, editor.

General Horace Porter of New York, an anti-Mugwump, gives the definition as: "A Mugwump is a person educated above his intellect."

**Narrow-gauge Prohibitionists.** See "National Prohibition."

**National (1776-1777).** In the revision of the Articles of Confed-

eration so that the Federal Constitution would be adequate to the exigencies of government and the preservation of the Union, those delegates who held that a new constitution, based on new principles, was necessary, proposed a National System, namely: a government emanating directly from the people, proportional representation, three branches and a bicameral legislature, and ample powers exercised by national officers. These men were called the *National party*. Also known as the *Large-state party (q.v.)* and *Thorough-revision party*. See "Federalist."

In 1787, the *Nationalists* assumed the name Federalists, because they favored the ratification of the Federal Constitution; the *Federalists*, being opposed, became known as *Anti-Federalists (q.v.)*. A few years later believers in loose-construction were called Federalists, while believers in strict-construction called themselves Republicans and Democratic-Republicans, a change in name not necessarily implying a change in principle.

**National (of 1878).** A union of the *Greenback* and *Labor* parties at a convention held at Toledo, Ohio. The name of *National* recognized in addition to the Greenback platform, adding reduction of workingmen's hours of labor, and against prison contract labor, eventually gaining strength by becoming a union of all disturbing elements.

**National (of 1896).** Originated with the seceders of the Prohibition convention which met at Pittsburg, May 27, 1896, known as "broad-gaugers." They assembled at Pittsburg the next day; nominated as their Presidential candidate Rev. Chas. E. Bentley of Nebraska. See "Prohibition."

**National (of 1900).** A small-numbered faction of Anti-imperialists (*q.v.*) who met in New York, September 5, 1900. Further advocating a gold standard and sound banking system, public service on merit only, abolition of all corrupting special privileges, as subsidies, bounties, etc.

**National Commerce.** A local faction of New York City, in August, 1899, declaring for equal rights, irrespective of sex or conditions; for government ownership; the establishment in certain cities of a system of national foreign exchange, so the commerce of the country "may be expeditiously carried on with foreign nations, without payment of tribute to foreign banking systems."

**National Democrat.** A section of the Democrats who withdrew from the Democratic convention of 1860 because of the rejection of a majority report of a committee, which declared "that neither Congress nor the territorial legislature has power to abolish slavery in the territories, or prohibit the introduction of slaves therein."

September 2, 1896, a large percentage of disaffected Democrats, incident to the "free silver" and anarchistic tendency of the platform forced upon them by the Populists (*q.v.*) at the Chicago convention, met at Indianapolis in convention, nominating Palmer and Buckner as candi-

dates, on the rule of law and a sound money platform, with the old and familiar principles and doctrines that were the governing principles of Jefferson, Madison, and Jackson, and the long line of strong men who made the Democratic Party the great power it was before the Civil War.

**Nationalist.** A movement that had its origin under the ideas as set forth in the novel "Looking Backward," by Edward Bellamy (1888). They entered into the Populist movement, not because they accepted that in its present form as ideal, but because that movement seemed to give the Nationalists the best opportunity for the diffusion of their principles.

With the Socialist Labor Party they have succeeded in producing a strong sentiment in favor of independent political action on the part of wage-earners.

**Nationality.** The Anti-Nebraska party's interpretation of their application of the name Republican as adopted by them for a party name.

**National Prohibition.** Out of the Independent Order of Good Templars, instituted in 1851 on the Temperance question, emanated a faction with political tendencies, that favored and elected Neal Dow as Mayor of Portland, Maine, 1853, and in 1854, as the *Temperance Party*, elected Myron Clark as Governor of New York. In 1868 Illinois and Michigan had taken up the matter on local issues, and formed Temperance and Prohibition political parties.

The first move toward a national party in the interest of temperance was on May 25, 1869, during a session of the Right Worthy Grand Lodge, I. O. G. T., at Oswego, New York, when a meeting was held to "favor independent action for the promotion of the temperance cause," resulting in a call for a national convention to organize a National Prohibition Party; the meeting was ultimately held at Chicago, September 1, 1869.

The first Temperance candidate for the Presidency on a national ticket was James Black, nominated in convention held at Columbus, Ohio, February 22, 1872.

The platform declaration of principles claimed the traffic in intoxicating beverages a dishonor to Christian civilization, a political wrong, and suppression only effective when legal prohibition is both State and National. That the entire prohibition of the liquor traffic is declared to be a principle good in law and feasible in practice. See "Personal Liberty."

In later conventions their declarations noted that, as Christians and temperance people, the extermination of the liquor traffic was the supreme political issue, and the only test of party fealty; nominating no person, or indorsing no candidate unless an openly avowed and consistent member, and totally separated from other parties.

At the convention held in Pittsburg, May 27, 1896, they divided into two factions, as "broad-gaugers" and "narrow-gaugers," on the silver question; the "broads" holding views approaching those of Populists,

the "narrow" insisting upon prohibition of the manufacture and sale of intoxicating liquors as the only party issue. The "broad" withdrew and formed the "National Party." See "National of 1896"; "Wets" and "Drys"; "Broad" and "Narrow-gaugers."

The *Prohibitionists* are a political party of one idea — the *prohibition* by law of the manufacture and sale of intoxicating drinks. Its first important success was the enactment of the Maine Law in 1851, the first State which, by an act of its Legislature, placed a stringent *prohibition* on the sale of intoxicating drinks. They have formed their ticket and promulgated their views every four years since 1872 and have never secured an electoral vote.

**National Republican.** A construction party operated as a check upon the naturalization law; outgrowth of the liberal wing of the Democrats in 1828, holding doctrines consisting of a modification of Federalism; a section of the Democrat-Republicans (*q. v.*).

The title was assumed in 1828 by the opponents of the Jackson administration, who put in nomination Anti-Masons to secure the aid of the Anti-Masonic element.

The genealogical treatment: Federalism, Republicanism, Liberal Democracy, National Republican.

Party rapidly disintegrated after its defeat in 1833; those who rallied around old Federal principles were called Whigs, and they with the National Republican remnant organized in 1838 as Whigs, nominating Harrison, the Anti-Masons supporting. See "Whigs."

**National Republican League.** Organized in Chickering Hall, New York City, December 15-17, 1887, by delegates from Republican clubs of the States; composed of Republican clubs organized by States and united in a national organization. Purpose, "Organization and Education"; to enlist younger men and "first voters" in the ranks of the party.

**National Silver.** A party advocating as their paramount issue the bimetallic standard in the money question. Nominated W. J. Bryan for President, Arthur Sewall for Vice-President, July 22, 1896, at St. Louis.

**National Union Reform.** Organized at Cincinnati, Ohio, March 1, 1899, their platform being direct legislation under the system known as the "initiative and referendum"; the people under the initiative can demand of their representative assembly the enactment of any desired law; under referendum they can compel the submission to themselves of a proposed measure or law, when if it receives a majority of the votes cast it will be thereby enacted.

The National Party aimed to amalgamate the Silver Republicans, Populists, Social Labor, and the Liberty Party — all of the minor parties except

the Prohibitionists. The *Union Reform* as a faction was first organized in Ohio during the fall of 1898.

**Native American.** The Federalists being *anti-alien* the Democrats naturally sought alliance with aliens, as foreigners with the five-year naturalization limit, centring in New York, filled the New York division of Democracy, to the exclusion of native Federalism, in the control of the city government, and to meet this condition of affairs the first attempt at a Native American organization was made. It began in 1835, and with the mayoralty election of 1837 failed, was renewed in 1844, with the vital principle of *American*, and was successful in electing its mayor of New York, its boom being incident to the action of Bishop Hughes in a speech in Carroll Hall, 1843, in which he advocated a distinct organization, as a party, of the Irish voters of New York. This was the first attempt to organize foreign citizens for political purposes. The party advocated the extension of the naturalization law to twenty-year years, which with other extreme measures resulted in its defeat in 1845, through the strong opposition of Democrats and the Irish and Roman Catholic element.

It first presented national candidates in 1848, named at a convention in Philadelphia in September, 1847, not by nomination but by recommendation of General Taylor as President.

**Negrophilites.** Accorded to members of the anti-slavery parties, in the way of reproach.

**North Americans.** Northern anti-slavery section of the *American* party (*q.v.*).

**Nullification.** Organized in Charleston, South Carolina, by John C. Calhoun in 1831 and 1832; confined within South Carolina. See "Political Vocabulary," "Nullification."

**Old Hunkers.** See "Hunkers."

**Old Line Whig.** A name for the unprogressive, conservative faction of the Whig party (1840-1852).

**Particularists.** A division of the Whigs (*q.v.*) that at the close of the Revolution believed the State government should be supreme, and that no central power should have sufficient authority to coerce a State, or keep it to the compact against its will; while accepting the necessity of union they had fear that the States would lose their power or surrender their independence. (See "Strong Government Whigs.") They were strong advocates for local self-government, with State rights uppermost. See "Anti-Federalists."

**Partido Conservador.** A peace movement party in the Philippines (March, 1901), recommending acceptance of United States sovereignty as a temporary expedient, expressing hope that independence

would be ultimately granted; composed of loyal Filipinos who never entered politics. Name suggested by Judge William H. Taft, President of the Philippine Commission.

**Peace.** Combination of Democrat-Republicans and Federalists who were opposed to the war of 1812. The faction was mainly composed of New Englanders.

**Peace Democracy.** Controlled the Democratic National Convention at Chicago, August 29, 1864, and declared in its platform that it was the sense of the American people that, after four years of failure to restore the Union by war, during which the Constitution had been violated in all its parts under the plea of military necessity, a cessation of hostilities ought to be obtained.

The Union Party (*q.v.*) called them "Copperheads" (*q.v.*).

**People's.** Originated in New York in 1823, as the Democratic supporters of Mr. Crawford and the *Albany Regency* (*q.v.*), advocating electors should be chosen by the people and not by the legislature, proclaiming they would favor only such candidate as would avow himself in favor of giving the people the right of appointing presidential electors. See "Anti-monopoly" and "Progressive People's."

**People's.** Organized at Omaha, Nebraska, July 2, 1892, the logical outcome of the Farmer's Alliance (*q.v.*) and other industrial unions.

The platform declares that the great trinity of law, money, and transportation should not become private monopolies levying excessive tribute. That the government should issue money for distribution, not through private banks. That postal savings banks be established. Objects to alien ownership of land. Directs return to the people, for actual settlers, all lands held by corporations in excess of their needs. The sentiment is against unrestricted emigration; in favor of a free ballot, a graduated income tax, election of senators by a direct vote of the people, and the legislative system known as the "Initiative and Referendum." See Index, "Referendum."

Claim it is destined to be a permanent force, not only politically, but in the social and other affairs of the nation. It is for a popular government — equal rights before the law. See "Free Silverites," "Populists," "Democrats," "Middle-of-the-Road Men," and "Federate."

**Personal Liberty.** Originated in New York, in 1887, as a pro-liquor combination alleging sumptuary laws to have nowhere proved effectual in extirpating intemperance or in reducing immorality or vice, but invariably stirred up ill-feeling, that under pretence of serving religion and morality, of aiding in the prevention of crime, and diminishing the causes of pauperism, attempts are multiplying to encroach upon the rights of person and property guaranteed, laws having been passed detrimentally affecting time-honored customs and individual rights and privi-



leges. "That as a political body they use all honorable means to promote the cause of civil and religious liberty by insisting upon the repeal of the obnoxious portions of the excise laws until that result be attained."

**Pewter Muggers.** A New York faction of the Democratic Party opposed to Tammany candidates in 1828. Their meetings being held in a Frankfort Street resort over *pewter mugs*, the name was affixed by their opponents.

**Pharisees.** See "Dudes."

**Popocrat.** A composite of *Populist* and *Democrat*—originated by the *New York Sun* in the Presidential campaign of 1896, as an outcome of the control of the Democratic convention at Chicago by the Populists (see "Democrat"). The invented word described the combined forces of the two parties who, on other issues besides that of silver—notably the "government by injunction," and the income tax—were in full agreement.

**Popular Sovereignty.** A section of the pro-slavery element of 1853, declaring the right of the inhabitants of each Territory to decide for themselves whether the State should come into the Union free or slave. In one or the other form the principle was adopted by the Democratic Party, although it was rejected in both forms by a great body of its Northern members. Its opponents designated the faction as "Squatter" Sovereignty, this term having been applied by Calhoun in derision. Popular sovereignty was expressed in a doctrine advanced by Lewis Cass in 1847. It died with slavery; it was a makeshift.

"Popular sovereignty in the Territories is and always has been a privilege, and not a right, and the privilege is always to be exercised in strict conformity to the terms of the grant." *Lator*, "Cyclo. of Political Science."

**Populist.** A designation for a member of the People's Party of 1892. See "Popocrat" and "Demulist."

The first National Convention of the Populist Party was held in Omaha, Nebraska, July 4, 1892.

The "Populists" (1900) in Nebraska were officially known as the *People's Independent Party* (see "Middle-of-the-Road Men," "Free Silver"). The Populist doctrine in the year 1900 of "sixteen to one" meant that the government should coin all silver brought to its mints, for the benefit of the owner, into silver dollars having sixteen times the weight of pure metal that the gold dollars have, and that these silver dollars should be full legal tender for all debts, public and private, at their face value, the same as gold dollars. See "Ratio," in Index.

**Progressive Labor.** The radical, or socialistic, element that withdrew from the United Labor Party, at Syracuse, New York, August 19, 1886 (*q.v.*); their platform notes that the soil of every country is the social and common inheritance of the people, that labor produces all wealth, which includes the instruments through which alone the forces



of nature become accessible, therefore all should have free access to land, and to the instruments of production without tribute to landlords and monopolists. That to the immediate relief of the working-class, — eight hours a day's work, no child labor, no female labor in occupations detrimental to health or morality, an extension of the common school system, equal pay to both sexes, payment of wages weekly, first lien for workmen's wages, enactment of juster laws for liability of employer to employee, abolishment of contract system in prisons and on public works and tenement-house manufacturing. Have thorough sanitary inspection to secure health of laborers, a non-importation of labor, to enforce existing beneficial labor laws, equal sex citizenship and suffrage, repeal blue laws interfering with interests of labor, and all conspiracy tramp laws, class legislations and privileges; not allow Pinkertons; to have a public ownership in industries involving public franchises or performance of public functions; a direct issue of money, not through the banks; a special tax on unimproved land sufficiently high to compel its surrender to the community; tax incomes over \$2000 per annum, graduated to be most heavy on monopolists; demand home rule, and many other "progressive" planks of interest to the labor class.

**Progressive People's.** A State faction of Missouri, composed of the Middle-of-the-Road Populists in 1900. Advocates that State and county salaries correspond with price of products, denounces both old parties for failure to enact initiative and referendum legislation, for the protection of corporation interests, and censures the Democratic State administration because of its "disregard for paramount interests of the people."

**Prohibition.** See "National Prohibition."

**Prohibition Home Protection,** in convention at Pittsburg, July 23, 1884, resolved they should thereafter be called the Prohibition Party (*q.v.*).

**Public Ownership.** A faction in St. Louis, Missouri, who, in 1901, advocated city control over certain franchises, advancing a candidate for mayor on these premises. The faction advises a State organization of public ownership, whether its activities are national, State, or municipal.

**Quids.** Applied to the Randolph faction, 1805-1811, on a sectional Virginia political issue, from *Quiddling*, uncertainty in their actions. A derivation also given is from the Latin phrase, *Tertium quid*, a "third something," as distinguished from the two powerful parties. They were extreme Democrats.

The expression originated with Pythagoras, who, defining bipeds, said:—

"Sunt *bipes* homo, et avis, et tertium quid."

A man is a biped, so is a bird, and a third thing (which shall be nameless).

In chemistry, when two substances chemically unite, the new substance is called *tertium quid*, as a neutral salt produced by the mixture of an acid and alkali.

**Radicals.** A Southern sobriquet for Republicans, and used to a great extent during the carpet-bag régime. See "Carpet-baggers" and "Liberal Republicans."

**Radical Republicans.** A radical faction of the Republican Party, opponents of the administration of Lincoln's first term, as they considered him timid and irresolute, and who wished to deal with rebellion and rebels more harshly. They attempted to forestall the possible renomination of Lincoln for a second term at a convention to be held in Baltimore, June 7, 1864; called a convention to meet at an earlier date at Cleveland, Ohio, May 31, 1864. Frémont nominated, but withdrew September 21, uniting the Republican party on its regular candidates.

**Rag Baby.** The "Greenback" Party. The "Rag Baby" was a burlesque term for the policy advocated by the "Greenbackers"; an application in ridicule to currency inflation as a panacea for financial ills, and advocated on that ground by a faction, as a matter of surpassing importance.

**Readjusters.** A division of the Democratic Party in Virginia, formed in 1878 under the leadership of General Mahone, late of the Confederate service. It opposed Democratic ascendancy in the State, and favored conditional repudiation of the State debt; a refunding at three per cent.

**Red Shirts.** A faction of Democrats in North Carolina interested in an anti-negro crusade in 1898, toward the electoral disfranchisement of the negro in the State. The direct cause originated in the strong advocacy of the negro politicians of the State of extended distribution of political offices among the negroes, urged on by a prominent negro publication at Wilmington. The red shirt worn by the horseman was adopted as a uniform for all white men enrolled in the anti-negro measure.

**Regulars.** A Pennsylvania faction of the Republican Party, the division being known as the *Regulars* and *Irregulars* (*q.v.*).

**Relief.** A faction in Kentucky who, in 1820-1826, advocated the relief of delinquent debtors. They elected the Governor, and passed a bill to this end in 1824. The bill deemed unconstitutional. The anti-relief party regained control in 1826.

**Republicans.** From the French, *républicain*, from the Latin *res-publica*; *res*, "an affair," *publicus*, *publica*, "of or pertaining to the people, common to all."

The outcome of the Anti-Federalists, 1796. When the Bill of Rights to recognize the equality of all men and their rights "to life, liberty, and the pursuit of happiness" had been incorporated in and attached to the Constitution as Amendments, the Anti-Federalists amalgamated with a section of the Federalists, and at the suggestion of the party leader, Jefferson, it became known as the *Republican Party*, Jefferson promulgating

this name as he thought the name *Anti-Federalists* was inappropriate, the original cause of the name having become lost as the party principles were more directly the opposers of Federal party measures.

The name Republican suggested to Jefferson through his being an ardent, enthusiastic friend of the French Revolution and its republican principles, and maintained until 1826, when, as representing the name of a political party, disappeared into *Democrat* (*q.v.*).

During the administration of Pierce, the great anti-slavery movement was particularly strong in Wisconsin, and in the spring of 1854 a movement was started in Ripon, Fond-du-Lac County, toward organizing a new party. The meeting was composed of Free Soilers, Whigs, and Democrats; a Whig, Mr. Alvin E. Bovay, proposing the name *Republican* as the designation of the new party. The first official sanction the new name received was at the first convention of the new party at Jackson, Michigan, July 6, 1854, the first convention that referred to itself as the Republican Party. Congress recognized the name in 1855.

The first Republican National Convention met in Philadelphia, June 17, 1856. There was no organization. See "Anti-Nebraska."

The Republicans have twice been a strong party politic; the original looked upon the Union as a democracy—persons, not States; the modern Republicans contemplated the Union as a Republic of itself, believing in its existence as a nation-republic.

In 1859 the modern adaptation was called into an existence solely to resist the encroachments of slavery upon the free territory of the Union and the free States, that there should be an entire prohibition of the "twin relics of barbarism, polygamy and slavery," that negro slavery must remain and be protected where it was. In the Republican platform the attempt of John Brown was denounced as "lawless and unjustifiable," denying the authority of Congress, of a Territorial legislature, or of any individuals to "give legal existence to slavery in any territory of the United States," affirming the principles of the Constitution of the United States as essential to the preservation of the republican institutions, and that the rights of the States should be held inviolate, and especially that "the right of each State to order and control its own domestic institutions according to its own judgment exclusively, is essential to that balance of power on which the perfection and endurance of our political fabric depends."

In 1876 it demanded a vigorous Southern policy, and arraigned its opponents (Democrats) as seeking to perpetuate sectional strife. See "Abolitionists," "Anti-Federalists," "Black Republicans," "Democrats," "Radical Republicans," "Mugwumps," "Gold Bugs," "Carpet-baggers," "National (1797)."

In connection with the name *Republican* as a great party name, there occurs a coincidence worthy of note: the "Republican Supremacy" of

each party extended over a connected space of twenty-four years — 1801 to 1825, and 1861 to 1885.

The Federalist, Whig, and Republican parties are the only ones that have ever succeeded in defeating the Democratic Party in a national election.

The Federalist Party was in existence just thirty-six years, was succeeded by the Whig Party, which maintained a national organization for thirty-six years, that, in turn, was followed by the Republican Party, which in 1892 celebrated its thirty-sixth year.

The Republican Party was in its origin merely a party of opposition. Its chosen designation had but a negative signification, for it was adopted rather to bring an accusation of monarchical tendencies against the party in power, than to embody a political programme of its own. "It came into the possession of the government," says Stanwood, "without a plan or a promise." Its adversaries applied to the members of the party at that time the terms "Jacobins" and "Democrats." See "Democrat."

Cartoon emblem, *the elephant*; introduced in *Harper's Weekly*, November, 1874, by the caricaturist, Thomas Nast, to represent the Republican vote, because that vote was timid and unmanageable. In December, for the same reason, he applied the elephant to the party.

**Sam.** A nickname of the American or Know-nothing Party; current from 1854 to 1860. Given as referring to their cant about *Uncle Sam*.

**Sand Lot**, or the W. P. C., "Workingman's Party of California." Originated in San Francisco, in 1877, with Denis Kearney, Secretary of the "Workingman's Trade and Labor Union." The name, "Sand Lot," applied from a large, open space, covered with sand, on the west side of the city, where the meetings were held on Sunday afternoons to cheer denunciations of corporations, monopolists, and the rich generally, and to express their hatred of the Chinese, who were willing to take half the ordinary wages paid the white laborer. It became quite a factor in California politics, the creed being designated as "Kearneyism."

**Scalawags.** Applied to Southern-born men, native white Republicans, who had braved the social ostracism that followed their nonconformity to the formula that "this is a white man's government," and for the purpose of obtaining political office followed the same plan as "Carpet-baggers" (*q.v.*).

*Scalawag*: slang word, meaning a compound of loafer, blackguard, and scamp.

**Silver Grays.** Applied to the conservative portion of the Whigs of New York, who supported the administration of President Fillmore and regarded the slavery question settled by the compromise of 1850. A convention of the administration held September 27, 1850, at Syracuse, to secure a vindication of the President's policy, etc. It resulted in an emphatic majority against the administration, whereupon Mr. Granger and several other administration men left the convention, and as many of them were elderly and gray-haired, upon the remark of one of the "stay-ins," "There go the silver-gray!" the expression became a sobriquet.

**Silver Republicans.** Seceders of the Republicans, who left that party in 1896 because of the abandonment of its traditional policy of bimetallism.

It was organized at Manitou, Colorado, in July, 1896, holding a national convention at St. Louis. The only American political party that never ran a ticket of its own for any office, in any State, they allied with the Democrats in some States, with Populists in others, and with Democrats and Populists in other States, disbanding in 1900, except in the States of Colorado and Nevada.

**Slight-revision.** See "State (1776-1777)."

**Small-state.** See "State (1776-1777)."

**Snappers.** A section of the Democratic Party in New York State that called the regular State Convention for election of delegates to Chicago Convention, by assembling at Albany, New York, in 1892. It stood solid for David B. Hill, and became the anti-Cleveland nominating element supported by Tammany (*q.v.*).

They were designated "snappers" by the Cleveland adherents because of the arbitrary exercise of the power in the State committee in calling the State convention some months earlier than usual — a "snap" convention. This was done to insure the selection of Hill men and to avoid any chance for converting any of them to the cause of Cleveland. See "Anti-snappers."

*Snap:* "vigor, energy, briskness, life," "quick and to the point."

**Snow-flakes.** A Missouri-ism given to the political faction that favored the gradual emancipation of the negro. The term being a sarcastic reference to black men. See "White-legs."

**Snuff-takers.** See "Silver Grays," "Woolly Heads."

**Social Democracy.** A faction organized in Chicago, in June, 1898, its principles being transplanted from its birthplace, Germany. One of its other strongholds at its introduction was Texas, it being otherwise supported by the Populist element of the Democratic Party receiving impetus from the Nationalist movement.

Its ultimate aim is, collective ownership, to be at war with capitalists, but not capital; it recognizes trades-union movements, advising the workman he can only attain ends through political means — a point radically different from the Socialist Labor Party; welcomes trusts as the beginning of a movement that will make it easier for governments to assume control of monopolies. It declares it enters as a national supporter upon a declaration for collective ownership. See "United Socialists," "Nationalists."

**Socialistic Labor.** A communistic order, originating in 1888, to secure every citizen in the enjoyment of his right "to life, liberty, and

the pursuit of happiness"; the establishment of a Coöperative Commonwealth, in which every worker shall have the free exercise and full benefit of his faculties, multiplied by all the modern factors of civilization. See "United Socialists."

Party candidates placed in nomination for President and Vice-President in 1892.

Socialism abolishes private property and individual effort, and substitutes coöperative action and common property.

"That contemplated system of industrial society which proposes the abolition of private property in the great material instruments of production, and the substitution thereof of collective property, and advocates the collective management of production, together with the distribution of social income by society and of private property in the larger proportion of this social income." — R. T. ELY.

**Softs.** See "Hards and Softs."

**Soft-shells.** A Democratic faction. See "Hard-shells."

**South Americans.** See "American."

**Spell-binders.** An association of speakers, managers, editors, and writers of the Republican campaign committee of 1888. Organized November 22, 1888, at New York, for social and political purposes.

The name was the outcome of a remark of Colonel Fairman in his reference to a campaign address at Jersey City: "I held them spellbound for two hours." The speakers of the committee ever afterward were referred to as "those Spell-binders," the title having been applied by William C. Goodloe, a member of the Republican National Committee, to the stump-speakers employed by them, from many similar remarks in their reports as made by Colonel Fairman.

**Squatter Sovereignty.** See "Popular Sovereignty."

**Stalwarts.** A division of the Republican Party in 1880, persistent advocates of a third term for Grant, supporting his nomination at the Republican National Convention to the end of the ballot, standing as a solid vote of 306; proclaiming themselves "Republicans at all times and under all circumstances." To commemorate the Stalwartism of the 306 members, medals were made and 306 distributed. A coalescence of all other factions at the convention nominated Garfield. To propitiate the Stalwarts, Arthur (a Stalwart) was chosen the party's candidate for Vice-President, and through the death of Garfield became President, the effect being to continue the breach, resulting in the overwhelming defeat of the Republican candidate for governor of New York. This disaffection or distinction in New York of Stalwarts and Half-breeds (*q.v.*) existed until Senator Platt became the head of the State party machine. The word *Stalwart* applied to the faction from the tenacity with which they clung to their candidate. Their leader was the Hon. (Senator) Roscoe Conkling, of Utica, New York.

**State (1776-1777).** See "National (1776-1777)." The delegates with a central idea of equal suffrage in a Congress. Some willing

the framework should be altered, if only the States should have equal power in it. This party, or faction, was also known as the *Small-state party* and the *Slight-revision party*.

The men that opposed the Constitution, since the Constitution spoke in the name of the people, while the Articles of Confederation in the name of the States. Hinsdale notes: "Some of those who opposed the Constitution on the ground that it provided for a national system or federal state, a few years later united with others who had favored it in the claim that it was only a confederation, and in forming a political party that was based on that idea. Had this been the common understanding in 1787 and 1788, those who favored the Constitution would have opposed, and those who opposed it would have favored, its ratification."

**Strict Constructionists.** The Democrat-Republicans (*q.v.*). The "Loose Constructionists" and "Broad Constructionists" interpreted the Constitution loosely and broadly, so as to give the Federal government increased power in various objects of national importance, the policy of attack.

The above titles are descriptive, the Federalists favored a stronger central government; the Whigs maintained for the central government the power of making certain internal improvements at national expense; Republicans maintaining for the central government the power of abolishing slavery, of coercing a rebellious State and protection of the slaves when free. "Strict" construction of the Constitution where it does not specifically authorize. First known as Anti-Federal, then Republican, soon taking name of Democrat-Republican, finally Democrat. They have held fourteen Presidential terms.

"Broad Constructionists" were the Federal, National Republican, Whigs, finally the Republican Party; they have controlled fifteen Presidential terms.

The Broads reelected four candidates, — Washington, Lincoln, Grant, and McKinley; the Stricts, five candidates, — Jefferson, Madison, Monroe, Jackson, and Cleveland.

**Strong Government Whigs.** They desired a government, Republican in form, with checks upon the impulses or passions of the people, liberty sternly rebuked by law, and that law strengthened and conjoined by a central authority, and the authority of the national government to be final in its appeal (see "Federalists"). Opposed to them were the *Particularists*.

**Suffrage Party.** A Rhode Island faction in 1842 that was a supporter of Thomas W. Dorr, the outcome of their main measure bringing about the "Dorr Rebellion" (*q.v.*). Rhode Island was governed by its colonial charter, which imposed a property qualification so high as to disfranchise two-thirds of its citizens — the opposition to which was main-



tained by the Suffrage Party, their advocate of the measure being the "Law and Order Party" (*q.v.*).

**Tammany, or Tammany Society.** A political organization located in New York City. The Association owes its origin to William Mooney of New York, an upholsterer, a leader of the Liberty Boys during the administration of Washington. The "Tammany Society" was formed May 12, 1789, with the probable purpose of antagonism to the *Cincinnati Society*, which had an aristocratic tendency. According to its first constitution, it was intended "to connect in indissoluble bonds of friendship American brethren of known attachment to the political rights of human nature and the liberties of the country." Tammany had in view the preservation of democratic institutions from contamination, by preventing the adoption of any aristocratic principles. Its first meeting was held May 12, 1789.

The society was based upon the idea of a recognition of Columbus, the management to represent the New World as the product of engrafting European civilization upon aboriginal stock. The government of the society to be that of a white man, assisted by twelve chief Councillors. At this time there was a desire to adopt American legends and emblems, and some Pennsylvania clubs had adopted the name Tammany from a half-mythical Delaware Indian chief named Tamanend, adding to their formula of ceremonies Indian names, places of meetings, etc., as wigwams; their chiefs, Sachems; their master-of-ceremonies, a Sagamore; their door-keepers, Wiskniskies; their paraphernalia being noted, wampum, feathers, buck-tails, pipes, and other articles peculiar to Indian life; their seasons, "Blossoms," "Fruits," "Snows," and "Hunting"; months, "Moons," etc.

This popular Indian impression passed into this organization, which adopted in 1805 the Tammany tradition, incorporating themselves as "The Columbian Order of the Tammany Society."

It was at first a convivial society, drifting gradually into politics. It has been a professed adherent of the Democratic Party, giving itself to practical politics, with a high state of organization and discipline, swayed by a secret and irresponsible interior committee of grand Sachems, whose will is implicitly obeyed by a huge organization, ramifying into every ward and precinct in the city. See "Tigers."

*The legend:*—Tamanend, the mythical Indian chief, inherited the region west of the Alleghany Mountains, extending northward of the Ohio. For many years he waged a relentless war with his mortal enemy, the Evil Spirit, who persistently annoyed and vexed Tamanend by poisonous sumach, stinging nettles, rattlesnakes, and a plague of wild beasts as well as other torments. It was of no avail, so the Evil Spirit determined to have a hand-to-hand conflict, a terrific battle ensuing, that lasted for fifty days, when Tamanend threw the Evil Spirit, and would have rolled him into the river had not an immense rock intervened. At this juncture Tamanend was so exhausted, the Evil Spirit was able to slip away, but not before warning was given him to confine himself to the cold and remote regions of the North. Tamanend ever after devoted himself to the arts of peace, introduced many agricultural improvements, won the lasting love of his tribe, lived to a good old age, and was buried with extraordinary honors. A curious old mound was raised over his grave, which it is claimed antiquarians have discovered within the great Indian fort near Muskingum.



**“Tap-roots.”** A division of Democracy, displeased by the nomination of Greeley by the regular Democrats in 1872. Also called “Straight-outs” (*q.v.*).

The “tap-roots” of plants are the main support of the plant life, particularly noted or designated as penetrating the earth downward without dividing, *i.e.* existing without a division.

**Temperance.** See “National Prohibition.”

**Theocratic.** A religio-political creation of John Alexander Dowie, of Zion City, Illinois. Formed in 1901, with the motto, “Where God rules, man prospers”; and object, “the establishment of the rule of God in every department of government by the free will of the people.”

**Third Party.** A faction meeting in New York, September 5, 1900, organized for the benefit of voters who objected to the Republican and Democratic platforms; on the one hand, a public opinion misled by organized forces of commercialism; on the other, demagogic appeals to factional class passions.

**Third Party**—“The Allied Third Party.” See “Allied Third Party.”

**Thorough-revision.** See “National (1776-1777).”

**Tigers.** A sobriquet applied to the Tammany Society of New York, from an emblem of the tiger adopted by the order. As an attribute of Tammany it dates from 1871, at the time of the downfall of “Boss” Tweed. Tweed had been a foreman of Engine No. 6 of the old Volunteer Fire Department, which engine company carried a stuffed tiger on its engine. Thomas Nast, the cartoonist, during the crusade against the Tweed ring, having the engine company in mind, combined with Tweed’s prominence in that company as well as Tammany, symbolized the latter in his cartoons as a tiger.

**Tories.** See “Whigs.” Applied in 1800 to the Federalists (*q.v.*).

**Union.** A loose constructive faction known as the War Democrats (1861), which soon became absorbed into the Republican organization.

**Union Labor.** Lineal descendant of the Greenback Party (*q.v.*), organized at Cincinnati, February 23, 1887, inheriting many of its planks, combined with the principles of the Knights of Labor, among which, that banks be required to give security to the State for the average amount of their deposits; that speculation in the necessaries of life, “corners,” “margins,” and “futures” be criminal offences; discriminations by employers against lawful associations of employees to secure their rights to be declared a felony.

**Union Reformers.** An Ohio combination of about five hundred, in favor of the initiative and referendum, organized as a political party at Columbus, Ohio, September 5, 1900, naming a candidate for President of the United States. See “Referendum” in Index.

**Union Rights Stop Leagues.** A secret negro political organization of Louisiana, scrutinizing the votes of the negro to see they did not vote the Democratic ticket.

**United Christian.** An offshoot from the Prohibitionists, organized in March, 1898. Devoted to the spread of moral and religious ideas in government. "We invite into the United Christian party every honest man and woman who believes in Christ and His golden rule and standard of righteousness." In the campaign of 1900 they secured 518 votes; Illinois, 352, Iowa, 166.

**United Labor.** Organized in 1886, in New York, running a candidate for Mayor of New York (George); the central committee laid plans and issued charters to clubs throughout the country purposing the formation of a national organization; their declaration of principles adopted in New York at convention, September 23, 1886, on the "broad platform of natural rights and equal justice," . . . abolishing all taxes on industry or its products, to leave to the producer the full fruits of his exertion, and by the taxation of land values, exclusive of improvements, to devote to the common use and benefit those values which, arising not from the exertion of the individual, but from the growth of society, belong justly to the community as a whole. See "Progressive Labor."

**United Socialists.** The union of the *Social Democrats* and *Socialistic Labor*, effected in 1900.

**Vallandigham Democracy.** See "Dayton Platform Democracy."

**War Hawks.** A small Republican faction in 1810, insisting that impressment of seamen be stopped, to make the conditions harder for Great Britain.

**Wets.** A designation assumed in the Western States by the Anti-Prohibitionists, or those in favor of a liquor traffic; *wets* being a contraction of the Americanism, as applied to a treat to a drink, "*wet your whistle*," i. e. to moisten the mouth. The Prohibitionists designated as *drys*.

**Wheeler.** An organization of agriculturists, originating in Arkansas, whose especial hostility was against railroad companies, claiming that an undue share of the proceeds of their toil went for transportation expenses, either by railroad or cartage, so, as the symbol of their grievance, they adopted the title of "Wheeler." They ultimately allied themselves with the various Farmer's Alliances (*q.v.*) organizations in the West and South. The "Wheeler" of Arkansas were the original of the present agrarian agitators' associations.

**Whigs.** A term of reproach given by the court party in the reign of Charles II. to their antagonists, for holding the principles of the *Whigs* or

fanatical Conventicles in Scotland. *Whiggs* is from *Whiggamores*, a name given to the Scots in the Southwest, who, for want of corn in that quarter, used annually to repair to Leith to buy stores, that came from the North, and all who drove were called *Whiggamores*, or *Whiggs*, from the term *Wiggam*, in driving their horses. In 1648, the Presbyterian ministers incited an insurrection against the court, and marched with the people to Edinburgh; this was called the *Whiggamores'* inroad, and after this, all that opposed the administration in Scotland were called *Whigs*, and from hence the term adopted in England, when politically Whig meant *liberal*.

Another derivation of the name notes that the club of the party from which the Whigs sprang had as its motto, "We hope in God," and that their name of *Whig* is derived from the initial letters of their motto.

With the use of the word Whig, in England as expressive of *liberal*, it was the most significant word to apply to those subjects in America who had the political wisdom to see that George II. attempted to ignore or subvert their legislative bodies, that they were contending against the king under the mask of parliament. The word gradually became synonymous with *patriot*. When the Revolution broke out the Whigs became its supporters, and upon peace being declared they became the first political party of the "Revolutionary period," or the first American political party; the *Tories*, or English, upholding the principle of "passive obedience to the crown," while the Whigs aimed to "fight up and against the King and against his people," neither however proceeding to uphold the people as a political force. They were the triumphant party at the time of the Revolution.

Under the Federal government the name politically was resurrected in 1836, and applied as a catch-word to a new party, composed of those who rallied around old Federal principles and what was left of the disintegrated National Republican Party of 1833, together with the remaining Anti-Masons (following up an impression that owing to its resurrection, its original having implied resistance to executive usurpation, it now was applicable to party situation). They shrewdly tacked a conservative Democrat on their ticket of 1838, assuming the official title, "Democratic-Whigs," succeeding in electing their candidate; the early death, however, of their president destroyed all calculations to the benefit of Democracy, resulting in the defeat of their candidate (Clay) in 1844. In the election of 1848, they nominated a Mexican war-soldier (Taylor), thereby adding to their ranks supporters of the war, and the anti-slavery and conservative element, Democracy having become a strong slave-extension advocate. The slave question at this time becoming the pivotal division, pronounced *pro* and *anti-slavery* parties were demanded, so that the Whigs disappeared on a north and south division into the *Anti-Nebraska* and *American* or the *Know-nothings* (*q.v.*).

**White-legs.** A Missouri-ism applied to the *out-and-out* Democrat, the extremist as compared with the *Snow-flakes* (*q.v.*). *White-legs*, a sarcastic expression of the *white-man* as compared with the *black-man*.

**White-liners.** A political faction, of secret organization, formed in Louisiana, to prevent negro suffrage as a political power. It was disbanded in 1877 with the overthrow of the Packard government. See "Ku-Klux-Klan."

**Wide-awakes.** A political division of the Republican Party, organized in 1860, to promote the election of Lincoln. They were uniformed in glazed coats and caps of different colors, and were effective in their evening parades under the glare of swinging torches. Many of them drilled as military companies, for the threat of war came from the South.

**Women's Rights.** See "Equal Rights." The name originally applied to a movement started at a convention at Seneca Falls, New York, July 18, 1848, for the enfranchisement of women, and the repeal of such laws as deprived married women of their just natural rights. Thus far success has been chiefly obtained in law reform and the recognition of women labor in nearly all occupations.

**Wool-hats.** A political faction of South Carolina, who were mainly instrumental in the election of Ben. Tillman as Governor, originating in 1888 as the "Reform Party." The designation, "Wool-hats," was incident to their being mainly the farmer or "cracker" (*q.v.*) element, who, as customary, wear wool or felt hats. They correspond with Populists and Grangers of other sections of the country, being in South Carolina opposed to the aristocratic or Bourbon class. Also called "Our 'gallus' men" and "Tillmanites," later designated as "Conservatives."

**Woolly Heads.** Given to a section of the Whigs that manifested a marked sympathy with anti-slavery sentiment of the North in 1850, and so called in allusion to their interest in the negro, *i.e.* *Woolly Heads*.

**Workingman's.** Originated with the master-builders of New York, who endeavored to obtain the passage of a law giving the mechanic a more effectual lien for remuneration for this labor, and materials furnished by him in the erection of buildings, upon both buildings and lots. Not being successful, they, in 1829, opened up an excitement, alleging the workingmen and operatives did not receive their due share of the offices and emoluments disposed of by the State government. As a *Workingman's Party* professing principles of the three other parties, the Masons and objectors to the *Regency*, and the Jacksonians joined it, but being used as a wedge they soon fell to pieces. See "Equal Rights."

**Workingman's Party of California, or, W. P. C.** See "Sand Lot."

**Young Democracy.** See "Barn-burners."

## POLITICAL VOCABULARY.

**Administration.** The executive part of government. Under the Confederation the only substitute for an executive power of the national government was a series of Boards of War, Treasury, etc., working under the supervision of committees of Congress. Under the Constitution these Boards were succeeded by a system of Executive Departments, organized by Congress, but filled by appointment of the President. The principal officers of these departments form a body of advisers to the President, under the title of *The Cabinet* (*q.v.*).

The Chief Executive of a State is the Governor; of the City, the Mayor; of a Village, the President.

The following table shows that during the first 112 years of our national life under the Constitution, the supreme political power has been placed for exactly equal periods with the Republican and the Democratic parties, or their predecessors in pedigree, so far as political parties in this country can be said to have a traceable pedigree, *i.e.* :—

	REPUB- LICAN	DEMO- CRATIC		REPUB- LICAN	DEMO- CRATIC
Washington .....	8 years	.....	Buchanan .....	.....	4 years
Adams, Jno. ....	4 years	.....	Lincoln and Johnson ..	8 years	.....
Jefferson .....	.....	8 years	Grant .....	8 years	.....
Madison .....	.....	8 years	Hayes .....	4 years	.....
Monroe .....	.....	8 years	Garfield and Arthur....	4 years	.....
Adams, J. Q. ....	4 years	.....	Cleveland .....	.....	4 years
Jackson .....	.....	8 years	Harrison, B. ....	4 years	.....
Van Buren .....	.....	4 years	Cleveland .....	.....	4 years
Harrison and Tyler....	4 years	.....	McKinley .....	4 years	.....
Polk .....	.....	4 years	Total .....	56 years	56 years
Taylor and Fillmore....	4 years	.....			
Pierce .....	.....	4 years			

**Age.** One of the conditions attached to the exercise of civil and political rights is the attainment of a certain age. It is fixed by law, and generally is in accordance with the usage and customs of the country.

In the United States, *under fourteen* years of age, man has not legally reached the age of discretion; at *fourteen* he may consent to marriage and choose a guardian; at *twenty-one* he is a full citizen. The full age of twenty-one years is held to be completed on the day preceding the twenty-first anniversary of birth.

At *twenty-five* years of age a man may be elected a representative in Congress; at *thirty*, a senator; at *thirty-five*, may be chosen President of the United States.

He is liable to serve in the militia while between eighteen and forty-five years of age, inclusive, unless exempted for some particular reason. See "Drafts."

**Alien and Sedition Laws.** *Alien*, from Latin *alienus*, "of another." *Sedition*, from French *sédition*; Latin *seditio*, "a going aside." During the troubles with France in 1798, there was considerable sympathy with that country, scurrilous attacks in consequence were made on the President and Congress, occasioning the passage of the "Alien and Sedition" laws (Acts of Congress, July 6 and July 14, 1798).

The "Alien" bill lengthened to fourteen years the naturalization period; all aliens thereafter to come into the country must be registered, and this certificate the only proof of residence. Alien enemies could never become citizens. The President was given power to send away any alien whom he might think dangerous to the country; if the order was disregarded, liability of imprisonment for three years followed with disfranchisement. The action of the law was limited to two years.

The *Sedition bill* declared the hinderance of a United States officer in the discharge of his duty, or opposing any of its laws, a high crime and misdemeanor, punishable by a maximum fine of \$5000; the writing, printing, or publishing any false, scandalous, and malicious writing against Congress or the President, or aiding therein, was punishable by a maximum fine of \$2000, and maximum imprisonment of two years. The Act to expire March, 1801.

**Allegiance.** French *allégeance*, from Latin *alligare*, "to bind to." The tie or duty, which binds the subject, or citizen, of a State to aid and assist the State, or the sovereignty, in return for the protection afforded. Every citizen owes paramount allegiance to the national government. The opinion that he owed allegiance to his State first, and to the Union only secondarily, was negatived by the Civil War. Foreign-born people cannot become citizens until they have renounced allegiance to their former government. See "Expatriation," "Citizen," "Nationality."

"No colony acting separately for itself dissolved its own allegiance to the British crown; the allegiance was dissolved by the supreme authority of the people of all the colonies acting through their general agent, the Congress, and not only declaring that the authority of Great Britain ought to be suppressed, but recommended that each colony should supplant that authority by a local government, to be framed by and for the people of the colony itself." — Curtis's "History of the Constitution."

**Ambassador.** From the French *ambassadeur*. A public minister of the highest grade, employed by the United States to represent and transact its public business with a foreign government.

There are three grades: —

*Ambassadors Extraordinary and Plenipotentiary*, the highest in rank and privileges, personally representing the national government.

*Envoys Extraordinary and Ministers Plenipotentiary*, full powers to act for the United States, representing the affairs of government, not the person.

The word "plenipotentiary" does not possess its full meaning, as, there being no one individual who possesses the sovereignty, representation of a sovereign's person is fictitious in a measure. The term was adopted, in 1893, for the purpose of gaining for diplomatic representatives of the first grade the consideration which only ambassadors enjoy in foreign courts. (*Infra*.)

*Ministers Resident and Consuls General* generally possess same powers as Ministers Plenipotentiary, but hold subordinate rank — differs only in grade.

The peculiar rights and duties of each of the above properly belong to a treatise on the law of nations. They are diplomatic officers differing in grade only. An ambassador is a representative character, and those from the United States accredited to the governments of Great Britain, France, Germany, Italy, Russia, and Mexico, the only countries to which the United States sends such agents at present (1903), stand on an equal footing as to functions and prerogatives with the other ambassadors received at the courts of these countries. They act under the direction of the Secretary of State in all matters in which their government is concerned, and are the channels for the official communications of diplomatic representations. The Congress of Vienna, March 19, 1815, and the Congress of Aix-la-Chapelle, November 21, 1818, divided diplomatic agents into classes, and determined the regulation concerning their precedence. The government of the United States acquiesced in these rules. See "Consul."

The term "ambassador" was occasionally used in regard to the first diplomatic appointments made by the Continental Congress. The Republic, however, made no appointments higher than "envoy" (although the word *ambassador* appears in the Constitution, Art. II, Sec. 2) until the closing days of the Fifty-second Congress, when a paragraph appeared in the Diplomatic and Consular Appropriation Bill, specifying more particularly the power of the President concerning the appointment of ambassadors, which bill was signed by President Harrison, March 1, 1893. The paragraph was to the effect that whenever the President shall be advised that any government is represented, or is about to be represented, by an ambassador, it shall be within the President's discretion to direct that the representative of the United States to such government shall bear the same title. March 24, 1893, the State Department at Washington gave to the press the following information:—

The State Department has received official information that Queen Victoria has raised the rank of Sir Julian Pauncefote, her representative in Washington, from that of Envoy Extraordinary and Minister Plenipotentiary to that of Ambassador, and that his credentials as such are on their way here. Under the provisions of the Diplomatic and Consular Appropriation Bill of March 1, 1893, President Cleveland is authorized to confer the same rank upon our representative at London. The provision was inserted in the bill for the reason that representatives of the United States in many courts have been compelled to yield precedence in official business and otherwise to the representatives of smaller countries holding higher titular rank. Hitherto no ambassador has been accredited to the United States, because the United States did not confer that title upon any of its Ministers abroad, and reciprocity is always observed in diplomatic representation. Sir Julian Pauncefote will be the first Minister to Washington to hold the title of Ambassador, but it is highly probable that France, Germany, Russia, and Austria will be prompt to follow the example thus set by England, and change the titles of their Ministers to Ambassadors.



The first to receive the title of Ambassador was Thomas F. Bayard, of Maryland, who was made Ambassador Extraordinary and Plenipotentiary to the Court of St. James, March 30, 1893, taking the oath April 3.

The Ambassador to Great Britain is styled "Ambassador to the Court of St. James," because St. James is the official residence of the British sovereign, and, as in the case of a kingdom, the Minister is accredited to the ruler, he is Minister at the Court of St. James. Minister to the Quirinal means the residence of the King of Italy (Quirinal, one of the Seven Hills of Rome); to the Sublime Porte, the palace of the Sultan or the Ottoman Empire.

(Sublime Porte is the French for Porta Sublimi, the "lofty gate." The French phrase adopted because at one time French was the language of European diplomacy. Near one of the twelve gates of Constantinople is a building with a lofty gateway, called "Bab-i-humajun," in which the vizier resides, and in which are located the offices of all the chief ministers of State, from which all imperial edicts are issued.)

When an ambassador arrives at London, Paris, or other European court, he obtains an interview of the Secretary of State for foreign affairs, delivering him a copy of his letter of credence. The Secretary on a fixed day presents him to the Sovereign, to whom he delivers the original. On that day, or as soon as convenient, he visits all the secretaries or heads of the Government. See "Persona non grata."

**Amnesty.** Greek *amnēstia*, "a forgetting." An act of grace by which the supreme power in a State restores those who may have been guilty of any offence against it to the position of innocent persons.

Amnesty and pardon are different; *amnesty*, the act of a sovereign power to cause to be forgotten a crime or misdemeanor; *pardon*, the exempting of the individual from the punishment the law inflicts for the crime he has committed. *Amnesty*, the abolition and forgetfulness of the offence; *pardon*, the forgiveness.

In 1862, Congress authorized the President to offer full pardon to all persons, excepting the most prominent movers in the Civil War, who would swear allegiance to the United States. See Index, "Proclamation of Amnesty" and "Amnesty Proclamation."

The earliest recorded amnesty was that of Thrasylbulus at Athens; the thirty tyrants and a few others were excluded from its operation. Among the celebrated amnesties are: that proclaimed on the restoration of Charles II.; by Napoleon, March 13, 1815, from which thirteen eminent persons, including Talleyrand, were excepted; the Prussian Amnesty of August 10, 1840; the general amnesty proclaimed by the Emperor Francis Joseph of Austria, in 1857. The last Act of Amnesty passed in Great Britain is 20 Geo. II., c. 52, which proclaimed a pardon to those who had taken part in the second Jacobite rebellion.

**Annexation.** See Index.

**Apportionment.** The allotment to any portion of the people the right of selection of a member in a legislative body, based on status, geographical divisions, or on numbers. Art. I., Sec. 3, of the Constitution makes a geographical apportionment of Senators, while Art. I., Sec. 2, decides the apportionment on numbers and status.

The Fourteenth Amendment did away with the limitation as to status, basing the apportionment on numbers merely, excluding Indians and persons with cause deprived of their vote. The Constitution provisionally apportioned the Representatives according to the best information obtainable, assigning to each State a specified number, and provided for subse-



quent periodical enumerations, establishing a minimum of 30,000 persons to one Representative. In 1792 all fractions were disregarded, which continued to the census of 1830.

The discussion following this census ended in the adoption of the principle of representation to fractions larger than one-half. In 1850, the Vinton Bill (Hon. S. F. Vinton of Ohio) amended the bill for the taking of the census, so as to leave the apportionment in the hands of the Secretary of the Interior. The total population of the country was to be divided by two hundred and thirty-three, thus obtaining the number of constituents of each member, then by dividing the total population of each State by the basis thus obtained, the number of representatives assigned to each State for full constituencies was reached; the number of members remaining was then to be apportioned among the fractions until exhausted.

The Thirteenth, Fourteenth, and Fifteenth Amendments abolished the slaves as a basis; the reduction basis in cases of causeless deprivation of persons of the right to vote disregarded, being impracticable.

Congress now decides the number of Representatives, based on the census, once in ten years, apportioned on the ratio of the population.

The whole population, omitting the Territories and the District of Columbia, should be divided by the number of members, and the quotient should be the basis of representation for each member, the residuum not to go unrepresented. The loss in the number of members caused the fractions in the several States, compensated for by assigning to the States having the largest fraction, an additional member each, for its fraction, so as to make up the whole number of Representatives.

Whenever a new State is admitted, the Representative or Representatives assigned it, shall be added to the number as then last determined, and in each State the number to which such State may be entitled, shall be elected by districts composed of contiguous territory, containing as nearly as practicable an equal number of inhabitants, and equal in number to the representatives to which such State may be entitled in Congress, no one district electing more than one Representative.

If the basis of Representatives were as noted by the Constitution, one for every thirty thousand people, the House of Representatives would consist of 2543 members, on the total population of 76,304,790 (1900). The Electoral College would have the same number of electors, plus ninety, the number of Senators; an unwieldy body and difficult to be housed; so, to form a manageable and efficient legislative body, the unit of representation has been increased, as shown in the table of "Ratio of Representation." See page 141.

**Articles of Confederation.** See page 74.

**Articles of War.** Under the Constitution, a code for the government and regulation of the army, "a system of rule superadded to the common law, for regulating the citizen in his character of a soldier."

Enacted April 23, 1800, and April 10, 1806, originally borrowed July 30, 1775, from the English mutiny act, annually passed by Parliament, and their articles of war established by the King. The Articles were enlarged by the old Congress from the same source September 20, 1776, and consist of three sections. (See "War.") The Rules and Articles of War are 128, the Articles for the Government of the Navy number 60.

**Assay Offices.** Assay, from French *assai*, from Latin *exagium*, "a weighing." Establishments maintained by the government in which gold and silver bullion may be deposited by citizens, they receiving its value, less charges, in return.

**Attainder.** French, *attaindre*, "to accuse." The extinction of civil rights and privileges, and the forfeiture of the individual's property to the United States by legislative action (without trial in court). Only the dower right of the wife in the real estate of the criminal is untouched. The act does not apply punishment to the wife and children as does the English law. It takes place when a person has committed treason or felony (*q.v.*) and receives sentence of death for his crime.

A *bill of attainder* is a legislative conviction (without a judicial trial) of a crime with a sentence of death, usually directed against treason. Beside forfeiture, there was corruption of blood, that is preventing heirs from inheriting. Legislative penalties imposing punishment less than death are called *Bills of Pains and Penalties*, so-called if the sentence was less than death. The Supreme Court decided them unconstitutional, as coming within the prohibitions of the Constitution; the act of Congress aimed at those who had engaged on the Confederate side in the Civil War.

**Balance of Trade.** The difference in value between the exports and imports of the United States. In a healthy, profitable trade, imports must exceed exports; as merchandise exported, to yield a profit, must be sold in a foreign market at a price which includes cost, expenses to that market, and a reasonable profit to the merchants; this increased money invested in merchandise, in the foreign country, returned to the United States must have its value greater than the exported article. The desire for profit causes every article of commerce to seek a more valuable market, and if a greater value exists in a foreign country, then it is exported.

**Ballot.** The keeping secret by vote the choice of the individual, as distinguished from *vivâ voce*, or by voice or open vote. Each State by legislative enactment declares the form of use of the ballot.

The first use of the ballot in American elections was in the choice of pastor by the Salem (Mass.) Church, July 20, 1629. In 1629 it was also used in some ecclesiastical and municipal elections in the New Netherlands. It 1634 it began to be used in elections of the Governor of Massachusetts. In 1639 it was instituted, under restrictions, in the Fundamental

Order of Connecticut. It was made obligatory by the constitutions of New Jersey, Pennsylvania, North Carolina, and other States, as adopted in 1776. In New York, in 1778, a Governor and Lieutenant-Governor were elected by ballot, and in 1787 the ballot extended to the legislature.

Ballot, from French *ballotte*, "a little ball." First publicly adopted in England in the election of the school boards in 1870; applied in 1872 by Act to parliamentary and municipal elections in the United Kingdom. First used in Prussia, 1808; in France, 1840, where it is used in the election of members of the Chamber of Deputies, and not infrequently in the deliberations of the legislative chambers.

At Athens, the dicasts in giving their verdict, generally used balls of stones (*psephi*), or of metal (*sponduli*). Those pierced in the centre, or black in color, condemned; those unpierced, or white, acquitted. At Rome, the ballot introduced by the *Leges Tabellariæ*, of which the *Lex Gabilana* (139 B.C.) relates to the election of magistrates, the *Lex Cassia* (137 B.C.) to *judicia populi*, and the *Lex Papiria* (131 B.C.) to the enactment and repeal of laws. The wooden *tabellæ*, placed in the wicker box (*crista*) were marked U. R. (*uti rogatus*) and A. (*antiquo*) in the case of a proposed law; L. (*libero*) and D. (*damno*) in the case of a public trial; in the case of an election, *puncta* were made opposite the names or initials of the candidates. *Tabellæ* were also used by the Roman judges who expressed their verdict or judgment by the letters A. (*absolvo*), C. (*condemno*), and N. L. (*non liquet*).

**Belligerent Rights.** French, *belligérant*; from Latin, *bellum*, "war"; *gerens, gerentis*, "waging." When an insurgent becomes a belligerent, the body which has opposed itself to the existing government, and demanded and fought for an independent government, passes from a band of men of no standing, to the place of an organized political entity, having equal rights to those of the government it attacks, in the port and territory of the countries that recognize its belligerency; and for the practical purposes of carrying on its warfare, it has the rights of sovereign power; although the question of recognition of its independence is separate from that of its belligerency.

The recognition is granting the insurgent the same rights in our ports as the other party has.

"The recognition of belligerent rights is not solely to the advantage of the insurgents," R. H. Dana, Jr., says in a note in his famous edition of Wheaton. "They gain the great advantage of a recognized status, and the opportunity to employ commissioned cruisers at sea, and to exert all the power known to maritime warfare, with the sanction of foreign nations. They can obtain abroad loans, military and naval material, and enlist men, as against everything but neutrality laws; their flag and commissions are acknowledged, their revenue laws are respected, and they acquire a quasi-political recognition. On the other hand, the parent Government is relieved from responsibility for acts done in the insurgent territory; its blockade of its own ports is respected, and it acquires a right to exert, against neutral commerce, all the powers of a party to a maritime war."

In another part of the same note, which is upon the recognition of an insurgent as a belligerent, Dana notes: "The foreign State is bound and entitled to consider the preceding history of the parties; the magnitude and completeness of the political and military organizations and preparations on each side; the probable extent of the conflict by sea and land; the probable extent and rapidity of its development; and, above all, the probability that its own merchant vessels, naval officers, and Consuls may be precipitated into sudden and difficult complications abroad. The best that can be said is that the foreign State may protect itself by a seasonable decision, — either upon a test case that arises or by a general prospective decision, — while, on the other hand, if it makes the recognition prematurely, it is liable to the suspicion of an unfriendly purpose to the parent State."

Woolsey states: "The private person, if the laws of his own State or some special treaty does not forbid, can lend money to the enemy of a State at peace with his own country, or can enter into its service as a soldier without involving the Government of his country in guilt."

Snow, another great authority, remarks: "As to the munitions of war, an application of this same rule seems logical. The following quotation from Thomas Jefferson gives the past and present practice of this nation as to individuals: 'Our citizens have always been free to make, vend, and export arms. It is the constant occupation and livelihood of some of them. To suppress their callings, the only means, perhaps, of their existence, because a war exists

in foreign and distant countries in which we have no concern, would scarcely be expected. It would be hard in principle and impossible in practice. The law of nations, therefore, respecting the rights of those at peace does not require from them such an internal derangement of their occupation. It is satisfied with the external penalty pronounced in the President's proclamation, that of confiscation of such portion of these arms as shall fall into the hands of the belligerent power on their way to the ports of their enemies."'

No proclamation recognizing the belligerency of any power has ever been issued by the United States. In the matter of the South American republics, when they threw off the Spanish yoke, they had delegations of Legations at Washington who were formally accepted as the legitimate diplomatic representatives of the successors of the overthrown monarchies.

The belligerency of the Confederate States recognized by Great Britain, May 13, 1861; France, June 10, 1861; Spain, June 17, 1861; Portugal, July 29, 1861. Refused by Russia, July 10, 1861 (see "Neutrality"). It was never recognized as a sovereign power.

**Bill.** A Bill before the Legislature is a written instrument, containing a proposed law, drawn up in the proper form for presentation. A Bill is said to be passed when it has received the final assent of the Legislature. When passed, approved by the Executive, or otherwise becomes a Law, it is called an Act, or a Statute.

#### ROUTINE OF THE ENACTMENT OF LAWS BY CONGRESS.

An Act, in its incipient stage, is called a Bill. The Constitution requires that all Bills shall originate in the House of Representatives. They may be introduced by individual members, on leave, or by the report of a committee.

By the rules of the House, on Mondays the States are called, for the introduction of Bills, when every member may present one or more. When the Bill is presented to the clerk, he indorses it with its title and the name of the member introducing it, giving it a number, and holding it until reached under the proper order of business.

Bills are required to be read three times in each hour, on three different days, unless two-thirds of the House agree to dispense with the rule. *First reading* for information only; if there be any opposition, the question is upon the rejection of the Bill. If not opposed or rejected, it passes to a *second reading*, the question then is upon its commitment or engrossment; if committed, it is either to a standing or select committee, consisting of a few, or to a general committee of the whole House.

Bills of great importance are usually discussed in committee of the whole, because greater freedom of debate is allowed than when the same persons are sitting as a house committee. After discussion in committee, the Bill is reported back to the House, with or without amendment. If with amendments, they are acted upon in the House, and others may then be offered. When in this way the Bill has become sufficiently matured, the question is for its engrossment for a *third reading* (*i.e.* copying it in fair hand).

Amendments are rarely offered after engrossment. Sometimes a clause is inserted or affixed, known as a rider (*q.v.*)

After the third reading, the question is upon its final passage. If it passes, it is signed by the presiding officer and attested by the clerk, with a note of the date of its passage, and transmitted to the Senate, where the routine is similar. If amendments are made in the Senate, the Bill is sent back for concurrence, and in case of disagreement, committees of conference are appointed, who meet, aiming to an agreement of some kind, a compromise, if necessary. The conference committees report their agreements to their respective houses. When thus passed by both Houses, it is delivered to a joint committee for enrolment, who see that it is correctly copied. It is then signed by the presiding officers of the two Houses,—the President of the Senate and the Speaker of the House of Representatives. A Bill, after its title, begins with the words: "Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that . . . ." After the signatures above noted are affixed, it is taken by the clerk of the Committee on Enrolled Bills to the Executive Mansion, where the date of delivery is stamped upon it. The practice is to then send it to the department to which the subject-matter refers, to be examined by the Secretary, so that he may report objections. The Attorney-General is often consulted as to the framing of the Bill and constitutional questions involved. If the President approves the Bill, he writes thereon, "Approved," giving the date, and signs his name. The Bill then becomes a law, and is sent to the Department of State to be filed and published in the Statutes-at-Large. In the Statutes-at-Large are many laws not carrying the President's signature,—they are usually of small moment, which he could not approve, as they were not considered of sufficient moment to be the subject of a veto message.

If the President does not approve a Bill, he sends it back to the House of Representatives, where it originated, noting his objections in an accompanying communication, known as a "veto message" (see "Veto"). The "veto message" is read, and the question put: "Shall the Bill pass, the objections of the President to the contrary notwithstanding?" The vote must be taken by yeas and nays, and entered on the journal. If the vote passes both Houses, with two-thirds of each House recorded in the affirmative, the Bill becomes a law (two-thirds of the members present and voting) over the veto of the President.

The President has ten days in which to consider a Bill. If he fails to return it within ten days (Sundays excepted), it becomes a law, as if he had signed it, unless "Congress, by adjournment, prevent its return, in which case it shall not be a law" (Art. I., Sec. 7, Constitution). If Congress adjourn within ten days after the passage of a Bill, and the President has not taken action upon it, it does not become a law. This is called a "pocket veto" (see "Veto"). Veto power thus qualified extends to every order, resolution, or vote to which the concurrence of the House is necessary.

**Bill of Credit.** A written instrument, containing a promise or agreement of a government to pay at some future date or allow a certain sum of money to the bearer or holder. It is issued on the credit of a government, designed to circulate as currency. During the Revolution, *bills of credit* were issued in great quantities and circulated as money among the people; they practically became worthless, through depreciation incident to not being paid when falling due, resulting in a destruction of public and private credit. To prevent a recurrence, the Constitution (Art. I., Sec. 10) forbids their issuance.

State Bonds are not Bills of Credit; they are contracts to pay for service rendered to the State, or for money borrowed.

**Bill of Rights.** The summary of rights and privileges claimed by the people of a nation against the tyrannous exercise of power by their rulers. The first eight amendments to the Constitution are sometimes spoken of as our Bill of Rights, as they are designed to prevent tyrannous acts by the Federal government and to protect, among other things, freedom of religion, speech, and the press, rights of assembly, petition, bearing arms, trial by jury, and right to compensation for taking of private property for public use.

The first Bill of Rights in America was the Declaration of Rights, which accompanied the Virginia Constitution of 1776, largely based on the English Bill of Rights of 1688.

**Bimetallism.** See "Monometallism."

**Blockade.** The prevention of neutral commerce with an enemy's coasts or ports, recognized as justified by the necessities of war. It is purely a war right, a nation cannot blockade its own ports. In case of an insurrection, the proclamation of a blockade of coasts held by insurgents is a recognition of their belligerency (see "Belligerent Rights"). A "paper blockade," or "cabinet," is one announced or ordered, but impossible to enforce.

Blockades are of two kinds:—

*A simple or de facto:* constituted by the fact of an investment and without any necessity of a public notification, terminating with the ceasing of the facts under which it arose, its existence in all cases to be established by clear and decisive evidence, the burden of proof being upon the captors.

*A public or governmental:* where the investment is not only actually established, but a public notification of the fact is made to neutral powers by the Government, or officers of State, declaring the blockade; it continues until public notification of its expiration.

The right to blockade an enemy's port with a competent force is a right secured to every belligerent by the law of nations. A blockade does not extend to a neutral vessel found in port, nor prevent her from coming out with the cargo which was on board when the blockade was instituted.

Neutrals may question the existence of a blockade, and challenge the legal authority of the party undertaking it. One belligerent, engaged in actual war, has a right to blockade the ports of the other, and neutrals are bound to respect that right. The blockade of the Confederate ports, under the President's proclamation of April 19, 1861, was valid.

The law of nations requires the "presence and position of a force rendering access to the prohibited place manifestly difficult and dangerous," otherwise a blockade is not effective. Neutrals must be warned off; they cannot be captured and condemned as lawful prizes unless they fail to heed a warning. A blockade may be made effectual by batteries ashore as well as by ships afloat.

*Pacific blockade* is a matter of debate, as the institution of a blockade does not itself imply a recognition of belligerent rights in the party blockaded.

The first so-termed *pacific blockade* occurred in 1827, when France, Great Britain, and Russia intervened between Greece and Turkey; the latter refusing their mediation, the three powers, as a *pacific measure*, blockaded all the coast of Greece where Turkish armies were encamped. The result was the battle of Navarino, by which the Turkish navy was destroyed.

The next was instituted by France in 1831 by closing the Tagus, in order to redress injuries alleged to have been committed on subjects of France by Portugal. Reparation made under a treaty signed at Lisbon, July 14, 1831.

In 1833 France and Great Britain imposed a blockade on the ports of Holland, to compel the assent of that country to the recognition of Belgium. In 1838 France took an alleged "pacific" course against Mexico. Mexico, not so regarding the measure, declared war. In 1838 France and Great Britain united in a blockade upon the ports of the Argentine Republic which lasted ten years, the blockading powers insisting peace was continuous. In 1850 Great Britain blockaded the ports of Greece; in 1860 the King of Piedmont (Victor Emmanuel) joined the Revolutionary Government of Naples in blockading ports in Sicily; in 1862 Great Britain imposed a "pacific" blockade on the port of Rio de Janeiro; in 1879 coast of Bolivia by Chili; in December, 1902, Germany and Great Britain, later joined by Italy, blockaded Venezuela.

A "pacific" blockade is alleged to be an intermediate state between peace and war; that while not inconsistent with the settled principles of international law, it is virtually a reprisal, and subject to the rules governing reprisals as well as those governing blockades; that a "pacific" blockade does not affect third powers. The weight of authority is, that while as a war measure a blockade, when effectual, will be internationally respected, this will not be the case with a blockade instituted as part of a system of "pacific" pressure.



Notice of blockade may be *actual* by informing vessels individually as they approach, or calling on them to leave blockaded waters; or *constructive* by giving diplomatic notice to neutral governments. When terminated, a blockade is spoken of as "raised."

**Bolters.** In politics, those who leave a party when no longer thought safe to remain. A bolt is a temporary defection, the result of some special man or men whose desire is not gratified.

**Cabinet.** See Index.

**Cartel.** An agreement between two belligerent powers as to methods of carrying on the war, the exchange of prisoners, declaration of certain neutral grounds, repressing marauders, etc. (See "War.")

**Cartel-ship.** A ship commissioned in time of war for exchanging prisoners, or carrying communications to the enemy. In exchange of prisoners, rank of prisoners considered. She must carry no cargo, ammunition, or implements of war, except one gun to be used for signals.

**Casus Belli.** "A reason for war." A phrase used with reference to any event, or complication between sovereign powers, which gives rise to a declaration of war. All countries seek to justify war by announcing a cause for it. See "War" and Index, for the Acts of Congress, War of 1812, Mexican War, and Spanish-American War.

**Caucus.** A meeting of partisans, congressional or otherwise, to decide upon the action to be taken or plans to be pursued at an approaching election. See "Nominations." The name "Primary Elections" more generally employed.

The first caucus system was applied in 1634 by the freemen of the Colony of Massachusetts Bay, who chose Dudley for Governor; the next year they chose Haynes as Governor, the choice being an agreement on the part of the deputies of the towns who met prior to the meeting of the Court.

Caucus was used as early as 1724 (Gordon's "History of the American Revolution," Vol. I., p. 240).

It is an American word, a corruption of "calkers." After the passage of the Stamp Act, and during the years immediately preceding the Revolution, certain mechanics in Boston came into collision with the British soldiers on two or three occasions, and the result was the formation of a club composed largely of rope-makers and calkers. At their meetings resolutions were passed denouncing the British Government and its agents. The Tories called these assemblies in derision "calkers' meetings," which became corrupted to "caucus."

"This day learned that the *Caucus* club met at certain times in the garret of Tom Dawes, the adjutant of the Boston Regiment."—JOHN ADAMS'S DIARY, February, 1763; Works, Vol. II., p. 144.

"That mob of mobs, a *caucus* to command,  
Hurl wild dissension round a maddening land."

—THE POLITICAL PASSING BELL, Boston, 1789.



Dr. J. H. Trumbull of Hartford, Connecticut, suggests its origin in the Algonquin word *cau-cau-as'-u*, which he defines or translates as "one who advises, urges, encourages, etc."

**Cedula.** See "Passport." Practically preserves the value of a passport but is not a passport in the strict sense of the term.

**Census.** Latin *ceusere*, "to value, to tax." The first census was taken in 1790, the returns being referred to August first of that year, to close within nine calendar months thereafter.

In 1830, the date of enumeration was fixed, and has since been taken on June first; so that the interval between the fourth and fifth census was nine years and ten months, reducing the nominal ratio of increase between 1820 and 1830 by about two-thirds of one per cent.

In 1810, an enlargement occurred, the law requiring in addition the taking of the manufacturing establishments; same instructions in 1820; abandoned in 1830; in 1840 a manufacturers' schedule used, inquiries respecting schools added; in 1850, extended to cover several subjects of mortality, agriculture, productive industry, schools, churches, etc. Beginning with 1860, the schedule of statistics has been yearly increased, becoming overburdensome to the census office, to such an extent that it has impaired the efficiency of the census in its *original constitutional functions* of making a count of the inhabitants of the several parts of the country for the purpose of distributing representation in Congress. As the census has widened, it has weakened.

In 1800, taking of the census was under supervision of the Secretary of State; in 1810, under the Secretary of the Treasury; in 1820, under the Secretary of State. In 1850, the Secretary of State, the Attorney-General, and the Postmaster-General were appointed as a Census Board. Upon the dissolution of this Board, the control of the census was transferred from the Department of State to the Department of the Interior, under provision of the Act of Congress, May 23, 1850.

The period of enumeration is restricted to five months, but it has never been completed within that time. The *legal*, not the *actual*, population is enumerated.

The original idea of the census was to obtain the number of people as a political necessity. The primary object is the apportionment of power. Representatives being assigned in the Congress of the United States in proportion to population (see "Apportionment"), it forced the provision for a decennial census.

*The taking of the census by the United States is the first appearance of such a provision in modern national history.*

**Cession.** Latin *cessio*, a yielding. The transfer of land by one government to another. See Index.

**Charter.** In legal sense, a written instrument or grant, under the

public seal of the Government, conferring certain rights, privileges, and authorities, of a public nature, upon certain citizens. The original grants by the Crown to the American Colonies were "Charters of Government." See Index.

A charter differs from a constitution; *the charter* is granted by a sovereign, while *the constitution* is established by the people themselves. Both are the fundamental law of the land.

The word *charter*, from *chartē*, thick paper or parchment, came to be applied, from the substance on which it was written, to a document granted by a prince conferring or acknowledging privileges to be enjoyed by either the whole or a portion of the people under his rule.

**Citizen.** There cannot be a nation without people (see "Election"). Each member of a political community becomes a member of the nation formed by associations; allegiance is the duty, protection the obligation, allegiance for protection and protection for allegiance, reciprocal pledges. The name to this membership is "subject," "inhabitant," or "citizen," and the choice between is sometimes made to depend upon the form of government. "Citizen" and "inhabitant" are not synonymous; "citizens" and "people of the United States" are. "Citizen" is applied to a resident under the Republic of the United States and adopted in the Articles of Confederation and the Constitution to express the political equality of the individual in his relations to the nation, conveying the idea of membership of a nation, nothing more.

A citizen is one who, under the Constitution and the law of the United States, has a right to vote for Representatives in Congress and other public officers, and who is qualified to fill offices in the gift of the people. An alien woman who marries or is married to a citizen of the United States partakes of the nationality of her husband, thereby becoming a citizen. Minor children resident in the United States become citizens by the naturalization of their father. Children born abroad to citizens of the United States partake of their father's nationality. (See "Naturalization.") Military service rendered the United States does not of itself confer citizenship.

In the United States diplomatic service, all reference to Americans is as "citizens," never as "subjects"; always referred to as "citizens of the United States." The British Government in its diplomatic correspondence uses the word "subject" when describing a person claiming allegiance to an hereditary sovereign, and "citizen" in describing a person claiming allegiance to a republic.

Amendment XIV., referring to "citizen," intended to extend citizenship to certain classes whose citizenship had been previously questioned, and to place all citizens under distinctively Federal protection. Under the Constitution there is no distinction between native and naturalized citizens.

A citizen of the United States residing in any State of the Union is a

citizen of that State. The same person may be at the same time a citizen of the United States and a citizen of a State; his rights of citizenship under one of these governments will be different from those he has under the other; there is a government of each of the several States and a Government of the United States, each distinct from the other; and each has citizens of its own who owe it allegiance, and whose rights, within its jurisdiction, it must protect. Although the Government of the United States is, within the scope of its powers, supreme and beyond the States, it can neither grant nor secure to its citizens rights or privileges which are not expressly or by implication placed under its jurisdiction; all that cannot be so granted or secured are left to the exclusive protection of the States.

Citizenship is acquired by nativity, naturalization (*q.v.*), descent, and annexation of territory. There are three methods of obtaining the rights of American citizens:—

1. Children born in the United States and “subject to the jurisdiction thereof.”
2. Children born of American parents whose fathers have resided in the United States.
3. Those embraced by the naturalization law, which would include those naturalized and their children, minors at the time of naturalization, *if within the jurisdiction of this country.*

Questions as to citizenship are determined by municipal law in subordination to the law of nations.

Declaration of intention to become a citizen does not, in the absence of treaty stipulations, so clothe the individual with the nationality of this country as to enable him to return to his native land without being subject to all the laws thereof.

With respect to protection abroad, no distinction can be made between naturalized and native-born citizens of the United States where the subject is not regulated by treaty. The domiciliation of a naturalized citizen of the United States in his native country would not of itself deprive him of his rights to the protection of this Government.

A person disfranchised as a citizen by conviction for crime under the laws of the United States can be restored to his rights as such by a free and full pardon from the President; it may be granted after he has suffered the penalties incident to his conviction as well as before.

The Fourteenth Amendment declares persons shall be citizens of the State wherein they reside, yet under possible legislation, if an offence be against the United States, Congress could disfranchise him as a citizen of the Union, yet if there was no penal law in his State he would occupy the anomalous position of not a citizen of the Union but a citizen of his State, showing the existence of dual citizenship presumably centred in one individual.

"The line of distinction between the privileges and immunities of citizens of the United States, and those of citizens of the several States, must be traced along the boundary of their respective spheres of action, and the two classes must be as different in their nature as are the functions of their respective governments. A citizen of the United States, as such, has a right to participate in foreign and interstate commerce; to have the benefit of the Postal Laws; to make use, in common with others, of the navigable waters of the United States; and to pass from State to State, and into foreign countries, because over all these subjects the jurisdiction of the United States extends, and they are covered by its laws. The privileges suggest the immunities. Wherever it is the duty of the United States to give protection to a citizen against any harm, inconvenience, or deprivation, the citizen is entitled to an immunity which pertains to Federal citizenship. . . . Whatever one may claim as of right under the Constitution and laws of the United States, by virtue of his citizenship, is a privilege of a citizen of the United States. Whatever the Constitution and laws of the United States entitle him to exemption from, he may claim an exemption in respect to. And such a right and privilege is abridged whenever the State law interferes with any legitimate operation of Federal authority which concerns his interests, whether it be an authority actively exerted, or resting only in the express or implied command or assurance of the Federal Constitution or law. But the United States can neither grant nor secure its citizens rights or privileges which are not expressly, or by reasonable implication, placed under its jurisdiction, and all not so placed are left to the exclusive protection of the States." — COOLEY, *Principles*, pp. 245-247.

Persons residing in the Districts, Territories, or Insular possessions, or who have taken up a residence abroad, are citizens of the United States and not of any particular State. A fixed and permanent residence or domicile in a State is the essential characteristic of citizenship which will bring the case within the jurisdiction of Federal courts.

Concerning inhabitants of the acquired territory, incident to the Spanish-American War, Porto Rico, Philippines, etc., the inhabitants are not "citizens" of the United States, but are under the protection of the United States. (See "Nationality.") The Filipinos (1903) can take *cedulas (q. v.)* of residence, certifying them as "a resident of the Philippine Islands, entitled to the protection of the United States." See "Passport."

Since the beginning of the Republic of the United States millions of persons have been *subject* to the Government and jurisdiction of the United States, yet not "citizens" of the United States. No name has gained a place in general usage exactly fitting their general status; sometimes they have been called "wards." An exact definition of the status of the Porto Ricans has been declared under the Supreme Court decision, May 27, 1901; consequently they would be considered "citizens of Porto Rico, a territory appurtenant to and belonging to the United States."

Indians are not citizens, under the Fourteenth Amendment, since they are not, in a full sense, "subject to the jurisdiction" of the United States. Chinese are not citizens, since they are not capable of naturalization under our system. The white and black races are the only people eligible for citizenship.

"Citizen" was a term used during the end of the last century, when a wave of ultra-republicanism swept over the country. It was in imitation of the custom in France. See "Democrat," page 162.

The term "fellow-citizens" in its American application is first found in the inaugural address of the first Governor of the first Commonwealth, Patrick Henry, Jr., of Virginia.

The term *citizen* is drawn from the political condition in ancient times when the *city* was the leading type of governmental organization, when the free inhabitant or corporate

member of a powerful and wealthy municipality enjoyed a status at home to which power, influence, and privilege were attached; and received when travelling abroad a protection and respect, which were accorded him in view of his membership in the city of his birth or acquired residence, and were proportioned to the rank and power of that city among the cities of the world.

See "Naturalization," "Allegiance," "Nationality."

**Civil Rights Bill.** Object, to protect the civil rights of the Southern negroes. Introduced into Congress in 1866. It declared all persons born in the United States, and not subject to a foreign power, except Indians, to be citizens, enjoying the same rights as white citizens in regard to property and contracts, and entitled to all the civil rights of citizens. Vetoed by President Johnson, March 27, 1866; passed over his veto.

**Civil Service.** The "Civil Service" includes all except military and naval officers, but in general use is applied to appointive officers in the executive branch of the Government (not in legislative and judicial departments). A civil service commission was appointed to classify appointive positions and examine applicants in 1871; it died naturally. In 1882 the "Pendleton" Bill introduced. Passed the Senate, December 27, 1882, and the House, January 5, 1883. Approved by President Arthur, January 16, 1883, and the Civil Service was a law.

The "Civil Service Act," with its appointive power limitations, was the outcome of a movement against the "Spoils System," under which, since Jackson's time, vacancies in the civil service were created by removals for appointments of members of the political party in control, activity in party rather than personal fitness governing selections. It became a corrupting influence; the object of success in elections being "spoils," the scramble for office sacrificed national questions and party principles.

**Clôture.** From Latin *claustrum*, that which closes. *Clôture*, the French form, *closure*, the English form.

In legislation, it is the closing or stoppage of a debate. It originated in its present use with the British House of Commons (1884); the cutting off of debate so as to prevent further discussions or motions by the minority, and cause a direct vote to be taken on the question before the House.

By the rules of the United States Congress, 1886, any member after obtaining the consent of the Chair may move that "the question be now put," and if this motion is carried, at least two hundred voting in the affirmative, or if not that number, at least one hundred in the affirmative, and less than forty in the negative, the Speaker ends the debate and puts the question. In the House of Representatives and other legislative bodies the same object is obtained by "moving the previous question."

The "Previous Question" is admitted in the House of Representatives, but in the Senate of the United States there is no "previous question"—no *clôture* of any kind.

**Comity of Nations.** The friendly spirit existing between different nations, and which often impels a government to grant a favor to a foreign power, that could not be demanded as a matter of right, either as coming under the general principles of international law or the provisions of existing treaties. See "Extradition."

**Commission.** A written document signed by the Executive, or other proper officer of the Government, conferring an authority or appointment to office. The President as President receives no written commission of appointment. See Index, "President."

**Congress.** Latin, *congressus*, "a going or coming together." A representative council of states by which differences may be adjusted and the rules of international law determined and enforced; the assembly of senators and representatives of the people for the purpose of enacting laws, and considering matters of national interest; the chief legislative body of the nation. "The Congress" is the term used in the Constitution; popular usage and later statutes denominate the body as "Congress" without the definite article. See Index, "Congress."

CONGRESS, a term applied, *i.e.* *Continental Congress*, 1774, conducting the National affairs until nearly to the close of the Revolution; *Federal Congress*, 1781, under the Articles of the Confederation; *Congress of the United States*, 1789, under the Constitution of the United States.

The earliest tracing of *Congress* in its modern sense is in 1636, when the Pope attempted to open negotiations for peace at Cologne, under his own mediation. It was agreed by the preliminaries of Hamburg signed December 25, 1641, that a *Congress* be held at Munster and at Osnaburgh in Westphalia; the opening was fixed for July 11, 1643. The term *Congress* applied to the diplomatic meeting which negotiated the Peace of Nimeguen, 1678, and the Peace of Ryswick, 1697.

**Constitution.** The first written Constitution of modern times seems to have been the Union of Utrecht or Constitution of the United Netherlands, framed in 1579. The first suggestion of a written Constitution for England was made in the "Agreement of the People," in 1647. During the Commonwealth, England had two written Constitutions, the "Instrument of Government," 1653, and the "Humble Petition and Advice," 1657. Vane's "Healing Question" (1656) first suggested the separate constitutional convention.

The first truly political written Constitution in America to embody the democratic idea, was the instrument called "The Fundamental Order of Connecticut," framed January 14, 1639, by the freemen of the three river towns of Hartford, Windsor, and Wethersfield, and known as the "Connecticut Colony," or "Republic of Connecticut." It remained in force forty years after Connecticut became a State. See page 49, "Compact of the Pilgrims."

At the time of the Revolution the desire to have governments of limited powers, made it inevitable that the Constitution should be set down in writing.

The first Constitution of the United States was the Articles of Confederation (*q.v.*). The Alexandrian conference of Maryland and Virginia led to the Annapolis Convention of 1786, this to the Convention at Philadelphia in 1787 which proceeded not to amend the "Confederation," but to make a new Constitution (*q.v.*), which has been developed by Amendments, through interpretation of the Supreme Court; custom, as well as usage, adding the committee system, the Speaker's power, the spoils system, the gerrymander (*q.v.*), and others. It is remarked that "we have a written Constitution plus an unwritten Constitution." The interpretation of a law by a tribunal is the declaration by that tribunal of the meaning of the law as derived from its terms merely. When the mere words are not sufficient to yield this meaning, recourse is had to "construction" of the law, the intention of the law-makers, and the circumstances under which it was passed being taken into consideration. Construction begins where interpretation ends. The Supreme Court shows a tendency to decide cases by a rather strict construction of the Constitution. By the exercise of implied powers and authority to make and enforce laws, "necessary and proper for carrying into execution" (Constitution, Art. I., Sec. 8) all the powers vested in Congress, or in any department or officer thereof, rebellion could be suppressed, war carried on, and the Union made "perpetual." Out of the power to regulate commerce, railroads, steamships, and telegraphs could be made subservient; the power to establish post-offices and post-roads could be used to suppress riots and strikes through an interference with the mails.

A fundamental question is, "What is, or what are the United States?" it being alleged there is a wide distinction between the Union, and States which constitute the Nation, and the territory which is "property belonging to the United States." In 1820, Chief Justice Marshall unofficially stated, "It is the name given to our great Republic, which is composed of States and Territories. The District of Columbia or the territory west of the Missouri is not less within the United States than Maryland or Pennsylvania, and it is not less necessary on the principle of our Constitution that uniformity in the imposition of imposts, duties, and excises should be observed in the one than in the other."

The decision of the Supreme Court in the "insular cases," Porto Rico, May 27, 1901, determines that the Constitution of the United States does not follow the flag, but every inch of territory over which the flag floats must be considered an integral part of the Union. That the Constitution does not go of its own power into newly acquired territory, that it can only be carried into such acquired possessions by the action of Congress *ex proprio vigore*.<sup>1</sup>

<sup>1</sup> *Ex proprio vigore* means literally "from or by its own strength." When applied in reference to the Constitution, it is used in considering the question whether the Constitution operates in any case by virtue of its own strength, or only when Congress decrees that it shall operate.



The doctrine of this decision is:—

1. That the United States has the right to acquire territory without any necessary implication of a design to erect the same into States.
2. That the territory so acquired becomes the possession of the United States as "domestic" territory.
3. That there is no Constitutional obligation upon Congress to make laws governing it uniform with those governing the States.
4. That Congress is at liberty to govern it and all Territories as it may see fit, and make any special laws it may deem necessary for the government of any particular Territory, or portion of such Territory.

Territory, therefore, can be held indefinitely in the nature of colonies, under such form of government as Congress may prescribe; which may give complete Territorial Government, as New Mexico and Hawaii; may assign limited Territorial Government, as Porto Rico; or place the Territory in the hands of the President, as was done with the Philippines under the Spooner amendment to the Army Appropriation Bill. See "Taxation."

The Constitution deals with *States*, *their* people, and *their* representatives; it is supreme only in the States.

There were three compromises in the framing of the Constitution of the United States.

**FIRST.** The States of Virginia, Massachusetts, Pennsylvania, North and South Carolina, and Georgia, known as the "large states," desired representation according to population, known as the National system. The other five States (Rhode Island and New Hampshire not represented), known as the "smaller states," desired the Federative system.

The *compromise* was the present Senate of two members from each State and the House of Representatives apportioned to the population.

**SECOND.** Congress to have complete control over commerce, except that a tax on exports prohibited Art. I., Sec. 4.

The commercial States were in favor, the Southern States, whose industries were mainly exports, objected to any possibility of an export tax.

**THIRD.** The question of slavery. Georgia and South Carolina objecting to a restriction, they refusing to enter the Union in the event of a prohibition or discrimination. Article I., Sec. 9, Art. IV., Sec. 2, were the concessions; the consideration being the elimination of the section, "no navigation Act shall be passed without the assent of two-thirds of the members present in either House."

The Constitution is a tripartite agreement, the parties to it are, the States, the people, and the United States. (See "Referendum.") Bryce says, "Every provision of the Federal Constitution that has worked well is one borrowed from or suggested by some State Constitution; nearly every provision that has worked badly is one which the convention for want of a precedent was obliged to devise itself."

The distinction between the United States Constitution and the State



Constitution is, the former confers upon Congress certain specified powers only, the latter confers upon the Legislature all legislative power. See Index, "Constitution."

The common usage in making a STATE CONSTITUTION is to elect, by a popular vote, delegates to a convention, whose duty it is to prepare a plan of government. (See "State" and "Territory" in Glossary of Geographical Names.) When the delegates have agreed, and have properly certified the instrument, it is submitted to a direct vote of the people, and each voter casts a ballot "for the Constitution" or "against the Constitution." If a majority vote "for the Constitution," it then becomes the paramount law of the State. Although the Convention is assembled under an Act of the Legislature, the Legislature does not make the Constitution, the Constitution makes the Legislature. Whatever one Legislature or Congress enacts the next one may repeal, but neither can repeal or infringe a Constitutional provision; it can only be amended or superseded by the direct vote of the people.

The order of the constitutions of the original thirteen States is as follows:—

New Hampshire, January 5, 1776, a new one adopted . . .	1784
South Carolina, March 26, 1776, " "	1778
Virginia, June 26, 1776, " "	1830
New Jersey, July 3, 1776, " "	1844
Delaware, September 21, 1776, " "	1792
Pennsylvania, September 28, 1776, " "	1792
Maryland, November 11, 1776, amended . . . . .	1777
North Carolina, December 18, 1776, a new one adopted . . .	1834
Georgia, February 5, 1777, " "	1798
New York, April 20, 1777, " "	1801
Massachusetts, June 15, 1780.	

Connecticut and Rhode Island finding their charters as granted by Charles II., in 1662 and 1663, sufficient for their purpose, did not frame constitutions until 1818 and 1842.

That of Massachusetts was the only one submitted to the people for ratification.

The Constitution of the United States was not, in its adoption, submitted in the States to a direct popular vote. Neither were the delegates to the convention that framed it chosen by a popular vote in the States; they were chosen by the Legislatures.

The original thirteen States were organized as States and had each adopted a State Constitution before the Constitution of the United States was framed or adopted, save in Connecticut and Rhode Island (see above). The first effective union as a National Government was the adoption of the Constitution in 1789.

"The United States has placed her Constitution altogether out of the reach of Congress, providing a method of amendment whose difficulty is shown by the fact that it has been sparingly used." — BRYCE.

**Consuls-general and Consuls** (Latin, *consulere*, "to deliberate, to consult") are commercial officers or trade sentinels and perform their duties under instructions issued by the Department of State. (See *Exequatur*.) In some countries, according as the Department wills it, a Consul-general has supervisory powers over a Consul; in others the latter is an independent officer. Their correspondence is with the Department of State direct. Their duties are prescribed by law or regulation, among which the prevention of undervaluation of imports, guardianship of American seamen, custody of the effects of deceased citizens of the United States, and the collection of commercial information. He is also to exert his influence to prevent unfair treatment of an American enterprise in the country to which he is accredited, and may make all proper efforts to secure for his country impartial opportunity to compete in the world's markets on the same footing as the producers or manufacturers of any other nation. He cannot become sponsor for the private business of any particular individual or corporation, nor can he act as agent for their enterprises directly or indirectly. A consular agent is a resident and often a citizen of the country in which he serves this Government, such being appointed when the commercial business does not warrant the sending of an American. In Vevay, Switzerland, we have been represented by a Swiss; in Trinidad, Cuba, by a Spaniard. His duty is simply to assist commercial intercourse. Consular officers have no representative character, they are not diplomatic officials. See "Ambassadors."

During the Roman Empire the municipal magistrates were known as judge-consuls or consul-judges. The word consul, inherited by us from England, anciently the title of an earl or count, bestowed in virtue of those officers being called by the king for consultation. The first appointment of a consul by England was upon the request of a British commercial organization, in an Italian city, which could not agree in the selection of one of their own number; the experiment being so successful, the practice became general among all governments.

The consular service of the United States, established by law in 1792, although seventeen consuls and five vice-consuls had previously been appointed by Washington. In 1792, the Secretary of State had the right of appointment. No salary with the office, fees were privileged. In 1856, the President empowered to make appointments, subject to approval of the Senate, the consulates being graded according to their importance, their commissions being revoked at the will of the President.

The service is classified: Consuls-general; consuls; vice-consuls; deputy consuls; commercial agents; consular clerks. Subdivided: Consuls receiving fixed salaries, giving their entire time to the Government, forbidden to engage in private business; consuls receiving salaries, and permitted

to engage in private business; consuls paid by fees collected for official service. The first two subdivisions must receive Senate approval in their appointment.

**Conventions.** See "Platforms."

**Counting in the Alternative.** Applied to a method of counting the electoral vote of a State before Congress, sometimes adopted in cases where objections are raised to their reception.

**Courts.** The Courts of the United States are:—

**THE SUPREME COURT.** In which the judicial power of the United States is vested. In the supreme exercise of its jurisdiction, this tribunal is unlike any other known to history; it is the most original of American institutions. It is composed of one Chief Justice and eight Associate Justices, appointed by the President with the consent of the Senate. By the Judicial Act of 1789, the number of justices were six; subsequently increased to the present number. Art. I., Sec. 3, of the Constitution, mentions the Chief Justice, but is silent as to the number of "associates," though Art. II., Sec. 2, implies more than one was intended; neither is it stated where the sessions of the Court shall be held. Acts of Congress have supplied a construction. Their term of office is during good behavior, practically a life tenure, that they may be independent in their decisions. A judge, who is seventy years of age, and who has served ten years, may resign and receive full salary during the remainder of his life. The Supreme Court holds one regular session each year at the Capitol, Washington, commencing the second Monday in October.

**INFERIOR COURTS—ESTABLISHED BY CONGRESS** (Constitution, Art. III., Sec. 1):—

**Circuit Courts.** The judicial districts of the country are grouped into nine circuits, each circuit comprising several States.

**Circuit Court of Appeals.** Created in 1891, for the relief of the Supreme Court. In each circuit the Supreme Court Justice, the Appeal Court Judge, and the Circuit Judge, constitute a Court of Appeals, which can review on appeal the final decisions of the Circuit and District Courts, except those that must be directly reviewed by the Supreme Court.

**District Courts.** The United States is divided into judicial districts, some of which comprise a State, while the larger States are divided into two or more districts. Their jurisdiction is limited to cases under United States laws which are not required to be tried in the higher courts.

**Court of Claims.** This court consists of a Chief Justice and four Associate Judges, and was created to hear and determine certain claims against the Government which could not be otherwise adjusted without much delay and injustice.

**Court of Private Land Claims.** Established in 1891, to settle claims of persons and corporations to lands within the territory derived from

Mexico, as bound to be recognized by virtue of the treaties of the cession. It consists of one Chief Justice and four Associate Justices.

*Supreme Court of the District of Columbia.* Confined to cases arising in the District of Columbia and consists of a Chief Justice and five Associate Justices.

The "STATE COURTS" vary in each State; no two States have exactly the same system.

The citation in this article refers to the State of New York, which possesses The Court for the Trial of Impeachments, The Court of Appeals, The Appellate Division of the Supreme Court, the Supreme Court, a County Court in each county, except New York County.

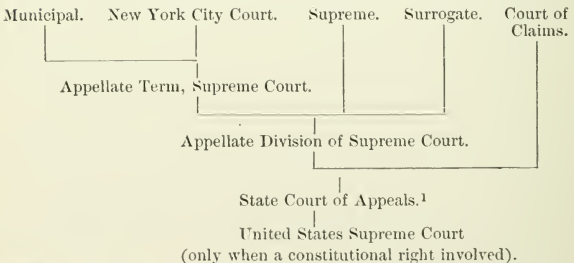
The *Special Courts* are, the New York City; the City Court of New York, in New York City; the City Court of Yonkers, in Yonkers; the Mayor's Court, in Hudson; the Recorder's Court, in Utica; the Recorder's Court, in Oswego; the Justice's Court, in Albany.

Below the above are, Courts of Justices of the Peace, District Courts in the City of New York, Police Courts, and Courts of Special Sessions.

Inferior to the Supreme, and for the purposes of criminal justice only, there are in every county, Courts of General Sessions of the Peace and a Court of Sessions in every county, except New York County.

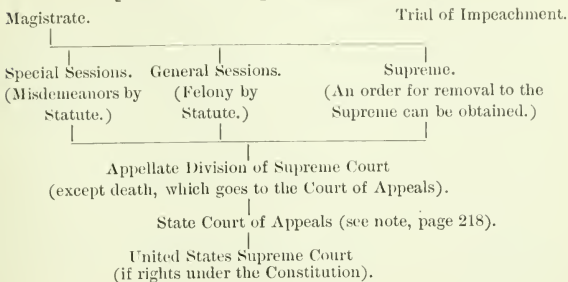
For special purposes, and inferior only to the Supreme Court, there is in every county a Surrogate Court. There is a special court, inferior only to the Court of Appeals, called the New York Court of Claims.

[NEW YORK CITY.] CIVIL PROCEDURE.



<sup>1</sup> Limited to the review of decisions of law in cases which have been decided by the Appellate Division of the Supreme Court, except that in cases where the judgment is death an appeal can be taken from the court directly to the Court of Appeals; in which latter cases, only, it has power to review decisions of facts,

## [NEW YORK CITY.] CRIMINAL PROCEDURE.



**Currency.** A medium of exchange that is current, or everywhere received, whether coin or paper money. It is now applied almost exclusively to paper money, which is of four kinds: *legal tender notes* issued by the Government; *national bank notes* issued by the national banks and guaranteed by the Government, the banks depositing United States bonds as security; and *gold and silver certificates* issued by the Government against deposits of gold and silver coin, and exchangeable for the coin on demand, the treasury holding the coin so deposited as a trust fund.

**Customs, Duties.** Indirect taxes levied on goods imported. Duties on exported goods are forbidden by the Constitution (Art. I., Sec. 9, Cl. 5). Duties are of five kinds, discriminating, minimum, compound, ad valorem, and specific. See "Taxes."

**Declaration of War.** See "War."

**De Facto and De Jure.** See "Sobriquets of Presidents," Hayes.

**Demonetization of Silver.** The taking from it its standard value, and thus making it merely a commodity. See Index, "Mint and Coinage Words."

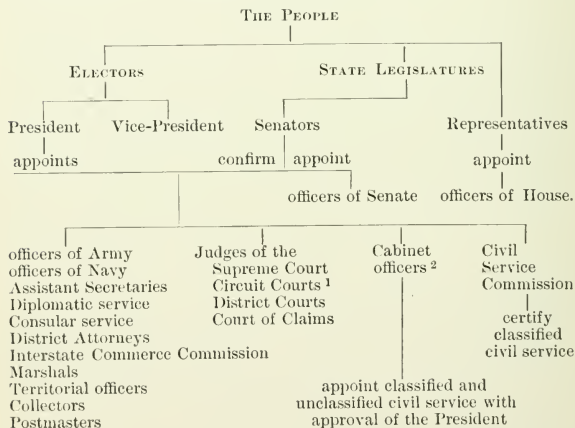
**Direct Legislation.** See "Referendum."

**Drafts.** The Constitution, Art. I., Sec. 8, gives Congress power to raise armies, which includes the right of conscription. During the War of 1812 a bill was introduced in Congress, known at the time as the "Draft of 1814"; it failed to pass. The Conscription Bill during the Civil War became a law on March 3, 1863 (afterward amended in February and July, 1864). It was provided by Act of Congress, April 18, 1862, for the enrolment of all able-bodied masculine citizens, including aliens who had declared their intentions to become naturalized, between the ages of 18 and 45 years; those between 20 and 25 years to constitute the first class, and all others the second class. The President was authorized

to act after the first of July following. Drafted persons to serve for three years, unless payment of commutation of \$300. The exempted were the heads of executive departments, national judges, Governors of States, the only son of a widow, or of an aged and infirm father dependent for his support on the labor of such son, the father of motherless dependent children under twelve years of age, or the only adult brother of such children, being orphans, or the residue of a family, of which two members might be in the service. Passed the House 115 yeas, 49 nays; Senate 35 yeas, 11 nays. A party vote, the Republicans in favor.

President Lincoln, May 8, 1863, issued a proclamation for the draft to begin in July of that year.

**Election.** The result of the political voice of the voting people of the States. See Index, "President," "Electoral College," "Senators and Representatives," "Legislature," "Elections."



**Electoral College.** A term given to the presidential Electors of a State as a body when convened for the purpose of casting their votes for President and Vice-President. (See "Electors" in Index.) The term "Electoral College" is not used in the Constitution nor in the Act of March 1, 1792, the "Bill of 1800," or the Act of March 26, 1804. It informally came into use in 1821. Its first appearance in law is the Act of January 23, 1845, which purported to empower each State to provide by

<sup>1</sup> Appoint the United States Commissioners.

<sup>2</sup> Postmaster-General appoints lesser postmasters.

law for filling of vacancies in its *college of electors*. To-day the Electors of a State are commonly designated an "Electoral College"; the groups of Electors of all the States the "Electoral Colleges."

In the whole history of governments there is no parallel to this institution. A resemblance to the plan which antedates it is in the election of the Pope by the College of Cardinals. The present Electoral College was probably adopted from the provisions of the constitution of Maryland, 1776, which delegated the choice of the fifteen State Senators to an electoral body chosen every five years by the qualified Electors of the State.

The choice of President and Vice-President at the time of the construction of the Constitution had various plans to govern same, — by the National Legislature; the State legislatures; the people at large; the people in districts; and, finally, the present, by Electors. This latter favored, as it would secure united action and wisdom of a select body of distinguished citizens, whose meeting would be attended by more deliberation than a popular election, chosen as they were for a single duty. The State Legislature, by prescribing the mode in which Electors should be chosen, would have an agency in the choice. In 1788 the independence of Electors did not come into question because parties had not yet been fully developed. The situation about the same in 1792, although generally understood that Electors of one way of thinking were to vote for Clinton as their second candidate (Vice-President), and those of the other side for Adams. In 1796 no pledges exacted from the Electors, as the election was conducted on party lines. In 1800 a regular party struggle carried on, in obedience to party arrangements (Federalists and Republicans). This was the first denial of freedom or discretion to the Electors, that the nation alone should decide, an opinion that has since continued. In 1832 the primitive theory of the Electoral College disappeared, party managers pledging all State Electors in advance to support the ticket on which their names were placed.

The total number of Electors of each political party from each State is exactly the same as the number of its Representatives plus the number of Senators, so that each State possesses the same influence in choosing the President as it has in National legislation. All Electors must be free from any connection with the Government; no person holding office under the United States can be an Elector.

The Constitution leaves the method of election of Electors to each State. They were originally mostly chosen by the legislatures. Virginia, Pennsylvania, and Maryland began the practice of a choice by popular vote, which plan extended among the States, until, in 1832, South Carolina was the only State retaining the legislative plan, where it ceased in 1868. In some States, Electors were chosen by districts, like members of House of Representatives; Maryland was the last to do away with district voting, in 1828.

Electors are voted for on a general ticket by all the qualified voters of the State, Michigan excepted (1903), where two Electors are voted for by the

State at large, and one Elector chosen by the people of each Congressional district, by which plan the electoral vote of this State may be divided.

Voting by Electors is virtually an election by States, as it throws the whole popular vote into the scale of one candidate whose list of Electors is carried in the given State; the votes given by the people for the opposite side do not go to help the lesser numbers in other States. In the election of 1884 Cleveland's popular majority in New York State was 1047, turning its thirty-six electoral votes, which decided his election.

PRESIDENTS ELECTED BY A MINORITY OF POPULAR VOTE.

1876. Hayes . . . .4,033,950. Tilden . . . .4,284,885. Electoral: Hayes . . . .185. Tilden . . . .184  
 1888. Harrison . . .5,445,003. Cleveland . . .5,539,764. Electoral: Harrison . .233. Cleveland . .168

When the Electors, or "Electoral Colleges," have cast their vote (see "Presidential Electors," in Index), the Electoral College is then dead in law, whether it adjourns temporarily or permanently, or never adjourns.

There is no penalty to be inflicted upon the Electors for an improper performance of their duties, or even for a refusal to perform them at all. There are but two instances in the history of the United States of an Elector refusing to cast his vote in conformity with the party dictate which elected him. In the second election of James Monroe, 1820, there was no opposition to him, so one Elector voted for John Quincy Adams, in order that no one but Washington might be elected unanimously. In North Dakota, in 1892, the Populists secured two electoral votes, the Republicans one; but one of the Populists' Electors voted for Cleveland, so that Cleveland, Harrison, and Weaver should each receive one electoral vote of the State.

If a vacancy occurs among the Electors by death, refusal to serve, or any other reason, the State is empowered by the Act of January 23, 1845, above cited, to pass laws for the filling of the vacancy by other Electors. If no such State law has been passed, the vote or votes are lost to the State, as with Nevada in 1864. If a general refusal of the Electors of the country to serve should cause no election to result, the choice of President and Vice-President would devolve on the House of Representatives and the Senate, respectively. See "Congress," in Index.

George William Curtis, commenting, notes: "The Electors have become mere machines, *living automata*, meeting solely to register the previous decrees of a political party. They exercise no choice, no judgment, no volition of their own. They come into official existence, pledged to vote for a particular candidate, and are dishonored if they fail to do it. In some States they are appointed by a vote of the majority (*q.v.*) of the people, and in some a plurality (*q.v.*) only determines the candidate for whom they are to vote, while a majority of votes is cast against them. The constitutional function of the Electors is therefore wholly gone, lost, it may be irretrievably."

**Embargo.** Spanish *embargar*, "to arrest, restrain." The use of



the word is borrowed from the Spanish law procedure, and signifies arrest or sequestration.

It is a restraint, or detainment, of ships or merchandise from sailing out of port, imposed by the authority of the Government. It may be issued as a measure of retaliation to deprive other nations of commodities, or as a war measure as a means of seizing hostile ships in port, or to secure secrecy for an important expedition, or to obtain ships for government use. When the embargo affects communication with one or certain specified nations only, it is termed non-intercourse.

*First embargo.* Act of Congress, March 26, 1794, on commerce for thirty days. Cause, British orders of Council, November 6, 1793, followed by a reported hostile speech to Indian tribes by Lord Dorchester. Expectation that the measure would lead to a restriction of the supply of provisions to the British West Indian fleet equally operated against the French. April 7, 1794, suspension of intercourse with Great Britain, so far as concerns British productions. This resolution dropped, upon Washington announcing a special mission to England for redress of grievances.

*Second embargo.* October 25, 1807, incident to the Berlin decree of Napoleon and the British orders of Council having been so interpreted as to expose the shipping of the United States to risks almost destructive, the Senate, in secret session, by a vote of 22 to 6, passed a bill, laying an embargo on all shipping, foreign and domestic, in the ports of the United States, with certain exceptions, ordering all vessels abroad to immediately return. The House, with closed doors, by a vote of 82 to 44, passed the Act. Repealed March 1, 1809.

The opponents of the Act in allusion to its inequality, favoring the agricultural interests of the South at the expense of the shipping and commercial interests of New England, in derision spelled the word "embargo" backward, and spoke of it as the "O grab me" Act.

*Third embargo.* April 6, 1812, a measure preliminary to war, followed April 14, 1812, by an Act prohibiting exportation by land.

*Fourth embargo.* December 17, 1813, prohibiting the exportation of all produce or live stock, suspending coast trade, with the object of preventing the supply of the British blockading squadron. The Act found onerous and repealed by Congress, April 14, 1814.

**Eminent Domain.** French *domaine*, from Latin *dominus*, "owner." French *éminent*, from Latin *eminens*, "exalted." Literally, exalted owner; absolute proprietorship.

The supreme right of property possessed by a government over the articles of private ownership. The *Right of Eminent Domain* is the right to take private property for public uses whenever necessity demands. Its justification is the common welfare (see Fifth Amendment to the Constitution), and unless this right of the Government existed, individuals might obstruct and prevent necessary public acts. It is exercised in public improvements, but a fair market value must be paid the property-

owner, and if the Government and the owner cannot agree, a jury is summoned to "assess the damage," that is, determine what is a "fair price" for the property.

It first appears in the Vermont Constitution of 1777, and was adopted into the Constitution of the United States from an idea originating in the New England Union of 1643.

**Equity.** A branch of remedial justice by and through which relief is afforded to suitors in the Court of Equity — in a broad sense it signifies natural justice; intended to supplement or correct the settled rules of the Common Law, when their application would work hardship or injustice.

It was not known to our forefathers. It is said to have had its origin as far back as the English Aula, or Curia Regis, or Council of the Realm, 1172, — a sort of parliament held by Henry II.

**Excise.** A tax, or duty, laid upon some commodity or thing used, or manufactured, or sold, in the country. It is used in contradistinction to "imposts" (*q.v.*). (See "Taxes.") It constitutes what is known as the *internal revenue* of the country.

**Exequatur.** Latin "to perform." An official recognition of the consul or commercial agent by the Government to which he is sent, authorizing him to perform his duty in that country.

Before he can begin his services as consul, or commercial agent, his commission is forwarded to the diplomatic representative of the United States, who applies to the minister of foreign affairs of the country to which the officer is commissioned for permission for him to perform his consular duties. This permission is his *exequatur*; when revoked, the consular officer ceases to act. See "Consuls."

**Expatriation.** Latin *ex*, "out," *patria*, "native land." The voluntary act of abandoning one's country and becoming the citizen or subject of another.

The United States Government by Act of Congress, July 27, 1868, declared its policy:—

"Whereas the right of expatriation is a natural and inherent right of all people. . . . Therefore any declaration, instruction, opinion, order or decision of any officer of the United States which denies, restricts, impairs or questions the right of expatriation, is declared inconsistent with the fundamental principles of the republic. All naturalized citizens of the United States while in foreign countries, are entitled to and shall receive from this government the same protection of persons and property which is accorded to native born citizens." Rev. Stat., Sec. 1999, 2000.

Voluntary expatriation, subject to Congressional limitations, is recognized. A citizen (native or naturalized) may change his allegiance, provided done in time of peace, and for a purpose not directly injurious to the interests of the country. If a citizen emigrates to a foreign country and there, in the mode provided by its laws, renounces his American citizenship with a *bona fide* intent of becoming a citizen of his chosen country, his course is regarded by the Government as an act of expatriation. The political departments of the Government have always acknowledged

the right of expatriation. Prior to the treaty (1870), England held to the doctrine of perpetual allegiance, and it was maintained in the United States by high authorities during the earlier period of our Federal history. During the War of 1812 Great Britain, in a number of cases, treated persons (who, born in Great Britain but had been naturalized in the United States) as prisoners of war, throwing them into prisons and rejecting proposals for their exchange. See "Citizen."

Treaties recognizing the "right of expatriation" were executed, with the North German Confederacy, February 22, 1868; Bavaria, May 26, 1868; Baden, July 19, 1868; Württemberg, July 27, 1868; Belgium, November 16, 1868; Hesse, July 23, 1869; Austria, September 20, 1870; England, May 14, 1870.

**Ex post facto.** Literally, "after the act is done." (Const., Art. I., Sec. 9, Cl. 3.) An *ex post facto law* refers to crimes, and applies to every law that makes an action done before its passage, and which was innocent when done, criminal, and punishes such action; that aggravates a crime, or makes it greater than when committed; that changes the nature of the punishment, or makes it greater than the law annexed to the crime at the time the act was committed; that alters the legal rules of evidence so as to make it easier to convict the offender; that while not avowedly relating to crimes, in effect imposes a penalty or the deprivation of a right; that deprives persons accused of some crime of some lawful protection to which they have become entitled, as a former acquittal.

Such laws are unconstitutional when passed to punish an act as a crime, when it was not so at the time, when the act was done.

**Exterritoriality.** From the French *extritorialité*. A privilege by international law that diplomatic agents have of living under their own laws while accredited to a foreign nation, preserving their domiciles as if at home, which includes their family, attendants, and property.

**Extradition.** The delivery up to justice of fugitive criminals. (See Const., Art. IV., Sec. 2.) The usual procedure is: the criminal is indicted or a warrant issued for his arrest; a copy of the indictment or warrant submitted to the Executive of the State, who makes a requisition for the criminal on the Executive of the State in which he has taken refuge; if satisfied the papers are regular and sufficient, the latter Executive issues a warrant for the arrest and delivery of the fugitive to the agent of the State making the demand. The criminal, under a writ of *habeas corpus (q.v.)*, may have the proceedings reviewed before he is taken from the State.

The surrender is optional with the Governor of a State, no power can compel his action. It is to prevent other States than that in which the crime is committed from being an asylum for rogues and criminals.

Fugitives whose crimes are of a political nature are not generally surrendered.

In actions between the Government and a foreign nation, it is not granted, until the courts in which the criminal is in refuge determine that the evidence warrants his arrest and commitment. The President cannot surrender a fugitive, except upon judicial determination, and even when rendered it is optional whether he does so. He cannot be compelled to act. If done, it is a matter of comity, under which the only cases in our history was the surrender of Arguelles to Spain in 1864 by Secretary of State Seward, and the surrender of William M. Tweed, of New York, by Spain to us in 1876. The United States has extradition treaties or stipulations with the leading nations, under which the principal extraditable crimes are murder, burglary, robbery, arson, forgery, piracy, counterfeiting, and embezzlement. See "Comity of Nations."

**Felony** is any capital crime short of treason, and such as occasioned at common law the forfeiture of the felon's lands and goods. It stands midway between treason and misdemeanors.

The laws of the United States do not contain any specific definition of felons, except as shown in Revised Statutes, Sec. 4090: ". . . offences against the public peace amounting to felony under the laws against the laws of the United States," may be tried before the United States minister.

There are no clear laws as to the offence, so that it is doubtful if Congress intended offences involving forfeiture of lands and goods. It is used subordinate to statutory definition to bring a class of crimes within the general provisions of the penal law—those which involve punishments above a specified grade of severity. In Massachusetts and New York, by statute, any crime punishable by death or imprisonment in the State prison, and no other, is felony. See "Attainder."

Felony is derived from words connected with the feudal law signifying loss of one's fees; forfeiture of a feudal estate.

**Filibustering**, in a legislative sense, is when a minority is bent on delaying or defeating a public measure, consuming the time during which it should be considered by making lengthy speeches, many and frequent trivial motions, and insisting on the calling of the roll on each motion. The motion to adjourn, a highly privileged motion, can be renewed frequently, and is often made to serve this purpose, the practice being kept up for several days and nights.

In the House, debate can be cut off by a call for the "previous question," which is undebatable, and being adopted brings up the measure for immediate vote. In the Senate there is no way to stop debate; it is possible for an opposition to consume a whole session in the discussion of a question. This situation in the Senate is known as "Senatorial courtesy," a freedom in accordance with the dignity of the position of a Senator.

The word derived from *filibustero* (Spanish). West Indian pirates deriving the name from a fast-sailing vessel employed, the *filibote* (fly-boat), so given from the river Vly in Holland. Filibusters are adventurers who organize expeditions upon an irregular and irresponsible war basis, so the word is appropriately applied to such methods of parliamentary warfare.

**Force Bill.** On March 2, 1833, there went into effect a law passed by Congress, whose purpose was to enforce the tariff in the face of the efforts of South Carolina to resist the collection of duty. It was designated a "Force Bill." Again, in 1870 and 1871 laws were passed aiming at the suppression of interference and intimidation in Southern elections. The bill of 1871, generally designated as "The Force Bill," or "Ku-Klux Act," provided for the punishment by fine, or imprisonment, or both, of attempts to interfere with the privilege of any citizen to vote, giving the federal courts cognizance of suits arising thereunder, and giving federal judges power to exclude from juries persons whom they judged to be in sympathy with the accused. In cases where State authorities were unable or unwilling to give adequate protection, the President was authorized to employ the military and naval power of the United States to secure the same, and suspend the writ of *habeas corpus* (*q.v.*). The second section of the bill declaring the punishment for any conspiracy to prevent a person from enjoying his legal rights, was declared unconstitutional by the Supreme Court in 1883. The *habeas corpus* section not to extend beyond the end of the next session of Congress.

**Franchise.** A special right or privilege granted by the Government, or State, to one or more persons which does not belong to citizens generally, and which cannot be properly exercised without such grant. To be and act as a corporation, is a franchise.

**Free Coinage.** The melting and stamping into money, without charge for the service, of all gold bullion brought to the mints. The privilege being unlimited is called "free coinage." See "Seignorage," in Index.

The Treasury purchases the silver, nickel, and copper which are made into coins, but only such amounts can be bought and coined as Congress may authorize. There is no "free coinage" of these metals.

**Free Silver.** See "Monometallism."

**Gerrymandering.** The process of arranging electoral districts so as to give a majority of Congressmen, or State legislators, as the case may be, to the party having the minority in the total popular vote of the State. An arbitrary arrangement, a disregard of the natural or proper boundaries as indicated by geography or position, to give one political party an unfair advantage over the other. The combining a community having a large majority in favor of the manipulating party, with another in which that party has a minority a little smaller than its majority in the former; the result of the union is a district in which the party has a small majority. It has been practised in nearly every State in the Union.

The word is a composite of "Gerry" and "salamander." Elbridge Gerry, the Democratic governor of Massachusetts in 1811, officially approved the redistricting of Essex County; the new lines, as shown on the map, outlining a mythical animal, which Benjamin Russell, the editor of the *Columbian Centinel*, a Federalist journal, had suggested to him as a salamander; but which he better denominated a "gerrymander."

Probably the earliest instance of redistricting of this nature was in the first Virginia Act for the election of members of Congress, when a division of the districts was brought about by Patrick Henry for the purpose of securing a party advantage in favor of Monroe. The design was defeated by Madison.

**Habeas Corpus.** Latin "you may have the body." As referred to in the Constitution, Art. 1., Sec. 9., Cl. 2. is that of *habeas corpus ad subjiciendum*, a writ issued by a court directing that the body of the prisoner be produced before it, that the court may inquire into the cause of his detention, and if unlawfully restrained to discharge him. It is a matter of right, and deemed the greatest security to the personal liberty of the citizen against oppression and illegal confinement.

The power to suspend the rights rests with Congress alone, though that body may by statute delegate its authority to the President; in fact it has always been done by the President, Congress not consulted. Its first suspension was by Lincoln (without consent of Congress) at the commencement of the Civil War. On April 27, 1861, Lincoln suspended the act as to the line of travel between Philadelphia and Washington; on May 10, 1861, it was extended to Florida, and in July to New York. On September 24, 1862, the suspension was made general, so far as it might affect persons arrested by military authority for disloyal practices.

In March, 1863, Congress passed an act legalizing the President's acts in respect to the suspension of the writ, and authorized him to suspend it throughout the United States, or in any part thereof, whenever, in his judgment, the public safety might require it. [By this act of indemnity, Congress asserted by implication, the President's suspension of the writ of *habeas corpus* was not in accord with the Constitution, and his unauthorized suspensions of the writ might have subjected him to impeachment.]

On September 15, 1863, the writ was suspended throughout the country as to prisoners of war, deserters, those who resisted the draft, and persons accused of offences against the military and naval services. The writ was restored on December 1, 1865, except in the Confederate States, and in the District of Columbia, New Mexico, and Arizona; on April 2, 1866, it was restored everywhere except in Texas, and on August 20, 1866, it was restored in Texas also. The point of law aimed at by Mr. Lincoln was to suspend the right of immediate examination, release on bail, and trial by jury, substituting therefor imprisonment in a military prison and trial by a military court.

There were a great many military arrests during the Civil War, no fewer than thirty-eight thousand citizen-prisoners were reported to the Provost Marshal's office in Washington. Its only suspension in time of peace was July 7, 1865, on an order of President Johnson at the time of the arrest and conviction of Mrs. Surratt in connection with the death of President Lincoln. The "Force Bill" (*q.v.*) gave the privilege. It was threatened in South Carolina by President Grant's proclamation of October, 1871, but not enforced.

The date of the origin of *habeas corpus* unknown; traces of its existence found in the Year Book, 48 Ed. III. 22, 1327-1377; and well understood by the judges in the reign of Henry VI., 1422-1461.

The earliest precedents when used against the Crown are in the reign of Henry VII., 1485-1509. In the time of Charles I., 1633-1649, it was held an admitted constitutional remedy.

It was derived from the English common law, and thought to be specifically based upon a provision of the Magna Charta, forced from King John in 1215. Based on the principle that no freeman shall be imprisoned except for just and sufficient cause nor be deprived of "life, liberty and property, except by the judgment of his peers and the law of the land."

The English colonists in America regarded the privilege of the writ one of the "dearest birthrights of Britons."

The refusal of Parliament in 1774 to extend the law of *habeas corpus* to Canada was denounced by the Continental Congress of September, 1774, as oppressive, and was subsequently recounted in the Declaration of Independence as one of the manifestations on the part of Great Britain of tyranny over the Colonies.

The only exercise by a State was Massachusetts on the occasion of Shays's Rebellion (*q.v.*), when it was suspended from November 1, 1786, to July, 1787.

**Impeachment.** A written formal accusation of a person, as being guilty of some public offence or misdemeanor. When the charges are specifically described and set forth in writing, they are called *Articles of Impeachment*. The Constitution refers to Impeachment, Art. I., Sec. 2, and Sec. 3; also Art. II., Sec. 4. All civil officers of the United States, judicial and executive, except members of the legislative branch and those of the army and navy, are liable to impeachment for treason, bribery, or other high crimes and misdemeanors.

The Fundamental Orders of Connecticut of 1638 is the first appearance of the power to remove and punish an officer of government for misconduct. In the Rhode Island charter of 1663 this power is first called impeachment. Its introduction into the Constitution was taken from the Constitutions of Virginia (1776) and Massachusetts (1780) which followed the English law.

**IMPEACHMENT OF FEDERAL OFFICERS.** *First.* Senator William Blount of Tennessee, in December, 1798. *Complaint.* While Governor of Tennessee he had been engaged in a scheme that had for its object the transfer by force of the territory on the Lower Mississippi from Spain to Great Britain. Acquitted. Vote 14 to 11.

*Second.* John Pickering, a United States District (New Hampshire) Judge, in March, 1803. *Complaint.* Making unlawful decisions, drunkenness and profanity while on the bench. Convicted and removed from office.

*Third.* Samuel Chase of Maryland, a United States Supreme Court Associate Justice, in



1804. *Complaint.* Unwarranted actions in several political trials, and language reflecting on the government. Acquitted. Vote 19 to 15.

*Fourth.* James H. Peck, United States District (Missouri) Judge, in December, 1830. *Complaint.* Arbitrary conduct in a judicial proceeding. Acquitted. Vote 24 to 21.

*Fifth.* W. H. Humphreys, United States District (Tennessee) Judge, in 1862. *Complaint.* Failure to resign his seat, though during the Civil War engaged on the Confederate side. Convicted. Vote unanimous.

*Sixth.* Andrew Johnson, President, February 21, 1868. *Complaint.* In violation of the Tenure of Office Act (*q.v.*) he removed Secretary of War Stanton and appointed General Lorenzo Thomas; intimidation of Stanton, and an attempt to unlawfully seize the property and money of the War Department; he had declared the Thirty-ninth Congress an illegally constituted body; he failed to execute the Acts of the Congress. The articles of impeachment were eleven in number. Acquitted. Vote 35 to 19. See Index, "President."

*Seventh.* W. W. Belknap, Secretary of War, March 2, 1876. *Complaint.* Receiving at different times \$24,450 for appointing and retaining in office a post-trader at Fort Sill, Indian Territory. Acquitted. Vote 37 to 25.

The House of Representatives, upon presentation of a charge, appoints a committee to investigate the charges; if their report is against the accused and is sustained by a majority vote of the House, seven Representatives are elected to impeach the officer before the Senate, also to conduct the trial.

The Senate resolves itself into a Court of Impeachment, before whom the accused is ordered to appear, if he denies the accusation a time is fixed for trial; the procedure following in a general way as in ordinary criminal trials of Federal courts. In the absence of the accused the Senate takes the proofs without him.

The Senate tries and judges the accused. When deciding a question raised during the trial, or when considering the verdict, the Senate does so in secret session, after which its decisions are publicly announced. A two-thirds vote of the Senate present necessary to a conviction.

The Vice-President or President *pro tempore* of the Senate presides in ordinary cases. In case of the impeachment trial of the President the Chief Justice of the Supreme Court presides (Const. Art. I., Sec. 3), because the Vice-President might have prejudices, he being a successor upon conviction of the President.

Treason, bribery, or other high crimes and misdemeanors are the grounds for impeachment. *Treason* against the United States consists "in levying war against them, or in adhering to their enemies, giving them aid and comfort" (Const., Art. III., Sec. 3); *bribery*, the giving or receiving of any gift as a reward for performing a legal duty; *high crimes* and misdemeanors refer to all classes of crimes. It is undecided whether a crime committed by an officer not in his official capacity is an impeachable offence.

Removal from office, with disqualification to hold office under the United States Government, is the penalty of conviction. In cases of impeachment the President cannot pardon.

**Imposts.** Taxes levied on goods, upon their importation from a foreign country. (See "Excise.") An exaction to fill the public coffers, for the payment of the debts and the promotion of the general welfare of the country. See "Taxes."



**Jury** (French *juror*, "to swear"). Right of trial by jury is insured by the Constitution, Art. III., Sec. 3, Cl. 3, Amendments V., VI., VII.

The origin of the custom of trial by jury is lost in the obscurity of the Middle Ages. It existed in a crude form among the ancient Anglo-Saxons in the ordeal of the red-hot iron and boiling-water; also in the wager of battle of the Normans. In the thirteenth century Henry II. introduced into the assizes a trial by jury. It is referred to in the Magna Charta as an institution then existing.

Trial by jury is the organic law of the nation; it is also a fundamental principle that trials should take place where the crime was committed, in order that the defendant might have advantage of testimony of those knowing him; the law holds a prisoner is innocent till proved guilty.

The accused is entitled to know the charges against him, to hear and examine the witnesses sworn, and the Government must provide him with counsel, if unable to do so himself. He cannot be compelled to testify, nor can his refusal to do so be considered an indication of guilt. He can be tried but once for the same offence, unless the jury fails to agree or he secures a new trial.

Trials for crimes not committed in any State, are held where Congress may direct, *i.e.* District of Columbia, Alaska, the territories, the forts and government buildings, and on the "high seas." The "high seas" are the Great Lakes and the waters of the ocean beyond the marine league (*q.v.*). Crimes on shipboard are tried in the State where the vessel first arrives.

The trial of all crimes is by jury, except cases of impeachment and civil cases under §20. (Constitution, Amendment VII.)

The jury determines the facts, the judge determines the law (Amendment VII.), because it was feared, in cases of appeal taken from the decision of a lower to the Superior Court, the latter, under the power given by the Constitution (Art. III., Sec. 2), might overthrow the decisions of juries as to matters of fact, reducing "trial by jury" to form merely.

*Petit* or *Trial Jury*. A body of twelve men, selected by lot from the district within which the crime is committed, who are sworn to impartially decide the guilt or innocence of the accused. Their decision must be unanimous in criminal cases, and generally in civil cases. Juries of six are sometimes allowed, as in Justice's Courts. By the constitution of Texas, California, Nevada, North and South Dakota, three-quarters of a jury may render a verdict in civil action.

*Special* or *Struck Jury*. When a fair and impartial trial cannot be had by an ordinary jury, from the complete list or panel of jurors, an officer selects forty-eight considered most impartial and best fitted to try a case; from the forty-eight, each party strikes off twelve names, and from the remaining twenty-four a jury of twelve is selected.

*Grand Jury*, *i.e.* "large," to distinguish from *petit* (small). In law, a body of men selected, from time to time, from among the people of the community by authority of law to inquire what violations of law have

been committed and by whom, their duty being to ascertain whether there is sufficient ground for suspicion of any person to justify trial by a petit jury. The proceedings are secret, the jury being under oath not to disclose evidence presented them, the result being an acquittal or the finding of an indictment.

The body is composed of not less than twelve nor more than twenty-three men. Twelve must concur to find an indictment or true bill.

*Coroner's jury*, or jury of inquest, composed of from nine to fifteen persons. Its duty is to inquire into deaths from other than natural causes.

*Sheriff's jury*, try title to property held by the sheriff when claimed by a third party.

**Law.** A rule of civil conduct prescribed by a superior power.

The parts of law : —

I. *The declaratory*; defines what is right and wrong.

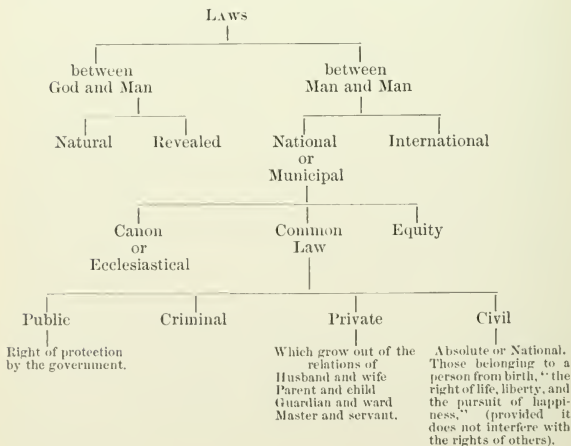
II. *The directory*; consists in commending the observation of right, or prohibiting the commission of wrong.

III. *The remedial*; method of recovering private rights, and redressing private wrongs.

IV. *The vindicatory*; sanction of punishments for public wrongs; wherein consists the most forcible obligation of human laws.

To interpret a law, inquire after the will of the maker, collected from either words, the context, the subject-matter, the effects and consequence, or the spirit and reason of the law. From the latter method of interpretation arises equity, or the correction of that wherein the law (by reason of its universality) is deficient. — *Blackstone's Commentaries*.

Wharton exhibits the leading branches of the science of law: —



The judicial power of declaring laws unconstitutional is sometimes spoken of as if it were a peculiar power specially conferred upon the United States Supreme Court. On the contrary it is a natural and necessary incident of the ordinary judicial function of deciding cases, as this must operate under a system which involves two sorts of laws, the one (constitutions), superior to the other (statutes). In case of conflict between the two, in any case brought before a judge, he must decide in accordance with the former.

The first case in which the United States Supreme Court set aside a Federal Statute, as contrary to the Constitution, was that of the *United States vs. Yale Todd*, 1794. Todd was by decree admitted to the United States pension list.

The first case in which it set aside a State law, was that of the *United States vs. Peters*, 1809, that the Legislature of a State cannot annul the judgment or determine the jurisdiction of a United States Court — a decision made by Judge Peters of the United States District Court of Pennsylvania.

*Admiralty law*, that which relates to maritime cases, both civil and criminal, and pertains to the high seas, the Great Lakes, and navigable rivers.

*Civil law*, sometimes means the law which respects the private rights and property of persons in contradistinction to criminal law, which respects public offences; sometimes means the Roman law; then again it is used in contradistinction to military law, which is applicable only to persons in the military or naval service. See "Military Law" and "Courts."

*Common law*, is that portion of the English common law which has been adopted by each State, in connection with its own peculiar and settled usages and customs, and which is not prescribed by any act or statute of the State Legislature. (See "Statute Law.") As common law rules became definite and fixed, another branch of jurisprudence was introduced, — *Equity (q.v.)*, arising from the same source, natural justice. These two branches are called the *unwritten law*; they are superseded by "Statute Law" (*q.v.*) whenever their rules conflict.

The *written law* of the United States consists of the Constitution, the Acts of Congress, and Treaties. The *written law* of a State consists of its constitution and statutes. See "Statute Law."

The English common law consists of all the general customs and usages, which regulate the rights of property, and all those general principles of justice and interpretation, which are acted upon in Courts of Justice, and all those remedies, which are applied for the redress of wrongs which cannot be traced up to any positive act or statute.

Under the Constitution the "strict-constructionist school" maintained that there was no common law in respect to the jurisprudence of the Federal government, the "national school" maintained the opposite.

*Constitutional law*, relates to the exposition and interpretation of the Constitution of the State or the United States. See "Constitution."

*Federal Law*. That law which is presented by the supreme power of the United States and regulates the organization of the Federal government and its intercourse with the people, and that of the people with each other in matters of national character, or with citizens of foreign states, as distinguished from "State" law (*q.v.*).

*Insolvent laws*, respecting debtors unable to pay their debts; to distribute their property among the creditors.

*Inspection laws*, particular State laws to ascertain and fix the quality, character, and relative value, of its own products or manufactures.

*International Law*. The rules for the conduct of different nations and their subjects with respect to each other, which rules were deduced from reason, justice, and the nature of governments. It differs from the internal law of States in this, that there is no final authority to compel its observance or punish its breach.

*Martial law*, a government established over civil affairs in the discretion of the commander of a military force occupying a region of territory, he using such means as deemed necessary to conserve the interests of the country, regardless of their effect upon others. It is only justified by necessity and supersedes all ordinary government for the time being. It may be authorized by a State Legislature. Congress has power to declare it when necessary, but not in a State not engaged in war and when the ordinary forms of justice are not obstructed.

When a civil officer may not deem it safe to wait for the orders of government, he should address his requisition for troops, not to any subordinate military officer, but to the highest authority, to whom he should communicate his object in making the requisition, furnishing the strength and designs of those menacing or disturbing the public peace. His duty is confined to these points, he has no military direction, the officer commanding the troops determines every operation for the reduction of the disturbers.

United States regular troops can only be ordered out by the President to cooperate with civil authorities, to serve against rioters or other lawless bands of citizens.

Within the United States martial law does not subject the citizen to trial by "court-martial," but involves a suspension of the writ of *habeas corpus* (*q.v.*). Constitution, Art. I., Sec. 9.

Martial law first appears in the Virginia Charter of 1609, "the governor allowed to exercise martial law in rebellion or mutiny."

Beyond the United States, troops take with them the Rules and Articles of War (see "War"), not the municipal law, which governs at home. The first application was by General Winfield Scott, who issued a Declaration of Martial Law in Mexico City, September 17, 1847.

*Military Law.* Under the Constitution (Art. I.), Congress is intrusted with the creation, government, regulation, and support of armies. The regulations are by the enactment of code of rules, called "Military Law," which prescribes tactics and arrangement of troops, classifies officers and men, regulates the pay of the service, defines military and naval offences, provides for the punishment of offenders under tribunals called "courts-martial," with their jurisdiction and procedure established. Congress is supreme in military matters.

*Merchant law,* treats of rights, duties, contracts, etc., respecting trade, commerce, navigation, shipping, sales, insurance, bills of exchange, etc.

*Municipal law,* the law of a particular community, State, or nation, in contradistinction to the law of foreign communities, States, or nations. To regulate the relations between the State and its citizens, or between the citizens themselves.

*Law of nations,* which regulates the rights and duties of nations, in respect to each other and the respective subjects and citizens. General rules regarding the embassies, reception and entertainment of strangers, intercourse of merchants, exchange of prisoners, suspension of arms, etc. "By the *law of nations* we are to understand that code of public instruction which defines the rights and prescribes the duties of nations in their intercourse with each other." — KENT. *Public international law,* is that branch which respects the rights and intercourse of nations in their sovereign capacity; *private international law,* respects the private rights and intercourse of the respective subjects and citizens.

*Law of Arms.* Certain acknowledged rules, regulations, and precepts which relate to war; and are observed by all civilized nations.

The laws of arms show how to proclaim war, to attack the enemy, to punish offenders in the camp, etc.

*Laws of War.* The recognized rules for the conduct of civilized warfare. These rules relate to the treatment of prisoners, non-combatants, spies, traitors, etc., the disposition of private property, the rights of capture, occupation, and conquest, the establishment of blockades, the rights and obligations of neutrals, etc. See "Treaties" and "War."

*State law,* that which is prescribed by the supreme power in any individual State and regulates in all matters not of a national character, the intercourse of such State with its own people, and that of its people among themselves. See "Federal Law."

*Statute law,* a law or rule of action prescribed or enacted by the legislative power, and promulgated and recorded in writing. (See page 202, "Bill.") Known as *Written Law,* see "Common Law."

*Sumptuary laws,* limit the expenses of citizens in the matter of food, clothing, and the like. They were enforced in the colonies, but at present are rare; even if found on the statutes, are seldom enforced.

**Legislature.** Refers to Congress as composed of the Senate and House of Representatives (*q. v.*), or the law-making body. As applied to the States, it is not always the constitutional name; *e. g.* the *General Court* in New Hampshire and Massachusetts; the *Legislative Assembly* in North Dakota, Montana, and Oregon; the *Legislature* in Maine, New York, New Jersey, Florida, Texas, Michigan, Wisconsin, Minnesota, Nebraska, Kansas, South Dakota, Wyoming, Washington, Idaho, Nevada, and California, and the *General Assembly* in the other States.

The first elected representative legislature in America convened at Jamestown, Virginia, July 30, 1619. The House of Burgesses was the first legislative body that sat in America. In 1776 designation changed to House of Delegates. The colonies of New England started with primary assemblies, from which representative assemblies developed.

In New York the first true legislature assembled in 1683. The colonial legislatures were generally modelled on the British Parliament, its procedure being closely followed. To King, Lords, and Commons, corresponded Governor, the Council appointed by him, and the Representatives of the people, called House of Burgesses, House of Delegates, Assembly, or House of Representatives. See "Congress" in Index.

*Senate.* This word first applied to an American institution of government in the Virginia Constitution of 1776.

*Speaker.* When this term originated it was the custom for the Chief Executive to deliver orally to the Legislature such communication as he desired at the commencement of the session. The house so addressed responded to the communication. The presiding officer led a procession of the House to the Executive and read the response, thus *speaking* for the whole body.

Thomas Jefferson determined that his communication to Congress should be made by written message; and that no answer would be expected. This led to a general change in this regard in all American legislative bodies.

**Letters of Marque and Reprisal.** *Reprisal*, signifies a taking in return (French *représaille*, "to lay hold of," "to take"); *marque*, the passing over the marches or frontiers in order to do so (French *marque*, "a mark," "a sign"). They are letters under seal, or commissions to vessels termed *privateers*, granted by the government to one or more of its citizens, to make seizure or reprisal of the property of an enemy, or of persons belonging to another government with which there is unfriendly feeling existing. It is also known as "privateering," but is now practically at an end. See Constitution, Art. I. Sec. 8.

Letters of marque were abolished among European nations by the "Agreement of Paris," of 1856. The United States declined to accede to this agreement, but proposed that all innocent private property at sea be exempt from seizure by public armed vessels in time of war.

The first commissions of this kind were issued about the middle of the thirteenth century, during the reign of Edward I., of England.

**Majority.** See "Plurality," "Quorum," and "Ballot."

**Marine League.** An imaginary line drawn outside of a strip of "coast-sea," three miles in width. This belt has been provisionally

adopted as the "territorial sea" of the United States; the jurisdictional line commencing at the low-water mark of the shore, three miles outward from which the "high seas" begin. The seaward boundary follows the coast of the mainland, extending where there are islands, so as to place around such islands the same belt. When an inlet or arm of the sea does not exceed two marine leagues in width between its headlands, a straight line from one headland to another is equivalent to a shore line. Delaware Bay in 1793 was declared to belong exclusively to the United States. It is neutral territory on the fact that the United States are the proprietors of the lands on both sides of the Delaware River from its head to its entrance into the sea. It is alleged (Chancellor Kent, 1. 30), "we have a right to claim, for fiscal and defensive regulations, a liberal extension of maritime jurisdiction; and it would not be unreasonable I apprehend, to assume for domestic purposes connected with our safety and welfare, the control of waters on our coasts, though included within lines stretching from quite distant headlands—as from Cape Ann to Cape Cod, from Nantucket to Montauk Point, and from that point to the capes of the Delaware, and from the south cape of Florida to the Mississippi." It is a possible claim for some future day, that the distance protected against belligerent proceedings will be an immunity for the space between the American shore and the well-defined path of the Gulf Stream.

By consent of nations, the marine league, or three mile limit, was determined in 1793, because at that time cannon-balls were not known to exceed that range. The intention being to guarantee immunity from acts of belligerency between ships of nations other than those to which the coast sea belonged; to permit the government to carry into effect its maritime laws and regulations; to secure protection to the inhabitants of the coast, coast fisheries, and an adequate system of defence.

Beyond three miles is the "open," or "high sea," which is regarded as part of the territory of the nation to which the vessel sailing belongs, although the United States Government under Revised Statutes, Sec. 2760, extends its Revenue Laws to four leagues off the coast, and asserts this privilege of its Revenue Officers to board any vessel.

It is argued the width of the zone should increase as the range of modern ordnance increases.

The "marine league" varies in measurement; in the United States, Great Britain, France, and Italy it is 6075 yards; Spain, 7416 yards; Holland and Germany, 8100 yards; Russia, 8468 yards.

**Missouri Compromise.** The territory of Missouri comprised that portion of the Louisiana Purchase that was not taken in as the State of Louisiana; a portion of this territory in 1818 applied for admission as the "State of Missonri."

In 1819 a bill, containing a clause prohibiting slavery, passed the House, but met defeat in the Senate.

The Senate in 1820 sent a bill to the House for the admission of Maine, which contained a rider (*q.v.*) authorizing the organization of Missouri. The admission of Maine met with no objection, the House having passed a bill, but it objected to the Senate forcing its views on the Missouri matter. A compromise was entered into, the two bills to be separated; Missouri to be admitted as a slave State; slavery to be prohibited in the rest of the purchase north of 36° 30' north latitude. There was further inserted a clause for the return of fugitive slaves. The measure originated by a northern member, John W. Taylor of New York, and not with Henry Clay, as generally supposed.

A provision in the Missouri Constitution which forbade its legislature to emancipate slaves, and ordered it to prevent the emigration of free negroes, led to opposition, and in the next Congress, February, 1821, Missouri was required to bind herself that the citizens of other States should enjoy all privileges "to which they are entitled under the Constitution of the United States."

### **Monometallism. Bimetallism. Free Silver.**

*Monometallism*, a doctrine that standard money of one metal only is needed in commerce.

*Bimetallism*, a doctrine that standard money should consist of two different coins, each made of different metal, as one gold and the other silver.

*Free Silver*, a doctrine that every citizen should have the unlimited right to take silver to the Government mint and have it coined into dollars at a legal ratio with gold, which in Europe is 15½ of silver to 1 of gold, and in this country 16 of silver to 1 of gold. See "Ratio" in Index.

Bimetallism does not necessarily mean a double standard; a double standard means that both the metals are standards of value in their bullion form as well as in coin. Hence, a double standard implies the free coinage of both metals, whereas bimetalism only implies the use of both metals as standard coin. There are no countries that now have a double standard, but several countries have bimetalism. England has both a single standard and monometallism. Its standard is gold, and while it uses silver for fractional currency, it does not coin silver as full standard legal tender money.

Germany, France, Russia, Austria, Belgium, Italy, and the United States have all adopted the single gold standard, but they have bimetalism, because they also use silver as full standard legal tender money, but they have limited its coinage.

The bullion value of silver was so low that the limitation of its coinage became necessary to prevent the gold being driven from monetary circulation. They all have the two metals coined as full standard money, but only the gold is the standard of value, because it is the only metal whose bullion value is the same as its coin value. China, like England,



is monometallic, but it has silver monometallism instead of gold monometallism. Silver is the standard coined metal in that country. Bimetallism and free silver, therefore, are not equivalent terms. The United States has bimetallism, but it has not free silver and cannot have it until the two metals are more nearly of equal value.

Free coinage of silver at its present value would immediately convert the United States into a silver monometallic country, because it would prevent the gold and silver circulating together by driving out the gold. It is the maintenance of the circulation of the coins of both metals as full legal tender primary money that constitutes bimetallism. If their bullion value is so nearly equal that they can both circulate with free coinage, then a double standard, as well as bimetallism, is feasible. But whenever the value of one metal is sufficiently lower than that of the other to make it profitable to substitute the cheaper for the dearer, free coinage of the cheaper will make bimetallism impossible by driving out the dearer metal, whichever that may be. See Index, "Free Silver" and "Standard Value" under "Coinage."

**Monroe Doctrine.** A political creed, first officially propounded by the fifth President, James Monroe, in his annual message to Congress on December 2, 1823.

**THE MESSAGE:** Paragraph 7.—Referring to a claim of Russia to territory along the coast of the North Pacific, and a ukase which had warned all nations not to come within one hundred miles of the shore.

"At the proposal of the Russian Imperial Government, made through the Minister of the Emperor residing here, a full power and instructions have been transmitted to the Minister of the United States at St. Petersburg to arrange, by amicable negotiation, the respective rights and interests of the two nations on the northwest coast of this continent. A similar proposal has been made by his Imperial Majesty to the Government of Great Britain, which has likewise been acceded to. \* \* \* In the discussions to which this interest has given rise, and in the arrangements by which they may terminate, the occasion has been judged proper for asserting as a principle in which the rights and interests of the United States are involved, that the American continents, by the free and independent condition which they have assumed and maintain, are henceforth not to be considered as subjects for future colonization by any European powers."

**Paragraphs 48 and 49.**—Aimed at the "Holy Alliance."

"In the wars of the European powers in matters relating to themselves we have never taken any part, nor does it comport with our policy to do so. It is only when our rights are invaded or seriously menaced that we resent injuries or make preparation for our defence.

"With the movements in this hemisphere we are of necessity more immediately connected, and by causes which must be obvious to all enlightened and impartial observers. The political system of the allied powers is essentially different in this respect from that of America. This difference proceeds from that which exists in their respective Governments. And to the defence of our own, which has been achieved by the loss of much blood and treasure, and matured by the wisdom of our most enlightened citizens and under which we have enjoyed unexampled felicity, this whole Nation is devoted. We owe it, therefore, to candor and to the amicable relations existing between the United States and those powers to declare that we should consider any attempt on their part to extend their system to any portion of this hemisphere as dangerous to our peace and safety. With the existing colonies or dependencies of any European power we have not interfered and shall not interfere. But with the Governments who have declared their independence and maintained it, and whose independence we have, on great consideration and just principles, acknowledged, we could not view any interposition for the purpose of oppressing them or controlling in any other manner their destiny, by any European power, in any other light than as the manifestation of an unfriendly disposition toward the United States. . . .

"Our policy in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is, not to interfere in the internal concerns of any of its powers; to consider the Government *de facto* as the legitimate Government for us; to cultivate friendly relations with it, and to preserve those relations by a frank, firm, and manly policy, meeting in all instances the just claims of every power, submitting to injuries from none.

"But in regard to these continents, circumstances are eminently and conspicuously different. It is impossible that the allied powers should extend their political system to any portion of either continent without endangering our peace and happiness, nor can any one believe that our southern brethren, if left to themselves, would adopt it of their own accord. It is equally impossible, therefore, that we should behold such interposition in any form with indifference."

The "Monroe Doctrine" is a term to indicate an international policy that is distinctly and peculiarly American in origin and principle; a political protection and a guarantee of freedom from European interference to all States of North and South America, toward the imposition of monarchical institutions upon those who desire to remain a republic. It declares that the United States would "consider any attempt on the part of the allied European powers to extend their system to any portion of our hemisphere as dangerous to our peace and safety"; announces non-interference with the political affairs of the two Americas as then divided; in the event of disputes the circumstances of each case to determine how far the United States would find it wise to go in recognizing or opposing European action.

The principle is clearly foreshadowed by Washington in his farewell address to the people of the United States, September 19, 1796 (*q.v.*):—

Paragraph 36. "The great rule of conduct for us, in regard to foreign Nations is, in extending our commercial relations, to have with them as little *Political* connection as possible. . . ."

Paragraph 37. "Europe has a set of primary interests, which to us have none, or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. . . ."

Paragraph 40. "*Tis our true policy to steer clear of permanent alliances, with any portion of the foreign world; . . .*"

The "farewell address," while it took America out of the field of European politics, was silent as to the part Europe might be permitted to play in America.

The "Doctrine's" principle was not original with Monroe, it was enunciated by John Quincy Adams to the British Minister at Washington, on the occasion of Russia's suggestion that the United States should join the "Holy Alliance" (Wharton's "Digest," I, Ch. III., Sec. 57).

The "Holy Alliance," a league of the sovereigns of Europe, proposed by the Emperor of Russia, September 26, 1815, founded upon the idea that religion should be made the basis of politics, the affairs of Europe to be regulated by the principles of Christian charity. Alexander of Russia, Francis of Austria, Frederick William of Prussia promulgated the treaty in the *Frankfort Journal*, February 2, 1816; the kings of England and France acceding in 1818.

Two years after Adams' interview with the British Minister, he again repeated the doctrine's principles, first to Mr. Richard Rush, the Minister Plenipotentiary of the United States at the Court of St. James, and afterwards to Baron Treyl, the Russian Minister at Washington (Adams' "Mem." 163; Tucker's "Monroe Doctrine," 12-14).

The Congress of Verona of 1822 had led to an armed interference by France, under sanction of Austria, Russia, and Prussia, in the internal affairs of Spain. The Spanish Constitution, which the Cortes had established, had accordingly been overthrown, and Ferdinand VII. restored to absolute power, and it was supposed an attempt would be made by the allied powers to reduce to subjection all the Central and South American States which had revolted against Spanish misrule and had set up independent governments.

With this condition of affairs as then existing, Secretary George Canning, English Minister of Foreign Affairs in 1823, suggested to Mr. Richard Rush, the American Minister to England, that the United States should take decided grounds against the intervention of the "Holy Alliance" in South America. Mr. Canning's proposal, through Minister Rush, was referred to John Quincy Adams, Secretary of State, and by President Monroe to ex-President Jefferson, who, under date of October 24, 1823, in course of his reply, notes :—

"Our *first* maxim should be never to entangle ourselves in the broils of Europe; our *second*, never to suffer Europe to intermeddle with Cis-Atlantic affairs."

further advising Monroe to join with Great Britain in a declaration, and was positive in his conviction that, except as to the ineffective efforts of Spain to subdue her revolted colonies, we should "oppose with all our means the forcible interposition of any other power as auxiliary, stipendiary, or under any other form or pretext, *and most especially their transfer to any power by conquest, cession, or acquisition in any other way.*"

A conference was also had with ex-President Madison, the matter finally culminating in the "Monroe Doctrine" proclamation, which was a decisive support to Great Britain in her declaration against the outcome of the Congress of Verona, and ended all designs of the allied powers to subdue the Spanish-American republics.

The "doctrine" had, however, never had the force of law until 1895; Congress before that date refused to sanction it, or at least neglected to do so upon a resolution presented by Henry Clay in 1823.

In 1864 the House declared against the Mexican monarchy sought to be set up by the French, as not in accord with the policy of the United States.

In 1889 the Senate expressed its disapproval of the connection of any European power with a canal across the Isthmus of Darien, Central America.

Its principle was a controlling factor in the emancipation of South America, and its division into independent States; the evacuation of Mexico by the French upon the termination of the Civil War; the provision of the Clayton-Bulwer Treaty, which neutralized any inter-oceanic canal across Central America, expressly excluding Great Britain from occupying or extending any dominion over any part of Central America;

(in the matter of Cuba, while the sovereignty of Spain would be respected, the island would not be permitted to become the possession of any European power) ; the relinquishment of the protectorate of Great Britain or Spain over the Mosquito Coast in the case of Yucatan. The United States refused to mediate jointly with Great Britain and France in the war between Chili and Peru. " American questions are for American decision. . . the authority of the Monroe Doctrine and the prestige of the United States as its exponent and sponsor would be seriously impaired." Resisted the Pelletier claim against Haiti.

In 1870, President Grant, in his message, notes : " Existing dependencies were no longer regarded as subject to transfer from one European power to another ; that when the present relation of colonies ceases, they are to become independent powers."

December 3, 1894, Cleveland, in his message to Congress, referring to the territorial dispute between Great Britain and Venezuela, mentions his effort " to bring about a restoration of diplomatic relations between the disputants and to induce a reference to arbitration."

February 22, 1895, a joint resolution of Congress declared " that the President's suggestion . . . that Great Britain and Venezuela refer their dispute as to boundaries to friendly arbitration be earnestly recommended to the favorable consideration of both parties in interest."

July 20, 1895, Secretary of State Richard Olney addresses Great Britain on the Venezuela matter through Ambassador Bayard. A supplemental letter sent by Assistant Secretary of State Adee on July 24.

November 26, 1895, the foreign office, through Lord Salisbury, sends reply to letter of Secretary Olney confined to the Monroe Doctrine. December 2d, Salisbury despatches a second letter, on the merits of the British claim to the disputed Venezuelan territory.

December 17, 1895, President Cleveland, by proclamation, suggested the appointment of a commission to determine the divisional line ; when accepted, it is the " duty of the United States to resist by every means in its power, as a wilful aggression upon its rights and interest, the appropriation by Great Britain of any lands, or the exercise of governmental jurisdiction over any territory, which, after investigation, we have determined of right to belong to Venezuela." The Commission Bill passed the House, December 18, 1895, the Senate, December 20, 1895. Commission appointed January 1, 1896 ; ceased its labors February 27, 1897.

February 2, 1897, through the instrumentality of the United States, a treaty concluded and signed between Great Britain and Venezuela for arbitrating the subject in dispute.

December, 1902, Great Britain, Germany, and Italy, under combined action, with naval vessels, blockaded the ports of Venezuela, toward collecting moneys due, upon which payment had been refused. Tacit understanding with the United States of a " pacific blockade " (see " Blockade").

The "doctrine" successfully maintained; seizure of land for "colonial settlement" as alleged security, intimated as inimical to peaceful relations. Differences at intercession of the United States submitted to arbitration.

**Nationality.** Is determined by the Federal law and not by the State law. Members of the nation are also members of the State in which they reside. The Constitution establishes no rules regarding the acquisition or loss of American nationality, which is therefore governed by the subsidiary or common law of the land. All persons born within the United States are considered to have acquired nationality.

The Naturalization Act of 1790 endowed children born of American parents beyond the sea with American nationality. The Act of 1855 restricted this to the children of citizen fathers. The Civil Rights Act of 1866 declared "All persons born in the United States and not subject to any foreign power," to be citizens of the United States. The fourteenth amendment (1868) defines them as "All persons born or naturalized in the United States and subject to the jurisdiction thereof." See "Naturalization" and "Citizen."

**Naturalization.** The investment of an alien with the rights and privileges of citizenship; the Act of adopting a foreigner and clothing him with the advantages held by a native citizen; that process of municipal law by which an individual effects a change in his national character. First ordained in Act of Congress, March 26, 1790, providing that under certain conditions any free white alien might be admitted to citizenship by any court of record of the State in which he resided. Conditions: previous residence of two years in the United States and one year in the State; good character, and an oath to support the Constitution.

The Act of 1795 required five years' residence; that of 1798, fourteen years. The Act of April 14, 1802, now in force, provides for proof of five successive years' residence in the United States, and of one year in the State or Territory where he seeks admission to citizenship, and be of good character. He must declare two years before he is admitted that he renounces allegiance to any foreign prince or State. While this action makes of him a citizen, it does not confer electoral franchise, as that depends on State laws. No alien can be naturalized if his country be at war with the United States. Persons coming to this country under eighteen may dispense with the above declaration. Certain exceptions also made in favor of aliens honorably discharged from the army of the United States and in favor of seamen on United States vessels.

The Circuit and District Courts of the United States, and State Courts, have a common-law jurisdiction, and a seal and clerk, have power to grant naturalization papers. Before the clerk of any of these courts the declaration of intention can be made.



States. An Act of Congress in 1794, reënacted in 1818, makes it a misdemeanor for "any person within the jurisdiction of the United States to augment the force of any armed vessel belonging to one foreign power at war with another power with whom they are at peace, or to prepare any military expedition against the territories of any foreign nations with whom they are at peace, or to hire or enlist troops or seamen for foreign military or naval service, or to be concerned in fitting out any vessel to cruise or commit hostilities in foreign service, etc." See "Belligerent Rights."

*Armed Neutrality*, the condition of the neutral power which holds itself ready to resist by force any aggression of either belligerent, between which it is neutral.

**Nominations.** Nominations to elect officers in early American days were made by private informal agreements among active politicians or by the more organized caucus (*q.v.*), or the candidate announced his candidacy publicly and ran for office without other nomination. In 1788 and 1792 Washington was nominated by the unanimous voice of the people, without delegates, conventions, or popular assemblies. Adams was nominated for Vice-President in the same way, but not with equal unanimity. Then came the legislative caucus, which grew out of the fact that party strife first manifested itself in the legislatures. The caucus was an attempt to give the party organic form from the standpoint of central authority. From 1796 to 1816 candidates for the presidency were selected by caucuses of each of the party members of Congress. The first regular congressional nominating caucus was held in 1804, by the Republicans. Its prime object was concert in principles and a policy; its secondary object, selection of men for the sake of those principles and that policy.

Tennessee in 1824 presented a popular candidate (Jackson), and departed from the caucus to the more popular methods of nomination; Pennsylvania followed up the impulse, broaching a plan of national convention at a State convention held at Harrisburg, Pennsylvania, March 4, 1824, which convention nominated, by acclamation, Jackson for President and Calhoun for Vice-President.

The nominating convention had its origin in New York, where it was suggested by the Tammany society as early as 1813. A period of transition followed until 1824, during which State legislatures and State conventions made nominations.

September 26, 1831, the Anti-Mason Party (*q.v.*) held a national convention in Baltimore, Maryland, nominating as its candidates William Wirt of Maryland, for President, and Amos Ellmaker, of Pennsylvania, for Vice-President. This party established the precedent of national conventions for the nomination of candidates for President, since which time the plan has been followed by all political parties. The Whig was the next party to adopt the plan at its convention in Baltimore, December 12, 1831, nom-



inating Henry Clay for President. They were followed in 1832 by the Democrats and National Republicans, when platforms were first introduced (see "Platforms"). These conventions were mass-meetings, to which the party managers sent as many delegates as they pleased. In 1835, the nominating system, including the national conventions, was completely adopted, although from 1832 to 1840 no national conventions were held, the Democratic party being the first to recognize it, the next party, the Whigs, in 1844, making use of it. Since 1840 no presidential candidate has been put before the country except by a national convention.

In 1840 originated the ratification meeting, the torchlight procession, daylight parade, the campaign, the song, the badge, which was in the nature of an appeal to the people, to their prejudices, emotions, sentiments, the forerunner of the "platform" of later days.

The "primary" is the smallest nominating convention; it is a little caucus of all the voters of one party who live within the bounds of the township or ward, differing in its composition from the town meeting in that all its members belong to one party. Its duty is to nominate candidates for the local offices of the township or ward, and to choose delegates to the county or district convention. It is a representative assembly. The delegates of the primaries form the local conventions, who choose two delegates representing each congressional district to the State convention. The national convention allows each State twice as many delegates as it has electoral votes, in addition to which, four delegates are chosen by the State convention, known as delegates-at-large. A convention's existence ends with the accomplishment of the purpose for which it was called.

George William Curtis remarks regarding the "nominating committee,"

"It is an irresponsible body, unknown to the Constitution or the laws, the creature of party, and organized by the action of probably not a tenth part of the American people; it assembles in one of the large cities; a form of balloting is gone through with, and a name is announced as the only name which one-half of the people are thereafter to think of in connection with the presidency, to be opposed only by one other name which will be selected in the same manner for the other half of the nation to contend for under similar rules of action."

**Nullification, The Right of.** The right claimed in behalf of a State to nullify, or make void, by its sovereign act or decree, an enactment of the general Government which it deems unconstitutional.

The first successful nullification of United States law by a State was the "Cherokee case." The Cherokees owned land in Georgia, held under a treaty with the United States, the Indian title to which, by further agreement with Georgia, to be extinguished as soon as it could be done peaceably. This could not be accomplished, as the Cherokees would not surrender the land; whereupon Georgia passed acts removing their title. The State action came before the United States Supreme Court, who decided treaties of the United States with the Indians were paramount to State laws. The decision never enforced.

To the action of South Carolina the term is more directly applied; that



State, objecting to the Tariff Bill of July 14, 1832, called a convention November 19, 1832, and on November 24 passed an ordinance of nullification, declaring the Tariff Acts of 1828 and 1832 void : forbade payment of duty under those acts after February 1, 1832 ; declared an appeal to the Supreme Court of the United States, regarding the validity of the ordinance, to be a contempt of the State Court ; caused every juror and every State officer to support the State ordinance, declaring, if force was used against the State, she would be considered no longer a member of the Union.

On the basis that nullification was inconsistent with the Constitution, and "disunion by force" was treason, a proclamation was issued by President Jackson, and nullification was crushed by Government forces. The State repealed the Nullification Act in convention March 16, 1833.

The term "nullification" was borrowed from the Virginia and Kentucky Resolutions of 1798. See Page 333, "Jefferson."

**Oaths.** *Presidential, Vice-presidential.* See Pages 310 and 314.

*Congressional.* The oath administered to Senators by the President of the Senate, the new Senator being presented for the purpose by the other Senator from his State, called his "colleague." It is administered to Representatives and Delegates by the Speaker of the House : "I, ——, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies foreign and domestic ; that I will bear true faith and allegiance to the same ; that I take this obligation freely, without any mental reservation or purpose of evasion, and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God."

This oath is sworn to by all executive and judicial officers of the United States.

The "iron-clad" oath of office, prescribed July 2, 1862, that the person not only promised to defend the Constitution of the United States against all enemies, foreign or domestic, but he also swore that he has never given aid or encouragement to its enemies, or accepted office under any government hostile to the United States. It was the outcome or support of Amendment XIV., Sec. 3, and was later repealed.

*Naturalization.* See "Naturalization."

*Military.* See "The Army," — "Officers and their duties."

*Allegiance.* "Proclamation of Amnesty," Civil War, Page 129, Paragraph 3. "Philippine Islands," Page 133, Paragraph 7.

*Governor of the State of New York and all other State officers.* (Art. VIII., Sec. 1, Constitution.)

"I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of New York, and that I will faithfully discharge the duties of the office of —— according to the best of my ability.

"And I do further solemnly swear (or affirm) that I have not directly or indirectly paid, offered or promised to pay, contributed, or offered or promised to contribute any money, or other valuable thing as a consideration or reward for the giving or withholding a vote at the election at

which I was elected to said office, and have not made any promise to influence the giving or withholding any such vote."

**Omnibus Bill.** A legislative measure which contains many heterogeneous provisions; a bill which provides for several enactments or appropriations. It specifically was first applied to the Compromise Bill introduced January 29, 1850, in the Senate by Henry Clay.

California applied for admission into the Union under a constitution prohibiting slavery, which caused the representatives of the slave States to refuse to vote for her unless a new slave State was also formed, as the newly acquired territory also came up for discussion. The situation suggested Clay to put together his "Omnibus Bill," which provided for: I. postponement of the admission of any new States formed out of Texas territory until Texas should demand the division; II. admission of California as a free State; III. organization of all territory acquired from Mexico (except California) without the Wilmot proviso (*q. v.*); IV. combination of this measure with a bill providing for the admission of Utah and New Mexico; V. payment to Texas \$10,000,000 out of the Mexican war indemnity for the abandonment of her claims upon the territory of New Mexico; VI. a more effective law for the return of fugitive slaves; VII. abolition of the slave-trade in the District of Columbia.

It failed to pass, but by separate enactment all of the provisions became law. The above is politically known as the "Compromise of 1850," specifically "Omnibus Bill."

**Pains and Penalties.** See "Attainder."

**Parties, Political.** See Index.

**Passport.** French, *passeport*; *passer*, "to pass"; *port*, "a harbor, a port." A permission to travel—a safe-conduct. Established in the United States, August 19, 1861. They are issued by the Secretary of State (Rev. Stat., Sec. 4075, 4078), and granted to citizens only. Rev. Stat., Sec. 4076. A declaration of intention toward citizenship will not procure a passport. See "Citizen."

The application of a native citizen must be a written declaration, under oath, stating name in full, date and place of birth, occupation, place of permanent residence, that the journey abroad is a temporary sojourn, intending to return; also a physical description, together, if possible, with an affidavit of a creditable person to whom the applicant is personally known. If a naturalized citizen, the application to be accompanied by the original or certified copy of the decree of the court by which he was declared to be a citizen. In both cases the oath of allegiance to the United States to be affirmed.

A passport expires two years from date of its issuance. A new one is issued upon certain conditions. A *citizen* while temporarily abroad can procure one from the acting diplomatic representative of the United States in that country where the applicant happens to be; in the absence of the

diplomatic representative, it can be procured from the consul-general, if there be one, or, in the absence of both, from a consul. Passports are not required in certain countries; it is recommended, however, to have one when travelling.

In June, 1901, the ambassador (Choate) at London refused to issue to two Filipinos a passport because not citizens in fact (see "Citizen"). A *cedula* of residence issued, certifying, "a resident of the Philippine Islands, entitled to the protection of the United States."

**Pensions.** French *pension*, from Latin *pensio*, "a paying." A regular payment by the Government of money to a person in consideration of past services in its employ. In 1806 the United States adopted a system of pensions for those who had become disabled in its military and naval service; it was extended in 1818 to persons in reduced circumstances who had served at least nine months at any period of the Revolution, whether disabled or not. To-day the United States stands as the most liberal nation in the world in the matter of pensions. In 1861 there were 8,636 pensioners, receiving \$1,072,461.55; in 1902, 999,446 pensioners, receiving \$138,491,822.48.

**People.** A State; as the *people* of the State of New York. A nation in its collective and political capacity. See "Citizen."

**Persona non grata.** Is applied to a diplomatic representative when he is personally objectionable to the government to which he is accredited. When this occurs the Minister of Foreign Affairs notifies the Secretary of State through the regular diplomatic channels, upon receipt of which the minister is recalled and another appointed, who, when acceptable, is spoken of as *persona grata* — an acceptable person, one liked. It is the prerogative of every government to require that those with whom it deals be *persona grata*, and to decide the question for itself. It is a general rule, no nation has a right to keep an agent within the limits of another without the consent of that other; every foreign agent depends upon the double will of the two governments. The interchange of ministers is for mutual advantage, and the preservation of amity — an envoy is a *person*. A recall when requested is always conceded, unless national honor is involved in the demand. While not necessary, it is customary to give the Secretary of State the grounds of objection to the representative.

**Petition (Right to).** Inherited from the Magna Charta of England, through the common law of the Colonies, and adopted in the Constitution, Art. IV., Sec. 4., guarding it from interference on the part of Congress. See "Bill of Rights" and "Right of Assembly."

**Platforms.** The platform of a political party is the public declaration of the principles that the party represents; a collection of principles avowed by a political party. Each separate principle is a *plank* of the platform. See "Nominations."

The first platform ever adopted by a national convention was that of a national assembly of young men held at Washington, District of Columbia, in May, 1832, to endorse the nomination of Clay by the National Republican party (*q. v.*).

The Democratic convention held in Baltimore, March 22, 1832, adopted their first platform, renominating Andrew Jackson for President:—

“*Resolved*, That an adequate protection to American industry is indispensable to the prosperity of the country; and that an abandonment of the policy at this period would be attended with consequences ruinous to the best interests of the nation.

“*Resolved*, That a uniform system of internal improvements, sustained and supported by the general Government, is calculated to secure, in the highest degree, the harmony, the strength, and permanency of the Republic.

“*Resolved*, That the indiscriminate removal of public officers for the mere difference of political opinion is a gross abuse of power; and that the doctrines lately boldly preached in the United States Senate, that ‘to the victors belong the spoils of the vanquished,’ is detrimental to the interests, corrupting to the morals, and dangerous to the liberties of the country.”

At the State Convention of the Whig party held at Albany, New York, February 3, 1836, was adopted the next platform in order of date. It was accepted by the Whigs of the other States. Their candidates were W. H. Harrison for President and Francis Granger for Vice-President. The platform consisted of four resolutions, and is unique in its personal nature:—

“*Resolved*, That in support of our cause we invite all citizens opposed to Martin Van Buren and the Baltimore nominees;

“*Resolved*, That Martin Van Buren, by intriguing with the Executive to obtain his influence to elect him to the presidency, has set an example dangerous to our freedom and corrupting to our free institutions;

“*Resolved*, That the support we render William H. Harrison is by no means given to him solely on account of his brilliant and successful services as leader of our armies during the last war, but that in him we view also the man of high intellect, the stern patriot, uncontaminated by the machinery of haekneyed politicians—a man of the school of Washington;

“*Resolved*, That in Francis Granger we recognize one of our most distinguished fellow-citizens, whose talents we admire, whose patriotism we trust, and whose principles we sanction.”

The first socialistic utterance in the national platform of a political party in the United States is found in Section 11 of the Free Soil party’s platform of 1852, “All men have a natural right to a portion of the soil, and that as the soil is indispensable to life, the right of all men to the soil is sacred as their right to life itself.”

Party platforms are now general, at times reaching to great lengths in their various “resolutions.” The *New York Sun*, commenting on their meaningless verbiage, notes the following as the Alpha and Omega of all national political platforms, expressible in one terse sentence:—

“We demand a change of system, a change of administration, a change of parties, that we may have a change of measures and of men.”

The word “platform,” as above applied, is resuscitated from its early use in England. Queen Elizabeth, in answer to the *Supplication* of the Puritans (offered to the Parliament in 1506), stated that she “had examined the platform, and account it most prejudicial to the religion established, to her crown, to her government, and her subjects.”

Lilly, in 1581, says, "discovered the whole platform of the conspiracie." *Discovery of the New World*, page 115.

In 1687 the Rev. John Norris writes that Plato said, "God created τῶν δυνάμεων μέτρα," implying that all things were formed according to His special platforms, meaning the ideas formed in the divine mind.

**Plurality.** In the "law of elections," *plurality* means the number by which the votes cast for the candidate who receives the largest number exceed the votes cast for the candidate who receives the next largest number, when there are more than two candidates, and no one receives a majority of the votes.

*Majority* is the excess of the votes cast for the candidate receiving largest number of votes over the votes cast for *all* other candidates.

*Minority* is the smaller of two parts into which a number is divided. A candidate receives a *minority* when he receives a less number of votes than *all* other candidates.

In referring to the result of an election, the term "majority" is generally used instead of "plurality," except when it is necessary to mark the difference. See "Ballots," "Quorum," "Votes."

EXAMPLE. See Table "Presidential Elections."

Cleveland election, 1892.	His <i>plurality</i> (excess over Harrison).....	380,810
	His <i>minority</i> (less than all others).....	996,800
Total vote cast.....	12,110,636	
Less Cleveland's.....	5,556,918	
All others.....	6,553,718	
Cleveland's.....	5,556,918	
Minority.....	996,800	

*Minority President:* John Quincy Adams, Polk, Taylor, Buchanan, Lincoln (first term), Hayes, Garfield, Benjamin Harrison, and Cleveland (both terms). All of these received each a plurality of the popular vote, excepting Adams, Hayes, and Benjamin Harrison.

A candidate may have a large majority of the electoral vote and yet be in a minority so far as the popular vote is concerned; a majority of the popular vote does not elect. See Index, "Apportionment," "Electoral."

1824 *Jackson's plurality... 50,551	1868 Grant's plurality... 305,456
1828 " " ... 138,134	1872 " " ... 762,991
1832 " " ... 157,313	1876 *Tilden's " ... 250,935
1836 Van Buren's " ... 24,893	1880 Garfield's " ... 7,018
1840 Harrison's " ... 146,315	1884 Cleveland's " ... 62,683
1844 Polk's " ... 38,175	1888 * " " ... 98,017
1848 Taylor's " ... 139,557	1892 " " ... 380,810
1852 Pierce's " ... 220,896	1896 McKinley's " ... 601,854
1856 Buchanan's " ... 496,905	1900 " " ... 859,824
1860 Lincoln's " ... 491,195	1904 Roosevelt " ... 2,541,291
1864 " " ... 407,342	1908 .....

\* Defeated candidates. For full vote, see "Presidential Elections," page 292.

**Popular Vote.** See "Plurality," "President," and "Table of Presidential Elections."

**Primaries.** See "Nominations," "Caucus."

**Proprietary Rights.** Rights usually limited to persons who possess a right to territory, with the powers of government therein. William Penn was called Proprietary of Pennsylvania, and Lord Baltimore, of Maryland, because by grants from the King of England, not only the territories of these colonies, but the right of governing was vested in them.

The domain of William Penn and his family divested by the Act of June 28, 1779, from that family, and vested in the Commonwealth of Pennsylvania by payment of £130,000 sterling.

**Pro tempore.** "*For a time.*" The person so spoken of is not the regular officer. The Vice-President of the United States is President of the Senate; the Senate may appoint a President *pro tempore* to perform his duties in his absence. See "Congress," page 137.

**Protocol.** From the Greek, *prōto-kollon*, a sheet glued to the front of a manuscript and bearing an abstract of the contents and purport.

In the uses of the Department of State it is a document serving as a preliminary to or opening of any diplomatic transaction, also a diplomatic document or minute of proceedings. It is usually employed to denote any formal record of an agreement between two powers taking definite effect upon its signature, without the further formality of ratification and exchange.

In the parts of the United States acquired from Mexico the original record of the land transfer was by *protocol*. Under the Spanish laws the parties to a deed, or other instrument affecting land, appear before a regidor, a sort of notary or alderman, accompanied by their neighbors as "instrumental witnesses," and state the terms of their agreement. That officer makes a minute of the terms and enters the formal agreement in a book. This entry is called the *protocol* or *matrix* and remains with the officer, the parties receiving from him a similar document called a *testimonio*. See "Protocol" in Index, relating to the Spanish-American war.

**Public Enemy** (used in the singular number). Designates a nation at war with the United States, and includes every member of such nation; to make a public enemy the government of the foreign country must be at war with the United States. A mob, or robbers, are never considered a public enemy. See "War."

**Quorum.** Such a number of the officers or members of any body as is competent by the law or the constitution to transact business.

Literally, *of whom*. The word is adopted from the English laws. It is one of the words used in their commissions to justices of the peace. "We have assigned you, and every two or more of you, *quorum aliquem vestrum . . . unum esse volumus*, i.e. *of whom* we will that any one of you . . . shall be one." Making it necessary that certain individuals, in the language of the commission said to be of the *quorum*, should be present during the transaction of business. Blackst. Com. I., 352.

The quorum of any assembly may be fixed by law, or by the assembly; if no rule established, a majority of the members comprising the assembly is the requisite number.

A question, or controversy, exists, whether in order to constitute a quorum a majority must be present and voting, or simply *present* when business is being transacted. Under the former, the way is open for the minority party to "filibuster" (*q. v.*) by refusing to vote, when the majority party has not a sufficient number present to constitute a voting quorum. Another query is, Who shall determine the presence of a quorum? In practice, a quorum ordinarily presumed to be present by consent of those present. If a member suggests there is no quorum, that point must be decided before final action taken on any question; not definitely decided that a quorum is necessary during debate. The Constitution provides no method of ascertaining the presence of a quorum.

The House of Representatives adopted a rule April 18, 1894, recognizing the principles of a *present* quorum as correct, prescribing a rule of counting a quorum; that upon each roll-call the Speaker shall appoint two tellers, one for each side of the pending question, whose duty it shall be to note presence of members who do not vote or do not answer "present"; that the Speaker shall consider the names of those voting yea and nay, those who responded "present," and, if necessary, names of those noted by the tellers, but did not respond.

Article I., Sec. V., Cl. 1 of the Constitution declares "a majority of each (house) shall constitute a quorum to do business"; a majority of *each house* made necessary in order that all legislation may represent as large a portion of the people as possible. As it might occur, less than a majority would not assemble at the appointed time, less than a quorum shall have the right to assemble to compel the presence of absent members. The House has provided that fifteen members, including the Speaker, can exercise this power; absence carries a penalty.

In the English House of Commons, forty members constitute a quorum; in the House of Lords, three members.

When the House is engaged in electing a President of the United States, a quorum consists of "a member or members from two-thirds of the States"; with the Senate "two-thirds of the whole number of Senators" (Art. XII., Constitution). When the House is in Committee of the Whole, one hundred members constitute a quorum — members not voting counted; in the Senate, voting Senators only are counted. One-fifth of members present of either House can demand yeas and nays (Art. I., Sec. 5, Constitution).

**Ratification.** A check on the mistakes and indiscretions of ministers, commissioners, or other public authorities. See "Treaties."

**Reciprocity.** A treaty concluded between two countries, conferring equal privileges as regards customs or charges on imports, and in other



respects. The term formerly used chiefly with reference to shipping. In treaties it is customary to provide, that, should either of the parties to the treaty grant more favorable conditions to a third nation, such privileges should inure also to the benefit of the other party to the treaty; an agreement of this kind is termed the "most favored nation" clause of the treaty. It is not the policy of the United States to engage in reciprocity with foreign nations. The converse is "retaliation," which is to increase duties upon imports from a country which has increased its duties upon American articles.

**Reconstruction.** The restoration of local self-government to those States which seceded (the Confederate States); or, the remodelling of the governments of those States, in view of their peculiar relations to the National Government at the close of the Civil War.

The plans proposed are classified as:—

I. The theory that there had always been a large number of Union men in these States, and that as soon as a loyal government was established by these, the State by that fact again became regularly constituted.

II. That contained in the proclamation of President Lincoln, December 8, 1863, agreeing to recognize any loyal government set up by one-tenth of the number of voters of 1860, after they had taken a prescribed oath of allegiance, and offering amnesty on certain conditions to all but a specified portion of those in rebellion. See page 129.

III. Charles Sumner's theory, that by secession a State renounces its right as a State, that thus slavery (an institution resting merely on State authority) was abolished, and that Congress should take measures to establish this fact, to protect *all* the inhabitants of the State, and set up a Republican form of government therein.

IV. Thaddeus Stevens's theory, that insuperable resistance to the Constitution suspended its operations, and that the National Government must decide when it is to be resumed.

V. The Davis-Wade plan, introduced by Henry Winter Davis and Benjamin F. Wade, from the Committee on Rebellious States, providing for the appointment of provisional governors, the enrolment of citizens willing to take the oath of allegiance, the adoption and approval of a Constitution, and the admission of the State.

VI. The Congressional plan, that the rebellious States had, by their secession, suspended their State governments; the Constitution of the United States, however, remaining operative as regards those States which were not considered as destroyed, but capable of restoration to their "former political relations in the Union by consent of the law-making power of the United States."

The "Congressional plan" was carried out.

The Fourteenth Amendment was passed. The first of the Confederate



States re-admitted was Tennessee, July 24, 1866, the only State adopting the amendment. See page 104.

The South was then divided into five military districts, presided over by military governors, with power to protect life and property, by military commissions or local courts; to supervise elections of delegates to a constitutional convention. The Constitutions to be ratified by a popular vote, and then passed on by Congress, following which the new Legislature was to ratify the Fourteenth Amendment, and when that had become part of the Constitution, the State's representatives to be admitted to Congress.

This bill passed March 2, 1867, over the President's veto. The Constitutions abolished slavery, repudiated the Civil War debts, renounced the right of secession, further agreeing to pass no laws abridging the liberty of any class of citizens. See Index, "Confederate States, date of secession and re-admission" (page 104).

Georgia, Mississippi, Texas, and Virginia, by their delay in complying with the Reconstruction Act, were further obliged to ratify the Fifteenth Amendment. All represented in Congress in 1871.

The Congressional action of Reconstruction was declared constitutional by the United States Supreme Court in the case of *Texas vs. White*.

**Referendum.** German *referendum*, from Latin *referendus*, "to be referred to." The Referendum is termed the "purest democracy," or *direct legislation*, in which the citizens themselves make the law and directly superintend its administration, as compared with a representative government, wherein the citizens transfer their authority by empowering legislators and executive officers to make and administer the laws.

The Referendum originated with the government of Switzerland and is of two basic principles:—

*The Initiative*—Every citizen shall have the right to propose a measure of law to his fellow-citizens.

*The Referendum*—That the majority shall enact a law by voting the acceptance or rejection of the measure proposed.

The Federal *Referendum* adopted in Switzerland with the Constitution in 1874, the Federal *Initiative*, Sunday, July 5, 1891; the Cantonal Referendum began in St. Gall in 1830.

There are two varieties of the Referendum, *the Obligatory*, which applies to all amendments to the Constitution, requiring that they must be submitted to the popular vote for ratification; *the Facultative or Optional*, that all Laws and Acts of a general nature shall be submitted for popular approval whenever 30,000 voters, or eight Cantons, petition to have it done. Though the Cantons never petition, the people avail themselves of the privilege so freely, that during the last twenty years or more the law has been in force, they have had Referendum applied to an average of one-eighth of all the laws passed. Only one-third of those submitted have secured popular approval.

In the United States, in the New England settlements, the Initiative and Referendum principles have been customary in the town meetings. In its primary form this civic organization assembles to enact local regulations, taxation, appropriations, etc., and is a meeting where any citizen can propose, and the proposition be accepted or rejected by vote of the majority. The first Western State to adopt the town meeting system was Michigan; Minnesota adopting it in 1878, Missouri in 1879, Nebraska and Dakota in 1883.

The Referendum has been applied to nearly all constitutional changes both National and State. Constitutional amendments now go to the people for a vote in every State except Delaware.

The first Constitution of New York State went into operation after having been drawn by a convention in 1777, without being submitted to the people, also in Vermont and in other States when governments were first established and the population small.

In 1890 the convention which drafted the new Constitution for Mississippi, declared it adopted without submitting it to the people, an exceptional case, the only example since the Civil War.

In fifteen States no law changing the capital city is valid; in seven States laws establishing banking corporations; in eleven States laws for the incurrence of debts, excepting such as are specified in the Constitution, and no excess of "casual deficit" beyond a stipulated sum. North Carolina cannot extend the State credit to any person or corporation, except to help certain railroads unfinished in 1876; Illinois cannot sell its State canal; Minnesota cannot pay interest or principal of the Minnesota railroads; no municipality in Pennsylvania may contract an aggregate debt beyond two per cent of the assessed valuation of its taxable property without a Referendum.

With a Referendum, Texas may fix a location for a college for college youth; Colorado may adopt woman suffrage and create a debt for public buildings; Wyoming may decide on the sites for its State University, Insane Asylum, and Penitentiary.

There are many county, city, township, and school district Referendums in the various States. "Local option" is the commonest form of Referendum, *i. e.* left to the popular vote.

Owing to the great size of the United States and the loose and unsystemized character of the Referendum principle, as here known, it is lost sight of as compared with its workings in Switzerland, whose area is 15,892 square miles, slightly in excess of double that of New Jersey, with a population slightly less than that of Ohio.

In International law when a proposition is made to an ambassador touching an object over which he has not sufficient power, and is without instructions, it is accepted by him *ad referendum*; that is, under the condition that he shall refer the note presenting the proposition to his government to be acted upon by the government to which it is referred.

**Reprisals.** The forcible taking of a thing by one nation which

belongs to another, in return or satisfaction for an injury committed by the latter on the former.

Congress has the power to grant letters of marque and reprisal. Reprisals made by embargo (*q.v.*), which is the Act of the State, or by letters of marque and reprisal, which is the Act of the citizen authorized by the Government. The property seized is preserved while there is hope of obtaining satisfaction or justice ; if neither, the property is confiscated when the reprisal is complete.

**Resignations.** The President or Vice-President of the United States can, by law, only be resigned by a written and subscribed instrument lodged in the office of the Secretary of State.

That of a Senator or Representative is addressed to the Governor of his State. The Senate and the House of Representatives consider a resignation as final when received by the Governor, no further action being necessary. The Governor must accept the resignation. He has no official connection with the election of a United States Senator, except it be the clerical act of verification.

That of a Cabinet officer is directed to the President. It is customary for members of a Cabinet to deliver their resignations to the incoming President, if they have not previously been addressed to the outgoing President, "to take effect at the expiration" of the term.

For President or Vice-President successor, see Index, "The Succession Act of 1886."

A Senator's resignation is cared for by the Governor, who makes a temporary appointment, till his successor is elected at the next meeting of the State Legislature (see "Congress," page 137). The resignation of a Representative is met by the issuance of a writ by the Governor for the election of his successor. See "Congress."

The place of a Cabinet officer is temporarily filled by the next highest officer in his department.

The place of a Governor is commonly supplied by the Lieutenant-Governor, President of the Senate, and Speaker of the House, in the order given.

Lesser positions in State offices are filled by temporary appointments of the Governor, until successors elected by due process of law. A vacancy in an appointive office is filled merely by a new appointment.

A civil officer has the absolute right to resign, and his resignation when duly communicated to the proper officer, or body, vacates the office without acceptance. He is not bound to assign a reason.

**Retaliation.** See "Reciprocity."

**Riders.** Provisions added to a bill in a legislative assembly, foreign to the bill itself, being merged with important bills by a minority, making the passage of the bill with the rider or amendment the condition of its passage in any shape. Riders are sometimes added to prevent in a measure

the executive's veto, the important bill carrying the rider through. They are mostly attached to appropriation bills.

The first use, of national importance, was the joining, in 1820, of the bill for the admission of Maine to that permitting slavery in Missouri, so as to compel the acceptance of both or neither. They were afterwards separated (see "Omnibus Bill"). The Army Appropriation Bill of 1856 had a *rider* attached prohibiting the employment of Federal troops for the enforcement of territorial law in Kansas.

The veto power of the President has been a blow to this class of legislation.

State Constitutions have frequently prevented it by allowing the Governor to veto separate items in appropriation bills.

**Right of Assembly, Petition, Etc.** The right of people *peaceably* to assemble for discussion and mutual support is *lawful* action. It is not derived from the Constitution, but secured by it (Amendment I.); State Constitutions are similarly constructed; Congress or the State Legislature is obliged to receive a petition. In 1835, and until 1844, it was strenuously denied by Southern members of Congress, in connection with abolition of slavery and the slave trade. December 12, 1853, the rule requiring the presentation of petitions in the House rescinded; petitions since delivered to the clerk of the House, endorsed with the name of the member presenting them, and of the committee to which they are to be referred, the clerk transferring them to the proper committee, noting their presentation in the journal.

The first petition presented to Congress was February 11, 1790, signed by Benjamin Franklin, as President of the Pennsylvania Abolition Society, praying for the immediate abolition of the African slave trade, the prohibition of which could not constitutionally be effected until 1808. After debate, refused. Vote, 43 to 14. This ended action of petitioners.

Its first appearance is in the concessions of West Jersey of 1677:—

"That it shall be lawful for any person or persons during the session of any general free assembly in that province to address, remonstrate or declare any suffering, danger or grievance, or to propose, tender or request any privilege, profit or advantage to the said province, they not exceeding the number of one hundred persons."

**Sedition Bill.** See "Alien and Sedition Laws."

**Statute.** A law established by the act of the legislative power; an act of the Legislature (see "Bill"). The written will of the Legislature solemnly expressed, according to the form necessary to constitute the law of the State.

Statute used to designate the *written* law in contradistinction to the *unwritten* law. See "Common Law," page 233.

**Subsidy.** Direct pecuniary encouragement given by the Government to private enterprises, especially for purposes of transportation. The first subsidy paid to a steamship line was in 1845, plying between New York and Bremen.

**Suffrage.** The privilege of participating in the government of a State by voting at an election of officers or on a change of the fundamental law. It is claimed by some that suffrage is a natural right, like liberty; by the majority, that it is a privilege extended by the government, to be exercised under such restrictions or limitations as the government may impose. The Constitution of the United States does not guarantee suffrage to any citizens of the United States, it is under the jurisdiction of the States.

**Taxation.** An assessment upon the people for the maintenance of government. It is established by law, and governs from the lowest political division upward to that of the United States Government; the people pay to the town, the town to the county, the county to the State, the State to the Federal Government.

Article I., Sec. 8 of the Constitution confers unlimited powers upon Congress for ways to pay the debts, and provide for the common defence and general welfare of the United States. The absence of this *power* was one of the principal defects under the Confederation. The words used in the section are "taxes, duties, imposts, and excises."

The Supreme Court, in its decision in "the insular cases," May 27, 1901, holds that paragraph two of (Art. I.) Section 8, "uniform throughout the United States," does not apply to *acquired territory*, *i. e.* Alaska, Hawaii, Porto Rico, Philippines, etc., that Congress in such cases is empowered to enact special legislation, unhampered by the tariff section of the Constitution as applied to the States. See "Constitution."

**Direct Taxes.** Taxes on land and other real estate; poll, or capitation taxes, *i. e.* taxes on the polls or persons of individuals.

**Indirect Taxes.** Taxes levied upon articles of consumption; by which each person pays in proportion to amount purchased.

**Duties.** Taxes levied upon goods and merchandise which are exported or imported; in which sense duties are equivalent to imposts (*q. v.*), although the latter word is often restrained to duties on goods and merchandise which are imported from abroad. "Duties" is most often used as synonymous with "customs."

**Excises.** Contradistinctive to "imposts" (*q. v.*). In its restricted sense, it is applied to internal or inland impositions, levied sometimes upon the consumption upon the retail sale, or the manufacture of a commodity. A tax levied upon goods imported from a foreign country is an "impost" duty; when manufactured or sold in the United States, an "excise" duty. Both words are used in the Constitution to avoid ambiguity, as to either being used in a general or a restricted sense.

**Direct taxes** are apportioned among the several States in the same manner as Representatives, that is, according to population, and must be uniform, so Congress cannot give any undue preference to States.

No State can lay any duties on imports or exports, nor a tonnage duty on vessels without the consent of Congress, except what may be necessary

for executing its inspection laws, and these shall be for the use of the treasury of the United States. This exception is for the purpose of improving the quality of articles produced by the labor and industry of its own inhabitants.

Congress has levied *direct taxes* on five occasions only. Upon lands, houses, and slaves on July 14, 1798; \$2,000,000 in 1813; January 9, 1815, \$6,000,000; and in 1816. August 5, 1861, it levied \$20,000,000 on all lots of ground, with their improvements, and dwelling-houses, and to be levied annually thereafter to meet expenses of the Civil War. Each State paying its proportion from moneys in the State treasury. Collection made but once. Suspended July 1, 1862. By Act of Congress, March 2, 1891, \$15,000,000 refunded to the States, the sum they had paid in 1861. But one income tax imposed by the Federal government. August 5, 1861, a tax of three per cent on all incomes over \$800, necessitated incident to the Civil War.

**Tenure of Office Act.** The tenure is the conditions under which office is to be held. The Act was passed March 2, 1867; this Act, and one of 1869, provides that an officer, subject to the Senate's confirmation, cannot be removed except by consent of that body.

During a Senate recess, the President can remove and appoint a successor till the end of the next session of the Senate. Acts repealed March 3, 1867.

**Treaties.** A treaty is primarily a compact between independent nations, and depends for the enforcement of its provisions on the honor and the interest of the governments which are parties to it. If these fail, its infraction becomes the subject of international reclamation and negotiation, which may lead to war to enforce them. If made conformably to the Constitution in substance and form, it has the legal effect of repealing, under the general conditions of the legal doctrine that *leges posteriores priores contrarias abrogant*, all pre-existing Federal law in conflict with it, whether *unwritten*, as laws of nations, of admiralty and common law, or *written*, as Acts of Congress. See "Law."

Treaties in modern diplomacy are important international agreements; the usual subjects are peace, friendship, commercial privileges, postal service, extradition, fisheries, boundaries, annexation, controversies, and settlement of claims. See "Reciprocity."

Article II., Sec. 2 of the Constitution gives to the President the initiative of the treaty-making power, the negotiations with foreign governments leading up to the agreement, also the framing of the articles of the treaty. Not until the President communicates the treaty to the Senate, requesting the concurrence of that body, has the Senate any knowledge of the treaty. It must either accept or reject, or concur with amendments. Action is always considered in secret session, and requires a two-thirds vote. The Constitution requires treaties to be valid must be confirmed by vote of

the Senate, because the local interests of a State may be involved in a treaty, so the Senate which represents the States is given the voice in its adoption ; the President, in ratifying, represents the people in general.

The House of Representatives has no direct part in making of treaties, except when there is a money payment stipulated on the part of the United States ; this requires an appropriation bill, which has to receive the approval of the House, as without favorable action on its part the bill would fail.

A treaty, however obligated, may be abrogated by an Act of Congress of a later date than the treaty. Two-thirds vote of the House and two-thirds of the Senate may, over the objections of the President, abrogate a treaty.

A treaty, if within the treaty-making power, overrides State legislation ; when executed and ratified by the proper authorities of the government, it becomes the supreme law of the land. A treaty may supersede a prior Act of Congress, and an Act of Congress may supersede a prior treaty.

The negotiation and modification of treaties is a prerogative of the Executive, with which the courts cannot interfere ; the granting an injunction to restrain the Executive from making payment under a treaty is not within the province of the judiciary.

The President can make a treaty of peace, and enter into an armistice for the cessation of hostilities looking towards peace, without the consent of the Senate. See "War" and "Protocol."

The usual method of entering into a treaty with a foreign government is for the negotiators, who may be the Secretary of State and the other government's diplomatic representative, our minister to the other country and its minister of foreign affairs, or especially appointed commissioners for the purpose who meet and exhibit their credentials, which must be plenary ; the usual commission of an ambassador or minister is not sufficient. There must be a special commission, given power to negotiate the particular treaty named.

Drafts of the proposed treaty are presented, and changes debated upon until an agreement is reached, when it is prepared in duplicate and signed by the negotiators. This is designated as "celebrated." Each duplicate or "counterpart" is written in English and the language of the nation with which the treaty is made. It is then sent to the President, and if approved, is forwarded by him to the Senate for ratification ; if approved it is returned to the President, who signs it and causes the Great Seal of the United States to be affixed. The Secretary of State, or a special commissioner, meets a commissioner of the other government, provided they have ratified the treaty, when the document signed by the President, and the document signed by the sovereign or president of the other government, are exchanged, known as "exchange of ratifications." As soon as this exchange takes place, the Secretary of State issues a proclamation,



containing the text of the treaty, in the name of the President, and it becomes a law of the United States.

The general rule of public law is, that a treaty is binding on the contracting parties from the date of its signature, unless it contains an express stipulation to the contrary. The treaty by which France ceded Louisiana to the United States took effect from its date, April 30, 1803. Its subsequent ratification and the formal transfer of possession have relation to that date.

The first action toward a treaty was on November 29, 1775, when the Continental Congress appointed a "Committee of Secret Correspondence," whose duty would be to correspond with the friends of the colonies in other parts of the world. The original commissioners were Benjamin Franklin, Silas Deane, and Thomas Jefferson. Jefferson declined, and Arthur Lee substituted.

The first treaty was of alliance, amity, and commerce, with the King of France, February 6, 1778 (see "Cabinet," Secretary of State); the second with the Netherlands, October 8, 1782, followed by the Treaty of Peace with Great Britain, September 3, 1783.

Treaties are classified :—

Proper Treaties, Transitory Agreements or Conventions, and Permanent Treaties.

Cartels (*q.v.*).

Capitulations.

Protocols (*q.v.*).

Suspension of Arms or Truces.

A *treaty*, in its true sense, is an agreement between nations; an *alliance* is a union or joining of interests; a *confederation* is a league for mutual aid and protection.

**Veto.** Latin "I forbid." A Veto is the Act by which the Executive refuses his concurrence in a measure of the legislative body with which he is associated. Article I., Sec. 7 of the Constitution vests this authority in the President alone. He is required to sign every bill, or return it to the House of Congress, in which it originated, with his objections; this latter action constitutes *a veto* (see "Bill," page 202). The President taking no action, and letting a bill thereby become a law, is called a "pocket veto." The first "pocket veto" was exercised by Madison in 1812, in the case of the Naturalization Act. Seven of Jackson's twelve vetoes were of the "pocket veto" kind.

The *privilege* of the veto is the *veto power*; the *exercise* of it, *the veto*; and the *message* communicating the refusal to the legislature, the *veto message*.

The word "veto" is not employed in the Constitution; the Constitution speaks of returning a bill, *with objections* (Art. I., Sec. 7). It is not an absolute power, for it may be overridden by a sufficient majority in



Congress, but so great is the influence of the President, such action is rarely attempted, and seldom successful; when a bill is so passed it is termed "over the President's veto."

The first exercise of the veto power was by Washington, in "An Act for the apportionment of Representatives among the several States according to the first enumeration." His objections were:—

*First.* The Constitution has prescribed that Representatives shall be apportioned among the several States according to their respective numbers; and there is no proportion or division which, applied to the respective numbers of the States, will yield the number and allotment of Representatives proposed by the bill.

*Second.* The Constitution has also provided that the number of Representatives shall not exceed one for thirty thousand,—which restriction is, by the context, and by fair and obvious construction, to be applied to the separate and respective numbers of the States,—and the bill has allotted to eight of the States more than one for thirty thousand.

The most important vetoes historically were those by which Madison, Monroe, and Jackson checked the "internal improvement" policy; those of Tyler, the bank and tariff vetoes; and Johnson, the Freedman's Bureau Acts, Civil Rights Act, Tenure of Office Act, Reconstruction Acts; all of which, save the first, Freedman's Bureau Bill, were passed over his veto. The great number in Cleveland's first administration were mostly private pension bills. No bill was passed over a veto until Tyler's administration.

Vetoes of the Presidents.

PRESIDENT	VETOS	POCKETED	PASSED OVER VETO	HOUSE ONLY	SENATE ONLY	PRESIDENT	VETOS	POCKETED	PASSED OVER VETO	HOUSE ONLY	SENATE ONLY
Washington .....	2					Lincoln.....	3	1			
Adams .....	0					Johnson.....	21		15		
Jefferson .....	0					Grant .....	43		4	3	
Madison.....	6	1				Hayes.....	12		1		
Monroe.....	1					Garfield.....	0				
J. Q. Adams.....	0					Arthur.....	4		1	1	*
Jackson.....	12	7				Cleveland.....	301†		1		3
Van Buren.....	0					B. Harrison.....	19		1	1	
Harrison.....	0					Cleveland.....	42				
Tyler.....	9	3	1			McKinley.....	6	35			
Polk.....	3	1				Roosevelt.....	15	9			
Taylor.....	0										
Fillmore.....	0										
Pierce.....	9		5								
Buchanan.....	7	2									

The bills vetoed as above shown may be divided into two classes: those deemed unconstitutional and those deemed unnecessary or inexpedient, the latter being by far the greater class.

\* Vote in the House 165 to 78; in Senate 27 to 27.

† Mostly private pension bills.

The veto is a survival from monarchial times when the representatives of the people could not legislate except by the consent of the monarch. This was recognized in England at the Revolution of 1688, and though the Crown of Great Britain nominally possesses the veto, no monarch has dared use it since it has not been employed since 1707.

The first semblance of the veto power in this country was in the Maryland charter of 1632, which in practice was that the assembly of the freemen made the laws and submitted them to Lord Baltimore or his deputy for approval. The absolute veto power of King or governor continues through the Carolina Charter of 1663 and 1665, the Commission for New Hampshire of 1680, and the Pennsylvania Charter of 1681 in various forms to the New York Constitution of 1777, when the modified veto appears, afterward adopted in the Massachusetts Constitution of 1780 and ultimately in the Constitution.

**Votes.** French *vote*, from Latin *votum*, "a vow," "a wish." The expression of a wish in regard to any measure proposed, in which the person voting has an interest in common with others.

The term "vote" may be applied to the *result* of every question decided by the assembly. When an assembly commands, it is an *order*; the facts, principles, its own opinions, or purposes are *resolutions*. The procedure in each case is the same. See "Ballot" and "Plurality"; also "Electoral Popular Vote" under Presidential Elections.

**War.** By the Constitution (Art. I, Sec. 8), Congress alone has the power to declare a national or foreign war, as that body at the creation of the Constitution was supposed to be best able to decide a question which involves the life and property of the people. A "Declaration of War" is a public proclamation of the government; no form or ceremony necessary, except the passage of an Act. A manifesto stating the causes of the war is usually published; but *war exists* as soon as the Act takes effect (see "Casus Belli"). See Index, "Declaration of War." Page 219.

The power of Congress to declare war is restricted by the provisions of the Constitution, which requires that all bills, orders, resolutions, or votes (except on question of adjournment), to which concurrence of House and Senate may be necessary, must be presented to the President for his approval. Congress cannot declare war against a State or any number of States, the Constitution conferring on the President the whole executive power; he is bound to take care that *the laws* be "faithfully executed." The President has no power to initiate or declare a war, either against a foreign nation or a domestic State, although he can bring affairs to a point at which it would be a difficult matter for Congress to refrain from the declaration, as in Polk's action in 1845. (See "Mexican War.") By the Acts of Congress, February 28, 1795, and March 3, 1807, the President is authorized to call out the militia, and use the military and naval forces of the United States in case of invasion by foreign nations, and to suppress insurrections against the Government of the United States or of a State. The "Civil War," or "Rebellion," began

April 13, 1861, and President Lincoln took immediate steps to suppress it; he did not call Congress until July 4. The President is bound to resist force by force; he must accept a challenge without waiting for special legislative authority.

War may exist without a declaration on either side. A declaration is a mere challenge, to be accepted or refused. The United States may be engaged in war, and have all the rights of a belligerent (*q. v.*) without any declaration by Congress. After a declaration, all intercourse and not merely trading is forbidden; an American citizen cannot lawfully send a vessel to the enemy's country to bring away his property; all intercourse is illegal, unless sanctioned by the authority of the Government, or in the exercise of the rights of humanity. At the breaking out of a war with this country, our citizens have a right to withdraw their property from the enemy's country within a reasonable time. The effect of war is to dissolve a partnership between citizens of hostile nations; every individual of the respective governments, as well as the governments themselves, are in a state of hostility with each other.

As a rule, all treaties between two contesting nations are abrogated or abolished when war actually commences, excepting such treaties as relate to the method of conducting hostilities and those which recognize a country's independence or fix its boundaries. It becomes criminal to comfort or aid an enemy. Diplomatic representatives of the government abroad are immediately informed of a declaration of war that they may govern themselves accordingly.

There was no declaration on the part of the United States in 1798-99 of "war with France," yet a *quasi* war existed in 1799 between the two governments.

The battles of Palo Alto and Resaca de la Palma, Mexico, had been fought before the passage of the Act of Congress, May 13, 1846 (see Index), which recognized a state of war *as existing*, by the Act of the Republic of Mexico. To insure the legality of the contest and to protect the rights of the United States as a probable conqueror, Congress *declared* that a state of war had existed from a date fourteen months prior to its action, the war having gone on for that period, troops having invaded Mexico and fought battles.

Congress in the Spanish-American War, on April 25, 1898, declared war began April 21, 1898, at 7 A.M., by the act of Spain (see Index, "Spanish-American War"), a declaration that war existed from a specified time.

Declarations of war, in their full sense, have been exercised three times by Congress: against Tripoli, February 8, 1802; against Great Britain, June 18, 1812; and against Algiers, March 3, 1815.

In the Civil War, all intercourse between the Union and Confederate States became unlawful August 16, 1861.

The commencement of a war defines nations who are actually engaged in the war as *belligerents* (war-wagers), and those who are not interested as *neutrals* (neither-sided). (See "Neutrality.") The last demand made upon an offending country is termed an *ultimatum*, which is usually peremptory in style, limiting a time for compliance, and if refused war follows.

The termination of a war and restoration of peace is under a proclamation of sovereignty by the conquering nation, or by a treaty between the belligerents; such treaties usually contain agreements as to disposal of prisoners, withdrawal of military forces, cession of territory, payment of indemnity, and other similar subjects. Temporary suspension of hostilities under an agreement is termed a *truce* or *armistice*. See "Protocol."

Wars are classified:—

War of opinion. Religious war. War of independence.

War of conquest. War of subjugation.

In a military sense: offensive and defensive.

In a political sense: external or internal.

Internal wars are divided into *civil wars* and *rebellions* or *insurrections*.

*Civil war*: when the belligerent parties are distributed over a large part of the territory of a state, the object being to secure a change of government or laws, but not at the expense of national unity.

*Rebellions* or *insurrections*: when a State rises against the central government, sometimes with the design of securing a separation from it, sometimes with a view to resist the excursion of harsh or oppressive laws or means of administration.

"Rules of civilized warfare" have been adopted by all Christian nations, with the aim to lessen as much as possible the horrors and sufferings inflicted upon individuals. Neutral Christian nations can exercise the privilege of protest and interference upon an infringement of these war rules, the most important of which prohibit:—

The employment of savages against an enemy.

The unnecessary infliction of suffering to the people and injury to the private property of an enemy, as in the case of massacre and pillage.

The inhuman treatment of prisoners.

The confiscation of private property, except when justified by necessity.

The use of poison and poisoned weapons.

**Wilmot Proviso.** A motion made by David Wilmot of Pennsylvania in the House (1846) to prohibit slavery in any territory acquired from Mexico. The bill of purchase, to which the "proviso" was affixed, died in the Senate.

The "proviso" was the origin of the doctrine of "popular sovereignty" (page 182), which was, in effect, to let the people of a territory determine the question for themselves.

## THE PRESIDENT.

The Congress of the Confederation on September 28, 1787, directed that the Constitution with certain resolutions adopted September 17, 1787, be transmitted to the legislatures of the several States to be submitted to conventions of the people thereof.

One of the resolutions was the following:—

“*Resolved*, that it is the opinion of this Convention, that as soon as the conventions of nine States shall have ratified this Constitution, the United States in Congress assembled, should fix a day on which electors should be appointed by the States which shall have ratified the same, and a day on which the electors should assemble to vote for the President, and the time and place for commencing proceedings under this Constitution; that after such publication the electors should be appointed, and the Senators and Representatives elected. That the electors should meet on the day fixed for the election of the President, and should transmit their votes, certified, signed, sealed, and directed, as the Constitution requires, to the Secretary of the United States in Congress assembled; that the Senators and Representatives should convene at the time and place assigned; that the Senators should appoint a president of the Senate, for the sole purpose of receiving, opening and counting the votes for President; and that after he shall be chosen, the Congress, together with the President, should without delay, proceed to execute the Constitution.”

The Congressional resolution, as shown on page 96, names the three dates that led up to the election of the first President of the United States; they are paragraphed as follows:—

“FIRST WEDNESDAY IN JANUARY, 1789.”

JANUARY 7.

*Connecticut, New Jersey, Delaware, South Carolina, and Georgia*; electors appointed by the legislature, as the governors did not summon the legislatures in time to provide for an election by the people.

*New Hampshire*; legislature assembled November 5, 1788, and passed an act for the election of representatives and electors on December 15. No elector receiving a majority vote, the General Court made the choice.

*Massachusetts*; the people in each representative district voted for two persons, inhabitants of the district. From the two persons in each district having the highest number of votes, the General Court chose one, choosing independently two electors at large.

*New York* had no election, incident to a deadlock between the Senate and the Assembly, the Senate insisting upon a negative action of the Assembly, who, when their proffer of joint ballot was declined, offered to divide

electors with the Senate. Deadlock not broken until too late for an election.

*Pennsylvania, Maryland, and Virginia* passed laws for popular election, at which electors were chosen.

*North Carolina and Rhode Island* had not ratified the Constitution. See page 96.

“FIRST WEDNESDAY IN FEBRUARY, 1789.”

FEBRUARY 4.

The electoral votes were cast as follows:—

	New Hampshire,	Massachusetts,	Connecticut,	New Jersey,	Pennsylvania,	Delaware,	Maryland,	Virginia,	South Carolina,	Georgia,	TOTAL.
George Washington .....	5	10	7	6	10	3	6	10	7	5	69
John Adams.....	5	10	5	1	8	.....	.....	5	.....	.....	34
Samuel Huntington.....	.....	.....	2	.....	.....	.....	.....	.....	.....	.....	2
John Jay .....	.....	.....	.....	5	.....	3	.....	.....	.....	.....	9
John Hancock .....	.....	.....	.....	.....	2	.....	.....	1	1	.....	4
Robert H. Harrison .....	.....	.....	.....	.....	.....	.....	6	.....	.....	.....	6
George Clinton.....	.....	.....	.....	.....	.....	.....	.....	3	.....	.....	3
John Rutledge.....	.....	.....	.....	.....	.....	.....	.....	.....	6	.....	6
John Milton .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	2	2
James Armstrong.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	1
Edward Telfair.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	1
Benjamin Lincoln .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	1	1

Under the Constitution, the thirteen States were entitled to 91 electoral votes. Rhode Island with 3 and North Carolina with 7 had not ratified; New York with 8 had appointed no electors; Maryland and Virginia each had two electors absent.

“FIRST WEDNESDAY IN MARCH, 1789.”

MARCH 4.

Eight Senators and thirteen Representatives appeared in their seats on the day appointed for the meeting of the Federal Congress, and it is therefore assumed the Government on that day came into existence (March 4). See “Presidential Term,” page 272.

March 30 the House had a quorum, and organized in Federal Hall (*q.v.*), New York, choosing F. A. Muhlenburg of Pennsylvania as Speaker. The Senate not having a quorum, the House adjourned.

April 6. Twelve Senators being present and forming a quorum, an organization was effected. The first business was the election of John Langdon of New Hampshire, President *pro tempore*, for the “sole purpose

of opening the certificates and counting the votes of the electors of the several States in the choice of a President and Vice-President of the United States." The House advised and invited to be present.

Three tellers appointed "to make a list of the votes as they shall be declared," one teller to represent the Senate, and two tellers to represent the House.

The Journal of the Senate notes:—

Whereby it appeared that  
George Washington, Esq., was elected President, and  
John Adams, Esq., Vice-President of the  
United States of America.

No objections raised; no debate took place; the result as announced satisfactory to all.

A certificate of election was prepared by a committee consisting of Messrs. Patterson, Johnson, Lee, and Ellsworth, which was adopted by the Senate and signed by its President:—

"*Be it known*, That the Senate and House of Representatives of the United States of America, being convened in the City and State of New York, the sixth day of April, in the year of our Lord one thousand seven hundred and eighty-nine, the underwritten, appointed President of the Senate, for the sole purpose of receiving, opening, and counting the votes of the Electors for a President and for a Vice-President; by which it appears that George Washington, Esq., was unanimously elected agreeably to the Constitution, to the office of President of the United States of America.

"In testimony whereof I have hereunto set my hand and seal.

"JOHN LANGDON."

(Accompanied by a letter, *i.e.*)

"SIR: I have the honor to transmit to your Excellency the information of your unanimous election to the office of President of the United States of America. Suffer me, sir, to indulge the hope, that so auspicious a mark of public confidence will meet your approbation, and be considered as a sure pledge of the affection and support you are to expect from a free and enlightened people.

"I am, sir, with sentiments of respect, your obedient humble servant,

"JOHN LANGDON.

"*To his Ex'cy* GEORGE WASHINGTON, ESQ."

April 21. Vice-President-elect Adams was presented to the Senate, Mr. Langdon leaving the Chair, which was taken by Adams after exchange of speeches. He did not take the oath of office until June 2, although presiding over the Senate, the Constitution having provided for a form of oath for the President only. The act of prescribing "an oath of office for Vice-President" was passed by Congress, and signed June 1st by the President. See "Oaths," page 314.

President-elect Washington was at Mount Vernon, Virginia, at the time of his election, where on April 14, 1789, he was orally notified by Charles Thomson, secretary of the "old" Congress, to the effect that he had been "honored with the commands of the Senate to wait upon your Excellency with the information of your being elected to the office of President of the United States of America"; at the same time delivering the Certificate of Election.

Two days subsequent, in company with Mr. Thomson and Colonel Humphreys, he was en route to New York, via Alexandria, Baltimore, Chester, Philadelphia, Trenton, and Elizabethtown Point, New Jersey, reaching New York at Murray's Wharf, East River, on April 23. Incident to Federal Hall not being in readiness, he was not sworn into office until April 30, when "Constitutional republicanism, pure, vigorous, and abiding, was first inaugurated upon earth." See "Inaugurations."

The plan of a formal notice to an elected President was discontinued in 1825.

The President at present receives no official notice of his election, nor a commission or certificate of the result of the electoral count. He ascertains it for himself, and presents himself for inauguration. This is one of the curious omissions in the law providing for the election of the President. The framers of the Constitution evidently forgot to make a provision by which the newly elected President could legally learn of the great honor.

It seems singular that with all the elaborate electoral programme there should be no provision for an official notification of election to the President-elect, a citizen who has been chosen to the highest office in the gift of the people of the United States; whereas with a government clerkship, an appointee receives a note from the Civil Service Commission; a postmaster is given a commission; a member-elect of Congress is delivered a certificate by the Secretary of State within which he lives, and so on.

### The Title of President.

Charles Pinckney, May 29, 1787, proposed to the Constitutional Convention "that the executive power be vested in a 'President of the United States of America' which shall be his style; and his title shall be 'His Excellency.'"

Among the suggestions in the Convention's early days was "Governor," resulting from the fact that no precedent existed from which to copy a title.

A committee appointed in April, 1789, by the Senate of the First Congress, to confer with the House, agreed upon the title of "His Excellency." May 8, the Senate disagreed to the report and asked for a conference,



which was granted by the House, with Mr. Madison as Chairman. The Journal of the House is silent as to the report of this committee. May 14, the Senate conferees reported a failure to agree, with this entry in the Journal:—

“The Committee appointed to consider and report under what title it will be proper for the Senate to address the President of the United States of America reported, that in the opinion of the Committee it will be proper thus to address him: “His Highness, the President of the United States of America and Protector of their Liberties.”

The Senate practically killed the report of the committee by postponing its consideration, but the feelings of the committee were soothed by the passage of the following preamble and resolution:—

“From a decent respect for the opinion and practice of civilized nations, whether under monarchical or republican forms of government, whose custom is to annex titles of respectability to the office of their chief magistrate, — and on intercourse with foreign nations a due respect for the majesty of the people of the United States may not be hazarded by an appearance of singularity, — the Senate has been induced to be of the opinion that it would be proper to annex a respectable title to the office of President; but the Senate, desirous of preserving harmony with the House of Representatives, where the practice, lately observed in presenting an address to the President, was without addition of titles, think it proper for the present to act in conformity with the practice of the House; therefore, “Resolved, That the present address be, ‘To the President of the United States,’ without addition of title.”

Irving notes: “The inauguration of Washington was delayed for several days by a question which had arisen as to the title by which the President-elect was to be addressed. The question had been mooted without Washington’s privity, and contrary to his desire, as he feared that any title might awaken the sensitive jealousy of Republicans at a moment when it was all-important to conciliate public good-will to the new form of government. It was a relief to him, therefore, when it was finally resolved that the address should be simply ‘the President of the United States.’”

Bryce writes of the President as “the first citizen of a free nation, depending for his dignity on no title, no official dress, no insignia of state.”

No such Executive as “President” as the head of a nation had ever existed, until proposed or adopted by the United States.

The title “President” disappears when the term of his office expires. Other governmental and political positions, title people for life, as General, Admiral, Judge, Honorable, etc.

The address “The President of the United States” has the sanction of the Constitution, the authority of a resolution of the Senate, and the uniform practice of the House of Representatives.

The title “His Highness, the President of the United States of America and Protector of their Liberties” was doubtless in recollection of the English Commonwealth of the seventeenth century. “High Mightiness”

also presented, after the Dutch style. "His Excellency" suggested and subsequently adopted, but not by legislative action. Hamilton proposed he be addressed as "Governor," Pinckney that he be called "President." "President" was already familiar to the country. Penn, in 1696, in his scheme for a general government of the colonies, gave this title to its executive; the Albany plan of 1754 proposed that of President-General. Congress had a president, and some of the States so styled their chief magistrate. Franklin's plan was Governor-General.

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### The Presidential Term.

The Presidential term commenced March 4, 1789.

See *Annals of Congress*, 1st Cong., Vol. II., p. 1622.

U. S. Supreme Court, *Owings vs. Speed*, 5 Wheaton, 420.

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**May 29, 1787**, the plan of national government submitted the Constitutional Convention by Edmund Randolph, provided for "a national executive to be chosen by the national legislature for the term of — years . . . and to be ineligible the second time." Charles Pinckney proposed "he shall be elected for — years and shall be 'reëligible.'"

Many members wanted a plural executive, thinking one President too strongly a reminder of the king from under whose control they had withdrawn. Randolph "strenuously opposed a unity in the Executive magistracy," regarding it as "the fœtus of monarchy." Maryland, New York, and Delaware voted a single person Executive. A proposition was made for the appointment of an executive council, that should exercise a restraint upon the acts of the President.

**June 1, 1787.** The Convention, in Committee of the Whole, voted on the seven-year term. In favor: New York, New Jersey, Pennsylvania, Delaware, and Virginia. Opposed: North Carolina, South Carolina, Georgia, and Connecticut. Divided: Massachusetts.

**June 2, 1787.** "Ineligibility after seven years." In favor: Massachusetts, New York, Delaware, Maryland, Virginia, North Carolina, and South Carolina. Opposed: Connecticut and Georgia. Divided: Pennsylvania.

**July 19, 1787.** The term made six years, nine States voting in favor, to one (Delaware) opposed.

**July 26, 1787.** The convention reverted to the seven-year term, with the provision of ineligibility for reëlection, later referring the subject to a committee of five. Alexander Martin proposed making it eleven years; Williamson ten to twelve years; Elbridge S. Gerry, fifteen years; while Rufus King, with sarcasm, advocated, "make it twenty years, the medium life of princes."

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**August 6, 1787.** The committee of five reported, "He shall hold his office during seven years, but shall not be elected a second time."

**August 31, 1787.** Subject referred to a "grand committee," composed of one member from each State, which reported in favor of the term being limited to four years.

**September 6, 1787.** The term fixed at four years, and no restraint was put upon the eligibility of the President for as many terms as he may be chosen.

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Why the committee decided on four years is not recorded; probably lost in the discussion, or a compromise on the seven-year term, from being nearer to half of the seven; the greater number carrying with it prohibition of a second term, a chance for a reelection would be covered by cutting the term in two; or it was probably decided that it should be the equivalent in length of two Houses, *i.e.* four years.

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The period as now set is midway between the term of a Representative and that of a Senator, and considered long enough to carry through a system of administration according to the laws, and give the people an estimate of the merits of the President's policy.

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December 8, 1829, President Jackson, in his message to Congress, refers to the Presidential term, that it would seem advisable to limit the service of the chief magistrate to a single term of either four or six years.

In October, 1877, a proposition presented to the House that a presidential term be six years, the President not to be immediately reëligible.

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The Constitution says nothing about the President's reelection, and there is no written law to prevent his being reëlected a dozen times or more.

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Custom has adopted a settled rule, that two successive terms are sufficient for any one person, established by the action of Washington and Jefferson, who each declined to become candidates for a "third term."

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Incident to a rumor that General Grant might be a candidate for a third term, in December, 1875, a resolution "that, in the opinion of this House, the precedent established by Washington and other Presidents of the United States, in retiring from the presidential office after their second term, has become, by universal concurrence, a part of our republican system of government, and that any departure from this time-honored custom would be unwise, unpatriotic, and fraught with peril to our free institutions," passed with a vote of 234 to 18; the resolution was supported by all the Democrats, who presented the motion, and by 70 out of 88 Republicans.

### Salary of the President.

This was another source of discussion in Congress, in view of the fact that the Constitution declared that the President should receive a compensation for his services. Washington had stated he did not wish any salary. The limits suggested by Congress ranged from \$15,000 to \$70,000. It was finally (1793) placed at \$25,000. This sum remained the presidential salary until Grant's second term, when incident to the action of Congress (1873) it was increased to \$50,000; but as he had entered upon his second term the day after the passage of the "new salary law," and as the Constitution provides that the salary of the President shall "neither be increased nor diminished during the period for which he shall have been elected," Congress, in its repeal of what was known as the "salary grab law of 1873," could not, as to the President, restore the old salary.

To prevent a dependency upon the legislative branch of the government, that is, make the President independent of Congress for his support, the Constitution, Art. II., Sec. 1, makes a conditional compensation. The larger part of the President's official expenses are assumed by the Government.

The Vice-President's salary: 1789, \$5000; 1853, \$8000; 1873, \$10,000; 1874, \$8000.

### Power of the President.

The framers of the Constitution had several plans before them relative to executive power and responsibility. The Jersey plan proposed a plural executive consisting of two or more persons chosen from the same number of divisions of the Union. Another, that the President of the Senate, the Speaker of the House of Representatives, the Chief Justice, and the heads of the executive department should form a privy council to the President, to advise, but without binding effect, such matters as he should submit. The Virginia plan proposed a council of Revision, composed of the President and a convenient number of the judiciary, to first examine every Act of Congress, and if rejected it would not become a law until again passed by Congress. By a vote of eight States to three the Convention in Committee of the Whole adopted the unitary plan, the Constitution stating, in unreserved terms, "The executive power shall be vested in a President of the United States of America," while the legislative power is reserved, when applied to Congress. (Art. I., Sec. 1.)

The President is *the head* of the executive department, not like the Governor of a State, a member of it. The central idea of the office is expressed in the Constitution. "He shall take care that the laws be faithfully executed," he must devise the means and see that every law

passed by Congress, and devolving upon him under the Constitution, is executed. See "Cabinet."

The Executive can only suppress violence and arrest the law breakers; the trial of the question of guilt and fixing of the penalty within the statutory limits is for the courts. He can only enforce the laws of the United States, maintain the peace of the United States, and see that the mails and interstate commerce are neither stopped nor impeded by violence, for which offence he need not wait for any call from a State legislature or its Governor for assistance.

He is commander-in-chief of the army and navy and has control of foreign affairs (see "Treaties" and "War"). No President has ever taken the field in this capacity. He can at any time force Congress into war with foreign powers. Congress by law has power to declare war, but the real power to act is with the Executive. If war exists the President has "war powers" undefined. The unwritten law of usage has so far properly regulated the past administrations. President Lincoln went to great lengths in the matter of "war power"; he was practically a dictator. See "Declaration of War," page 219.

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The President can disagree with any bill or resolution passed by Congress (see "Bill," page 202). He is often spoken of as the "Third House" (see "Veto," page 262). When vacancies occur during recess of Senate he can grant commissions to expire at the end of the next session. He commissions all Federal officers; receives all foreign ministers. May summon either or both Houses of Congress to an extra session (page 146). If the two Houses disagree with regard to the time of adjournment, he may adjourn them to such a time as he thinks best, but not beyond the day fixed for the beginning of the next regular session. He must make a report to Congress on the state of affairs in the country and recommend measures, which has now taken the form of an annual message.

While the President's message is without legal force, legislation largely results from the suggestions mentioned. Then again by unofficially estimating his power of veto the shaping or amending of bills can be influenced. Much of the legislation of Congress is ordinarily initiated by the President, it first being considered in Cabinet, then started in Congress by contact privately between the secretaries and the committees of Congress.

Either House, or both jointly, can pass resolutions calling on the President or his ministers to take certain steps, or may censure for action taken. (See "Impeachment," page 229.) Such acts do not limit his discretion or those of his ministers; he can ignore them.

Congress cannot compel the dismissal of any official of the Government; it can examine, censure, and lay down rules for their guidance, that is all. The only power over the President is to check him where money expen-

diture is needed, his salary excepted ; his salary is guaranteed him by the Constitution. See "Salary," page 274.

The *civil powers of the President* may be divided under five classifications: —

1. The veto power. See "Veto," page 262.
2. The appointing power. (Const., Art. II., Sec. 2.) See "Law," page 232.
3. The pardoning power. (Const., Art. II., Sec. 2.) See "Amnesty," page 198, and "Impeachment," page 229.
4. The power to conduct relations with foreign nations. (Const., Art. II., Sec. 3.) See "Treaties," page 260.
5. The power to administer the internal affairs of the nation. (Const., Art. II., Sec. 3.)

Practically the President has the nation in his hand, but conscientious men in office have thus far been conservative. The President of the United States is the most powerful executive officer in the world.

### Electoral System.

Draft September 4, 1787.

Each State shall appoint, in such manner as its legislature may direct, a number of electors equal to the whole number of Senators and members of the House of Representatives to which the State may be entitled in the legislature.

The electors shall meet in their respective States, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same State with themselves.

And they shall make a list of all the persons voted for, and of the number of votes for each, which list they shall sign and certify, and transmit, sealed, to the seat of general government, directed to the President of the Senate.

The President of the Senate shall, in that house, open all the certificates; and the votes shall then and there be counted.

The person having the greatest number of votes shall be President, if such number be a majority of the whole number of electors; and if there be more than one who have such majority, and have an equal number of votes, then the Senate shall choose by ballot one of them for President;

but if no such person have such majority then, from the five highest on the list, the Senate shall choose by ballot the President.

Adopted September 17, 1787.

Prevailed during the first four elections.

Each State shall appoint, in such manner as the legislature thereof may direct, a number of electors, equal to the whole number of Senators and Representatives to which the State may be entitled in the Congress; but no Senator or Representative, or person holding an office of trust or profit under the United States, shall be appointed an elector.

The electors shall meet in their respective States, and vote by ballot for two persons, of whom one at least shall not be an inhabitant of the same State with themselves.

And they shall make a list of all the persons voted for, and of the number of votes for each; which list they shall sign and certify, and transmit, sealed, to the seat of the government of the United States, directed to the President of the Senate.

The President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates, and the votes shall then be counted.

The person having the greatest number of votes shall be the President, if such number be a majority of the whole number of electors appointed; and if there be more than one who have such majority, and have an equal number of votes, then the House of Representatives shall immediately choose by ballot one of them for President;

and if no person have a majority, then from the five highest on the list the said House shall in like manner choose the President.

And in every case, after the choice of a President, the person having the greatest number of votes shall be the Vice-President; but if there should remain two or more who have equal votes, the Senate shall choose from them the Vice-President.

The Legislature may determine the time of choosing and assembling the electors, and the manner of certifying and transmitting their votes.

PRO. CONST., ART. X., SEC. 1.

But in choosing the President, the votes shall be taken by States, the representation from each State having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the States, and a majority of all the States shall be necessary to a choice.

In every case, after the choice of the President, the person having the greatest number of votes of the electors shall be the Vice-President. But if there should remain two or more who have equal votes, the Senate shall choose from them by ballot the Vice-President.

The Congress may determine the time of choosing the electors and the day on which they shall give their votes; which day shall be the same throughout the United States.

CONST., ART. II., SEC. 1, CL. 3, 4, and 5.

September 4, 1787, electoral system first proposed (*supra*).

September 17, 1787, electoral system adopted (*supra*).

March 1, 1792, new electoral act passed.

December 12, 1803, system changed. See XII. Amendment (page 92).

April 19, 1824, January, 1845, May 28, 1874, and May 8, 1878, propositions presented to amend or abolish the electoral plan.

February 3, 1887, present plan approved (*infra*).

October 19, 1888, amendment (*q.v.*) (page 280).

## Presidential Electors.

(Act approved February 3, 1887.)

SECTION 1. The electors of each State to meet and give their votes on the second Monday in January next following their appointment at such place in each State as the Legislature shall direct.

SECTION 2. That if any State shall have provided, by laws enacted prior to the day fixed for the appointment of the electors, for its final determination of any controversy or contest concerning the appointment of all or any of the electors of such State, by judicial or other methods of procedures, and such determination shall have been made at least six days before the time fixed for the meeting of the electors, such determination made pursuant to such law so existing on said day, and made at least six days prior to the said time of meeting of the electors, shall be conclusive, and shall govern in the counting of the electoral votes as provided in the Constitution, as hereinafter regulated, so far as the ascertainment of the electors appointed by such State is concerned.

SECTION 3. That it shall be the duty of the Executive of each State, as soon as practicable after the conclusion of the appointment of electors in such State, by the final ascertainment under and in pursuance of the



laws of such State providing for such ascertainment, to communicate, under the seal of the State, to the Secretary of State of the United States, a certificate of such ascertainment of the electors appointed, setting forth the names of such electors and the canvass or other ascertainment under the laws of such State of the number of votes given or cast for each person for whose appointment any and all votes have been given or cast; and it shall also thereupon be the duty of the Executive of each State to deliver to the electors of such State, on or before the day on which they are required by the preceding section to meet, the same certificate, in triplicate, under the seal of the State; and such certificate shall be inclosed and transmitted by the electors at the same time and in the same manner as is provided by law for transmitting by such electors to the seat of government the lists of all persons voted for as President and of all persons voted for as Vice-President; and section 136<sup>1</sup> of the Revised Statutes is hereby repealed; and if there shall have been any final determination in a State of a controversy or contest as provided for in section two of this act, it shall be the duty of the Executive of such State, as soon as practicable after such determination, to communicate, under the seal of the State, to the Secretary of State of the United States, a certificate of such determination, in form and manner as the same shall have been made; and the Secretary of State of the United States, as soon as practicable after the receipt at the State Department of each of the certificates hereinbefore directed to be transmitted to the Secretary of State, shall publish, in such public newspaper as he shall designate, such certificates in full; and at the first meeting of Congress thereafter he shall transmit to the two Houses of Congress copies in full of each and every such certificate so received theretofore at the State Department.

SECTION 4. That Congress shall be in session on the second Wednesday in February succeeding every meeting of the electors. The Senate and House of Representatives shall meet in the Hall of the House of Representatives at the hour of 1 o'clock in the afternoon of that day, and the President of the Senate shall be their presiding officer. Two tellers shall be previously appointed on the part of the Senate and two on the part of the House of Representatives, to whom shall be handed, as they are opened by the President of the Senate, all the certificates and papers purporting to be certificates of the electoral votes, which certificates and papers shall be opened, presented and acted upon in the alphabetical order of the States, beginning with the letter A; and said tellers, having then read the same in the presence and hearing of the two Houses, shall make a list of the votes as they shall appear from the said certificates, and the votes having been ascertained and counted in the manner and according to the rules

<sup>1</sup> Section 136 is: "It shall be the duty of the Executive of each State to cause three lists of the names of the electors of such State to be made and certified, and to be delivered to the electors on or before the day on which they are required, by the preceding section, to meet."



in this act provided, the result of the same shall be delivered to the President of the Senate, who shall thereupon announce the state of the vote, which announcement shall be deemed a sufficient declaration of the persons, if any, elected President and Vice-President of the United States, and, together with a list of votes, be entered on the Journals of the two Houses. Upon such reading of any such certificate or paper, the President of the Senate shall call for objections, if any. Every objection shall be made in writing, and shall state clearly and concisely, and without argument, the ground thereof, and shall be signed by at least one Senator and one member of the House of Representatives before the same shall be received. When all objections so made to any vote or paper from a State shall have been received and read, the Senate shall thereupon withdraw, and such objections shall be submitted to the Senate for its decision, and the Speaker of the House of Representatives shall, in like manner, submit such objections to the House of Representatives for its decision; and no electoral vote or votes from any State which shall have been regularly given by electors whose appointment has been lawfully certified to according to section three of this act from which but one return has been received shall be rejected, but the two Houses concurrently may reject the vote or votes when they agree that such vote or votes have not been so regularly given by electors whose appointment has been so certified. If more than one return or paper purporting to be a return from a State shall have been received by the President of the Senate, those votes, and those only, shall be counted which shall have been regularly given by the electors who are shown by the determination mentioned in section two of this act to have been appointed, if the determination in said section provided for shall have been made, or by such successors or substitutes, in case of a vacancy in the Board of Electors so ascertained, as have been appointed to fill such vacancy in the mode provided by the laws of the State; but in case there shall arise the question which of two or more of such State authorities determining what electors have been appointed, as mentioned in section two of this act, is the lawful tribunal of such State, the votes regularly given of those electors, and those only, of such State shall be counted whose title as electors the two Houses, acting separately, shall concurrently decide is supported by the decision of such State so authorized by its laws; and in such case of more than one return or paper purporting to be a return from a State, if there shall have been no such determination of the question in the State aforesaid, then those votes, and those only, shall be counted which the two Houses shall concurrently decide were cast by lawful electors appointed in accordance with the laws of the State, unless the two Houses, acting separately, shall concurrently decide such votes not to be the lawful votes of the legally appointed electors of such State. But if the two Houses shall disagree in respect of the counting of such votes, then, and in that case, the votes of the electors

whose appointments shall have been certified by the Executive of the State, under the seal thereof, shall be counted. When the two Houses have voted, they shall immediately again meet, and the presiding officer shall then announce the decision of the questions submitted. No votes or papers from any other State shall be acted upon until the objections previously made to the votes or papers from any State shall have been finally disposed of.

SECTION 5. That while the two Houses shall be in meeting as provided in this act the President of the Senate shall have power to preserve order; and no debate shall be allowed and no questions shall be put by the presiding officer except to either House on a motion to withdraw.

SECTION 6. That when the two Houses separate to decide upon an objection that may have been made to the counting of any electoral vote or votes from any State, or other question arising in the matter, each Senator and Representative may speak to such objection or question five minutes, and not more than once; but after such debate shall have lasted two hours it shall be the duty of the presiding officer of each House to put the main question without further debate.

SECTION 7. Such joint meeting shall not be dissolved until the count of electoral votes shall be completed and the result declared; and no recess shall be taken unless a question shall have arisen in regard to counting any such votes, or otherwise under this act, in which case it shall be competent for either House, acting separately, in the manner hereinbefore provided, to direct a recess of such House not beyond the next calendar day, Sunday excepted, at the hour of 10 o'clock in the forenoon. But if the counting of the electoral votes and the declaration of the result shall not have been completed before the fifth calendar day next after such first meeting of the two Houses, no further or other recess shall be taken by either House.

### Amendment.

(Approved October 19, 1888.)

“Whenever a certificate of votes from any State has not been received at the seat of Government on the fourth Monday of the month of January in which their meeting shall have been held, the Secretary of State shall send a special messenger to the district judge in whose custody one certificate of the votes from that State has been lodged, and such judge shall forthwith transmit that list to the seat of Government.”

### Why the Electoral System was Adopted.

Porter, in his Constitutional History, in explanation of the adoption of the plan of electors, notes:—

After the Constitutional Convention had decided on the nature of the Executive, they met a difficulty almost equally great, in determining the method of election. It was debated at length who would constitute the best judges of the fitness of a candidate for the Presi-

deney. The two plans proposed were for election directly by the people, or by a select body chosen by the people; this body to be either Congress or delegates chosen by the people for the express purpose.

It was generally questioned in the Constitutional Convention whether so large and scattered a body as that which the entire people constituted could be the best judge of a candidate's qualifications; but it was believed that the people could select men whom they knew, and who could form the best judgments. It was therefore decided to leave the election of a President to a body chosen by the people.

It was then debated whether Congress could advantageously perform the duty, or whether a body should be chosen for the purpose alone. It was urged that a President elected by Congress would be dependent on it, and would be too liable to seek to please it in order to secure reelection. The danger of intrigue for election would be greater, also, in a permanent body, like Congress, than in a transient one chosen for a single purpose, and offering fewer opportunities for approach. It was, therefore, decided to have the President chosen by special electors.

The question of the number of electors next arose. In the Confederation the States had possessed equal voice on all subjects. Under the Constitution one House of Congress was purely Republican; the other was Federal in form, but Republican in methods. This partial combination of two systems was due to a necessary deference to existing State sovereignty ideas. It was found necessary to use again the same combination in forming the electoral body. The Republican element was to predominate; each State have as many electors as it had Representatives—a number based on its population. But to the number of Representatives, *two* were to be added for each State—the same number that each State had Senators. The total number of electors from each State was exactly the same as the number of its Representatives plus the number of its Senators. The number of its Representatives and Senators had been determined on (Const., Art. I, Sec. 2). It seemed perfectly fair to give each State exactly the same influence in choosing the President that it had in legislation. The number was consequently fixed as above given.

All members of the Electoral College must be free from any connection with the Government in order to be entirely free from any influence by it. It was intended to secure unprejudiced and competent men, who would select the best man in the country, free from any outside influence or suggestions. No propositions or previous nominations were expected. The Electoral College was to act free from all bias, and so accomplish the best results.

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The manner of choosing the electors is left by the Constitution to the legislature of each State. See "Nominations" and "Electoral College."

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While the letter of the Constitution is followed in the choosing of a President, the present method was unthought of by the framers of that document.

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From 1792 to 1887 the electors gave their votes on the first Wednesday in December.

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The "old" Congress did not fix the day for opening the certificates and counting the votes in 1789; it was done March 1, 1792.

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New York was the first State to fix upon "Tuesday after the first Monday in November" as its election day. It did so in 1841. Before then elections in the various States were held on the first Monday, Tuesday, and Wednesday in November. It was deemed advisable not to make more of a change in the time of holding the election than was needed, so the middle day of the three was chosen. Previous to 1845 elections for Presidential electors had been held, under an Act of Congress, dating March 1, 1792, "within thirty-four days preceding the first Wednesday in December, every fourth year."

January 13, 1845, Congress, in order to make the day uniform throughout the Union, adopted the date of New York's election as that for the election of the Presidential electors, as it was noticed all the States, with three exceptions only, Pennsylvania, Ohio, and South Carolina, had their Presidential elections at or about that time.

### The Election of the President.

The chief executive of the United States must be a native-born citizen and at least thirty-five years of age, which is five more than required for a Senator and ten more than for a Representative. See "Age," page 195.

An exception at the time of the adoption of the Constitution, related to a foreigner, who had been fourteen years a resident; this clause in Art. II., Sec. 1, incident to the great service some foreigners had rendered the country during the Revolution, and when all, who were citizens in 1789, had died, no foreign-born person could be President.

The guiding principle early adopted in the Constitutional Convention of 1787 was, that the legislative, executive, and judicial departments of the government should be separate and mutually independent, and two ways, popular vote and national legislature, for selection of President, presented themselves. The chief objection against "popular vote" was the great advantage given to the large States; ignorance of the people at large as to comparative merit of candidates, each leaning to preference for a candidate from his own State; the incompetence of the populace to decide. As to a "legislative vote," it was inconsistent, if the intent was to make the Executive independent of the law-making power.

**June 2, 1787.** James Wilson proposed there should be "certain districts in each State which should appoint electors to elect outside of their own body"; objected to, as the plan would commit a choice to an inferior body of men in all parts of the country who would probably vote for men in their own State, it being argued the "most eminent" citizens would be already serving as Senators, Representatives, Governors, etc.

First resolution offered was that the legislatures choose the executive; Gerry suggested an election by the Governors of the State, which was negatived.

**June 18, 1787.** Hamilton presented a plan, to commit the election to a body of electors to be chosen by the people by districts; those for each State to meet within that State, voting for a President and two "second electors"; a majority of the "first electors" necessary to make a choice of a President; if no majority obtained, the "second electors" to meet in one place, and be presided over by the Chief Justice, and effect a choice.

**July 17, 1787.** The Convention rejected the plan that the Presi-

dent be chosen "by electors appointed by the legislatures of the several States."

**July 20, 1787.** Gerry's proposition adopted relative to the number of electors: Massachusetts, Pennsylvania, and Virginia, to be given three each; Connecticut, New York, New Jersey, Maryland, North Carolina, and South Carolina, two each; Rhode Island, Delaware, and Georgia, one each.

The "legislative plan" being objectionable, Hugh Williamson later presented a suggestion, that a reference of the election be made to a popular vote, each elector to vote for three persons, the choice to fall on him obtaining a majority of all persons voting. Morris proposed two votes only be allowed electors, and one of the two not to be given a citizen of the voter's own State. Madison thought the second best man would be the first, that is, a voter would place a citizen of his own State first, but would give his second vote to a man selected on account of his fitness for the place, not on account of his residence. The voter giving preference to a local candidate in the hope he would get a majority, and not throw away his second vote also. The Convention's first judgment was against the proposition, five States favoring, six opposed.

**August 24, 1787.** Morris proposed to refer the election to electors chosen by the people of the several States, and the President be chosen "by electors." Motion rejected, and further, the Convention rejected a plain election by the people, a motion to give to each State one vote for President in the election by "the legislature," *i.e.* the House of Representatives (not both branches of Congress), also when the legislature equally divided, the President of the Senate have the casting vote. The Convention adopted the following: "He shall be elected by joint ballot by the legislature, to which election a majority of the votes of the members present shall be required"—the "legislature" signifying both branches. The proposition to appoint a Vice-President had not as yet been considered.

**August 31, 1787.** A committee of eleven appointed, who reported on September 4 a scheme for the election of the executive radically different from previous propositions, as shown on page 276.

**September 5, 1787.** Many amendments offered, definitely determining what the Convention desired to accomplish. A motion to commit the election to the legislature instead of the Senate was rejected by seven States, three in the affirmative, it being believed that when the electors did not effect a choice, the result should be determined by a poll of States, each having an equal voice. Roger Sherman's motion that the election be made by the House of Representatives, each State to have one vote, carried 10 to 1. Madison offered an amendment providing that when the House was assembled for the purpose of electing a President, a quorum should consist of a member or members from two-thirds

of the States, and that a majority of all the States should be necessary to effect a choice.

**September 17, 1787.** Plan for an election of President and Vice-President adopted. See page 276.

### Presidential Election.

Held.	Tuesday next succeeding the first Monday in November, every four years, prior to the expiration of term of President incumbent.
Electors.	Equal to the whole number of Senators and Representatives to which the State may be entitled in Congress. (Constitution, Art. II., Sec. 1.)
Meeting of Electors.	Electors of each State meet on the second Monday in January next following their appointment, at such place as the State legislature may direct, generally the capital, and cast their votes. (Constitutional Amendment XII., and Act of Congress, February 3, 1887, also Constitution, Art. II., Sec. 3.)
Treatment of Votes.	The electors sign two certificates of all the votes given by them, each of which certificates must contain two distinct lists, one of the votes for President, the other for Vice-President, lists to be sealed and sent to the President of the United States, addressed to the Secretary of State, at the seat of Government, on the second Monday in January, accompanied by a certificate (triplicate) duly executed by the Governor of the respective State, which shall set forth the names of the electors, and the number and division of votes as cast. [The Governors of States required to send a duplicate certificate to the Secretary of State of the United States, who publishes it in full in a public newspaper, sending to the Senate and House each, a copy in full, at their first meeting.] (Constitutional Amendment XII. and Special Act, February 3, 1887.)
Delivery to Congress.	On the second Wednesday in February succeeding, Congress shall assemble, both the Senate and the House to meet at 1 p.m. in the Hall of the House of Representatives, the President of the Senate the presiding officer.
Action of Governors and the U. S. Sec. of State.	Tellers appointed two by the Senate and two by the House. The President of the Senate opens all papers and certificates pertaining to the electoral votes, delivering them in the alphabetical order of States to the tellers [two appointed by the Senate, and two by the House] who read them in the presence of the two Houses, and the result is delivered to the President of the Senate. (Special Act, February 3, 1887, Amendment XII., Constitution.)
Meeting of Congress.	
Action in counting Votes.	

Result pro-  
claimed.

The President announces the result, which declaration is the certification of the election of the President and Vice-President [if there be any possessing a majority, etc.] (Constitutional Amendment XII.)

(For further items, on objections, incorrect returns, etc., see Presidential Electors, Sec. 4 to 7, Act February 3, 1887, page 277, and Constitutional Amendment XII.)

The Presidential election is spoken of as taking place on the first Tuesday after the first Monday of the last November of each Presidential term of office, in every fourth year. As a fact, no *vote* is then given for President and Vice-President; the voter at that time votes for certain men whose names are on the tickets as Electors (*q.v.*), and these men assemble in each State — at the State capital — on the second Monday of the January following, and they vote for the President and Vice-President, though there remains scarcely a doubt, after the November election, as to who will be chosen, owing to the moral obligation of the electors. See “Electoral College,” page 220.

Until the second Wednesday in February following, the electors’ certificates as received by the Secretary of State are delivered to the Sergeant-at-Arms of the Senate, and immediately placed in a safe (over which a continuous night and day watch is on guard) where they are kept until noon on the second Wednesday in February, when they are transferred by the Sergeant-at-Arms into two handsome boxes of cherry, one containing those received by mail, the other those delivered by messenger. The boxes are then turned over to the doorkeeper of the Senate, who carries them to the House of Representatives, meanwhile surrounded by a strong detail of Capitol policemen, and followed by the Senate marching in a body to the joint session.

The House rises as the Senators and the boxes enter, the Speaker resigning his seat to the President of the Senate — the procedure then following as noted in Sections 4, 5, 6, and 7 under “Presidential Electors,” Act of 1887 (page 277).

When all the certificates have been recorded, the result as certified by the four tellers is handed to the presiding officer, who reads the state of the vote to the assembled Congress; then, and not until then, the next President and Vice-President of the United States are *officially* elected.

The person voted for as President having the highest number of votes, and a majority of all the votes, is elected; and so of the Vice-President. If no person has a majority of the votes for President then the House of Representatives is required from the three having the largest number of votes to choose a President — the vote being taken by States.

The President of the Senate then announces that the purposes for which the joint convention was called, having been accomplished, the convention is dissolved. The Senate returns to its Chamber.

When the Senate reassembles in its Chamber, a report of the state of



the vote for President and Vice-President of the United States, as discovered by an examination of the returns of the several electoral colleges in the joint session, is reported. The President *pro tempore* makes a formal announcement, so that it may be entered upon the Journal of the Senate.

A similar programme is followed in the House of Representatives after the Senate has retired.

If the House does not choose a President before March 4 following, the Vice-President acts as President, as in the case of the death or constitutional disability of the President.

If a Vice-President is not chosen by the electors, the Senate elects him from the two highest on the list.

The House of Representatives is selected to choose the President, as it is considered the body more immediately representing the people.

The Act of Congress, or law of 1791, reads: —

SEC. 9. "That in case of the removal, death, resignation, or disability, both of the President and Vice-President of the United States, the President of the Senate, *pro tempore*, and, in case there shall be no President of the Senate, then the Speaker of the House of Representatives, for the time being, shall act as President of the United States until such disability be removed, or until a President be elected."

The Secretary of State, by the Act, is instructed to notify the Executive of every State, that electors must be appointed or chosen within thirty-four days preceding the following first Wednesday in December, provided two months intervene, or the term of office expires the March following—in that case the electors to be appointed or chosen within thirty-four days preceding the first Wednesday in December in the year next ensuing, they to meet and give their votes on the first Wednesday in December.

The Constitution<sup>3</sup> (Art. II., Sec. 1) conferred upon Congress authority to declare "what *officer* shall then act as President," and while the "law of 1791" was under debate, there arose a doubt whether "an officer" in the meaning of the Constitution could be construed to apply to the President *pro tempore* of the Senate, or the Speaker of the House of Representatives. Suggestions were presented that the members of the Cabinet are "officers" in the full meaning of the law, and are the natural successors in the event of a vacancy; that they are necessarily of the party which was successful in electing the President, and should be authorized to maintain that party power.

Personal politics at the time of the debate possibly affecting those "in office" decided Congress, and the law of 1791 was enacted.



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The "law of 1791" named the President *pro tem.* of the Senate successor to the President and Vice-President.

Samuel Southard was President *pro tem.* of the Senate when William Henry Harrison died, April 4, 1841. Vice-President Tyler not sworn in as President until April 6. Southard was not in Washington at the time, but was technically President.

David Rice Atchison was President *pro tem.* of the Senate when the term of Polk as President expired, March 4, 1849 (Sunday), and as Polk had left Washington, March 3, and Taylor not sworn in until Monday, March 5, Atchison was President during the interim, *i.e.* one day.

William Rufus King was President *pro tem.* of the Senate when Taylor died, July 9, 1850. Fillmore was sworn in the next day, July 10, leaving an interregnum of nearly a day, during which King was theoretically President.

Benjamin F. Wade was President *pro tem.* of the Senate at the time Andrew Johnson was impeached by the House, and acquitted by a single vote (1868). This is the only occasion in the history of the Government when it seemed probable that the President *pro tem.* of the Senate might be called to the chief executive office of the nation.

This situation raised a question whether a Senator chosen as a chairman from among the Senators—a President *pro tem.* of the Senate—was an "officer," as contemplated by the Constitution, to fill the office of the President of the United States. This uncertainty was the primal cause that culminated in the "Succession Act of 1886."

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### Presidential Succession, Act of 1886.

An act to provide for the performance of the duties of the office of President in case of the removal, death, resignation, or inability both of the President and Vice-President.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in case of removal, death, resignation, or inability of both the President and Vice-President of the United States, the Secretary of State, or if there be none, or in case of his removal, death, resignation, or inability, then the Secretary of the Treasury, or if there be none, or in case of his removal, death, resignation, or inability, then the Secretary of War, or if there be none, or in case of his removal, death, resignation, or inability, then the Attorney-General, or if there be none, or in case of his removal, death, resignation,

or inability, then the Postmaster-General, or if there be none, or in case of his removal, death, resignation, or inability, then the Secretary of the Navy, or if there be none, or in case of his removal, death, resignation, or inability, then the Secretary of the Interior, shall act as President until the disability of the President or Vice-President is removed or a President shall be elected: *Provided*, That whenever the powers and duties of the office of President of the United States shall devolve upon any of the persons named herein, if Congress be not then in session, or if it should not meet in accordance with law within twenty days thereafter, it shall be the duty of the person upon whom said powers and duties shall devolve to issue a proclamation convening Congress in extraordinary session, giving twenty days' notice of the time of meeting.

SECTION 2. That the preceding section shall only be held to describe and apply to such officers as shall have been appointed by the advice and consent of the Senate to the offices therein named, and such as are eligible to the office of President under the Constitution, and not under impeachment by the House of Representatives of the United States at the time the powers and duties of the office shall devolve upon them respectively.

SECTION 3. That sections one hundred and forty-six, one hundred and forty-seven, one hundred and forty-eight, one hundred and forty-nine, and one hundred and fifty of the Revised Statutes are hereby repealed.<sup>1</sup>

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The "Succession Act" is Chapter 4 of the Acts of the Forty-Ninth Congress, first session.

Passed by the Senate, December 17, 1885, no division.

Taken up by the House, January 12, 1886.

Passed by the following vote: —

*For*: Republicans, 39; Democrats, 146; total, 185.

*Against*: Republicans, 75; Democrats, 2; total, 77.

Approved by the President, January 19, 1886.

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The Department of Agriculture and Department of Commerce and Labor formed subsequent to the passage of the Presidential Succession Act. By right of implied enactment the respective Secretaries would be eligible as successors to the Secretary of the Interior if the line to and including that official was exhausted.<sup>2</sup>

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<sup>1</sup> There has arisen grave doubt of the power of Congress under the Constitution, to legislate on the matter of "succession"; on the ground that the Constitution does not give authority to fix the "succession"; that the passage of the Act of 1886 was an assumption of power by Congress it does not possess.

<sup>2</sup> "St. Wapula" is a mnemonic word that recalls the order of succession. "S," State; "t," treasury, etc. To this can be added letters for further Cabinet offices.

When the President and Vice-President are chosen by the electors they become President and Vice-President elect, and the succession in case of death or disability is the same as if they were in office.

The "swearing in" (March 4) is a detail of function, not a condition of succession ; and so is the canvass of the electoral vote by Congress in February.

An interesting "succession" situation was presented in 1901, incident to the sickness of Mr. McKinley, prior to the electoral count of January 14, 1901, as to who would be President on March 4, as Mr. McKinley had not been elected to his second term. The consensus of opinion was the Secretary of State would be acting President, and he would be succeeded by the swearing in of the incoming Vice-President, *as Vice-President*, followed immediately by the administration to him of the oath of office of the President.

If the Vice-President becomes acting President, he holds for a full term.

The Presidential and Vice-Presidential offices have never both become vacant during a Presidential term.

When the Vice-President succeeds to the Presidency, the duties and powers of President devolve on the Vice-President, but he cannot exercise them until he has taken the Constitutional oath.

Theoretically, there is no hiatus in the incumbency of the Presidential office, but actually there is ; for every four years an hour or more elapses between the time of the expiration of the President's term and the swearing in of his successor ; that is, the space of time required for the ceremony in the Senate chamber of organizing the new Senate (a function that precedes the inaugural ceremonies on the east front of the Capitol building), the Government is then actually without an official head.

## PRESIDENTIAL ELECTIONS.

### POPULAR VOTE.

Accurately speaking, the people do not vote for the President and Vice-President. Consequently, there is no "popular vote" for Presidential candidates.

The use of the term is applied to the vote for Presidential *electors*. The people vote for electors, the majority of whom elect the President. As a result, a candidate might have an overwhelming "popular" majority

and yet be defeated in the electoral college (see page 222). The "popular vote" has no constitutional influence, but is tabulated to show an approximation to the voting strength of political parties.

The "popular vote" first appears in 1824 (see page 200), as prior to this date a record was not kept by all States, thereby rendering a trustworthy compilation impossible; its absence was attributable to most of the State legislatures "appointing" the presidential electors; the people's choice of electors being expressed by people's votes as given for members of the legislature. The Constitution, Article II., Section I, reads, "Each State shall *appoint* them (the electors) in such manner as the legislature thereof may direct," which was construed by many States to mean that the electors were *to be voted for* by the Legislature, the electors to name and vote for the candidates. Legislative action in this direction did not fully cease until the election of 1868 (see page 298 *et seq.* and page 221).

The electors casting their votes, as is the custom, in bulk for the candidates who have been previously nominated by a National Convention, the President and Vice-President are elected by the people in their State capacity, *i.e.* the "popular" State vote.

#### ELECTORAL VOTE.

In the tabulation of the electoral votes prior to 1824 only the aggregate votes for candidates for President and Vice-President are shown. In the elections of 1789, 1792, 1796, and 1800 two candidates for President were voted for by the electors, the one who received the greatest number of electoral votes having been declared President; the candidate who received the next largest number of votes declared Vice-President. In 1804, under the Constitutional Amendment XII., all electors voted for a President *and* a Vice-President, instead of for two candidates for President, as formerly.

The electoral system (see page 220) has never met with a strong movement toward substitution by a popular vote, as it would require an amendment to the Constitution, an action that would have to enlist a three-fourths vote of all of the States.

Under the present apportionment (page 141), there are fifteen States, each having three members or less in the House of Representatives, which, under the popular election plan, would give to these States less power in determining the result of an election; consequently there would be considerable difficulty in obtaining their consent to recognize a change from the electoral system. This has always been the condition, the lesser States knowing they would have their power lessened, if not altogether lost. They have always been sufficient in numbers (of States) to prevent a change.

The sole argument of advantage advanced for a popular or direct vote has been the relief from treachery on the part of the men designated as

electors. The electoral advocates meet this by demanding that only men of high character be chosen as electors. See Index, "Electors."

#### ELECTORAL COUNT.

The counting by Congress of the vote of the electors of the various States on "the second Wednesday in February" follows the election by the people of electors to choose a President and a Vice-President of the United States. The Constitution, Art. II., Sec. 1, Cl. 3, and Amendment XII., reads:—

"The President of the Senate shall, in the presence of the Senate and House of Representatives open all certificates, and the votes shall then be counted. . . ."

The wording plainly provides for a count of the votes by the President of the Senate, in the presence of the two Houses of Congress, and this plan was adhered to during the earlier years of the government. It was simply a verification of the votes of the electors for President and Vice-President, the operation of counting being merely mechanical, the Constitution placing the power solely with the President of the Senate. It is of interest to watch subsequent actions. He "opened the votes" in 1789; he "opened and read the certificates" in 1793; he "took the packet and broke the seal and read the certificates" in 1797, and "the papers were then handed to the tellers, who noted the contents"; the same procedure in 1801, and also in 1805, at which time Aaron Burr required the tellers to perform the duty for him. The President of the Senate's duty under the Constitution was finally assumed altogether by the tellers, and apparently has become their inherent right by direction of Congress, though their only functions under the Constitution are as witnesses of the action of the President of the Senate.

Congress alleged the original instrument (the Constitution), as it was later demonstrated by them, failed to provide sufficiently explicit general laws relative to the *authenticity* of each of the electors' returns; consequently Congress, in the capacity of arbiter of legality of elections, arrogated to itself in various ways, from time to time, the power of deciding the *validity* of the returns (see page 298 *et seq.*). To obtain this authority, Congress adopted joint resolutions to govern the action of both Houses when assembled on "the second Wednesday of February" to see the returns opened. As each electoral count came before its respective Congress, rules were adopted which gradually encroached on the authority of the "President of the Senate," leading to various joint agreements on the part of the two Houses, culminating in the present statute of February 3, 1887 (see page 277), which provides a mode of procedure admittedly not contemplated by the Constitution. It was first applied in the electoral count of February 13, 1889 (see page 306).

## Electoral Vote of Each State

	1789	1792	1796	1800	1804	1808	1812	1816	1820	1824	1828	1832	1836	1840
NUMBER OF STATES	13	15	16	16	17	17	18	19	24	24	24	24	26	26
Alabama									3	5	5	7	7	7
Alaska														
Arkansas													3	3
Arizona														
California														
Colorado														
Connecticut	7	9	9	9	9	9	9	9	9	8	8	8	8	8
Delaware	3	3	3	3	3	3	4	4	4	3	3	3	3	3
Florida														
Georgia	5	4	4	4	6	6	8	8	8	9	9	11	11	11
Guam														
Idaho														
Illinois									3	3	3	5	5	5
Indian														
Indiana								3	3	5	5	9	9	9
Iowa														
Kansas														
Kentucky		4	4	4	8	8	12	12	12	14	14	15	15	15
Louisiana							3	3	3	5	5	5	5	5
Maine									9	9	9	10	10	10
Maryland	8	10	10	10	11	11	11	11	11	11	11	10	10	10
Massachusetts	10	16	16	16	19	19	22	22	15	15	15	14	14	14
Michigan													3	3
Minnesota														
Mississippi									3	3	3	4	4	4
Missouri									3	3	3	4	4	4
Montana														
Nebraska														
Nevada														
New Hampshire	5	6	6	6	7	7	8	8	8	8	8	7	7	7
New Jersey	6	7	7	7	8	8	8	8	8	8	8	8	8	8
New Mexico														
New York	8	12	12	12	19	19	29	29	29	36	36	42	42	42
North Carolina	7	12	12	12	14	14	15	15	15	15	15	15	15	15
North Dakota														
Ohio					3	3	8	8	8	16	16	21	21	21
Oklahoma														
Oregon														
Pennsylvania	10	15	15	15	20	20	25	25	25	28	28	30	30	30
Philippines														
Porto Rico														
Rhode Island	3	4	4	4	4	4	4	4	4	4	4	4	4	4
South Carolina	7	8	8	8	10	10	11	11	11	11	11	11	11	11
South Dakota														
Tennessee			3	3	5	5	8	8	8	11	11	15	15	15
Texas														
Utah														
Vermont		4	4	4	6	6	8	8	8	7	7	7	7	7
Virginia	12	21	21	21	24	24	25	25	25	24	24	23	23	23
Washington														
West Virginia														
Wisconsin														
Wyoming														
Total	91	135	138	138	176	176	218	221	235	261	261	288	294	294

Electoral votes necessary to a choice — a majority.

Electors "equal the whole number of Senators and Representatives to which the State may be entitled in the Congress." — Constitution, Art. II, Sec. I. See "Apportionment," page 198.



### Presidential Elections.

NOTE. The marginal figures under "Electors' Vote Counted by Congress" are reference numbers to explanatory paragraphs, page 298.

DATE OF ELECTION	CANDIDATES	STATE ELECTED FROM	POLITICAL PARTY	ELECTORS' VOTE COUNTED BY CONGRESS		STATES	ELECTORAL VOTE			POPULAR VOTE	PERCENTAGE EACH CANDIDATE
				Total	Division of		Each Candidate	Total of Totals	Percentage for each Candidate		
Jan. 7, 1789.	Geo. Washington	Virginia	Federalist	1 Apr. 6, 1789	10		69	100.00			
	Jno. Adams	Massachusetts	Federalist				84	49.27			
	Jno. Jay	New York	Federalist				9	13.04			
	R. H. Harrison	Maryland	Federalist				6	8.70			
	Jno. Rutledge	South Carolina	Federalist				6	8.70			
	Jno. Hancock	Massachusetts	Anti-Federalist				4	5.80			
	Geo. Clinton	New York	Anti-Federalist				3	4.34			
	Sam'l Huntington	Connecticut	Federalist				2	2.90			
	Jno. Milton	Georgia	Anti-Federalist				2	2.90			
	Jas. Armstrong	Georgia	Anti-Federalist				1	1.45			
	Benj. Lincoln	Massachusetts	Federalist				1	1.45			
	Edward Telfair	Georgia	Anti-Federalist				1	1.45			
Nov. 13, 1792.	Geo. Washington	Virginia	Federalist	2 Feb. 13, 1793	15		132	100.00			
	Jno. Adams	Massachusetts	Federalist				71	58.33			
	Geo. Clinton	New York	Republican				50	31.88			
	Thos. Jefferson	Virginia	Republican				4	3.03			
	Aaron Burr	New York	Republican				1	.76			
Nov. 8, 1796.	Jno. Adams	Massachusetts	Federalist	3 Feb. 8, 1797	16		71	51.45			
	Thos. Jefferson	Virginia	Republican				65	48.55			
	Thos. Pinckney	South Carolina	Federalist				59	43.48			
	Aaron Burr	New York	Republican				30	21.53			
	Sam'l Adams	Massachusetts	Republican				15	10.86			
	Oliver Ellsworth	Connecticut	Anti-Federalist				11	7.98			
	Geo. Clinton	New York	Republican				7	5.08			
	Jno. Jay	New York	Federalist				5	3.62			
	Jas. Fredell	North Carolina	Federalist				3	2.15			
	Geo. Washington	Virginia	Federalist				2	1.45			
	Jno. Henry	Maryland	Federalist				2	1.45			
	S. Johnson	North Carolina	Federalist				2	1.45			



Nov. 11, 1800.	Chas. C. Pinckney	South Carolina	Federalist	4 Feb. 11, 1801	1	138	72	.....
.....	Thos. Jefferson	Virginia	Republican	.....	16	.....	52.90	.....
.....	Aaron Burr	New York	Republican	.....	73	.....	52.90	.....
.....	Jno. Adams	Massachusetts	Federalist	.....	65	.....	47.10	.....
.....	Chas. C. Pinckney	South Carolina	Federalist	.....	64	.....	46.37	.....
.....	Jno. Jay	New York	Federalist	.....	1	138	.....	.....
Nov. 13, 1804.	Thos. Jefferson	Virginia	Republican	8 Feb. 13, 1805	15	162	92.05	.....
.....	Chas. C. Pinckney	South Carolina	Federalist	.....	2	116	7.95	.....
Nov. 5, 1805.	Jas. Madison	Virginia	Federalist	6 Feb. 5, 1809	12	122	60.71	.....
.....	Chas. C. Pinckney	South Carolina	Federalist	.....	5	47	26.86	.....
.....	Geo. Clinton	South Carolina	Federalist	.....	6	116	.....	.....
Nov. 10, 1812.	Jas. Madison	New York	Republican	7 Feb. 10, 1813	11	128	58.99	.....
.....	DeWitt Clinton	Virginia	Republican	.....	1	215	41.01	.....
Nov. 12, 1816.	Rufus King	New York	Federalist	8 Feb. 12, 1817	16	183	84.33	.....
.....	Jas. Monroe	Virginia	Republican	.....	3	221	15.67	.....
Nov. 14, 1820.	Jno. Q. Adams	New York	Federalist	9 Feb. 14, 1821	24	231	99.57	.....
.....	Andrew Jackson	Massachusetts	Opposition	.....	1	235	43	.....
Nov. 9, 1824.	Jno. Q. Adams	Tennessee	Coalition	10 Feb. 9, 1825	10	99	37.93	155,872,99.92
.....	Wm. H. Crawford	Massachusetts	Republican	.....	8	84	32.18	165,321,44.27
.....	Henry Clay	Georgia	Republican	.....	3	41	15.71	44,282,12.58
Nov. 11, 1828.	Andrew Jackson	Kentucky	Republican	.....	37	261	14.15	46,587,13.23
.....	Jno. Q. Adams	Tennessee	Democratic	11 Feb. 11, 1829	24	178	68.20	647,231,55.37
Nov. 13, 1832.	Andrew Jackson	Massachusetts	National-Republican	.....	9	83	31.80	509,097,44.03
.....	Henry Clay	Tennessee	Democratic	12 Feb. 13, 1833	24	210	76.57	687,502,54.96
.....	Jno. Floyd	Kentucky	National-Republican	.....	1	49	17.13	530,189,42.39
.....	Martin Van Buren	Virginia	Anti-Mason	.....	1	11	3.85	383,108,2.65
Nov. 8, 1836.	Wm. H. Harrison	Maryland	Anti-Mason	.....	1	288	2.45	761,549,50.83
.....	Hugh L. White	New York	Democratic	13 Feb. 8, 1837	26	170	57.82	.....
.....	Dan Webster	Ohio	Whig	.....	2	.....	24.83	.....
Nov. 10, 1840.	Martin Van Buren	Tennessee	Whig	.....	24	.....	8.85	736,656,49.17
.....	Jas. G. Birney	Massachusetts	Whig	.....	1	14	4.76	.....
Nov. 12, 1844.	Henry Clay	North Carolina	Whig	14 Feb. 19, 1841	26	11	3.14	1,275,017,52.89
.....	Jas. G. Birney	Ohio	Democratic	.....	11	234	79.59	1,128,702,46.82
.....	Zachary Taylor	New York	Liberty	.....	60	294	20.41	1,079,29
Nov. 7, 1848.	Lewis Cass	Tennessee	Democratic	15 Feb. 12, 1847	26	170	61.82	1,397,243,49.55
.....	Martin Van Buren	New York	Whig	.....	11	106	88.18	1,209,008,48.14
.....	Franklin Pierce	Kentucky	Liberty	.....	15	163	56.21	62,300,2.31
Nov. 2, 1852.	Winfield Scott	Louisiana	Whig	16 Feb. 14, 1849	30	15	43.79	1,360,101,47.36
.....	.....	Michigan	Democratic	.....	17	127	.....	1,220,544,42.50
.....	.....	New York	Free Soil	.....	21	290	58.81	291,263,10.14
.....	.....	New Hampshire	Democratic	17 Feb. 9, 1853	31	27	14.19	1,601,473,50.93
.....	.....	New Jersey	Whig	.....	4	42	.....	1,866,578,44.10

DATE OF ELECTION	CANDIDATES	STATE ELECTED FROM	POLITICAL PARTY	ELECTORS' VOTE COUNTED BY CONGRESS		STATES		ELECTORAL VOTE		POPULAR VOTE	PERCENTAGE FOR EACH CANDIDATE OF STATES	POPULAR VOTE	PERCENTAGE FOR EACH CANDIDATE
				Total	Division of	Total	Each Candidate						
Nov. 4, 1856.	Jno. P. Hale..... Jas. Buchanan..... John C. Fremont..... Millard Fillmore..... Abraham Lincoln.....	New Hampshire..... Pennsylvania..... California..... New York..... Illinois.....	Free Democratic..... Democratic..... Republican..... American..... Republican.....	19 Feb. 11, 1857	31	19	174	296	156,149	4.97	1,888,169	45.34	
Nov. 6, 1860.	Jno. C. Breckinridge..... Jno. Bell..... Steph. A. Douglas..... Abraham Lincoln..... Geo. B. McClellan..... Flysses S. Grant..... Horatio Seymour..... Ulysses S. Grant.....	Kentucky..... Illinois..... Tennessee..... New Jersey..... Illinois..... Illinois..... New York..... Illinois.....	Democratic..... Constitutional Union..... Ind. Democratic..... Republican..... Democrat..... Republican..... Democrat..... Republican.....	19 Feb. 13, 1861	383	11	72	296	1,806,352	39.91	874,584	21.57	
Nov. 5, 1872.	Horace Greeley..... Chas. O'Conor..... Jas. Black..... Thos. A. Hendricks..... B. Gratz Brown..... Chas. J. Jenkins..... David Davis..... Rutherford B. Hayes..... Sam'l J. Tilden..... Peter Cooper..... Green Clay Smith..... Jas. A. Garfield..... Winfield S. Hancock..... Jas. B. Weaver..... Neal Dow..... Jno. W. Phelps..... Grover Cleveland..... Jas. G. Blaine..... Jno. P. St. John..... Benj. F. Butler.....	New York..... New Jersey..... Pennsylvania..... Indiana..... Missouri..... Georgia..... Illinois..... Ohio..... New York..... New York..... Kentucky..... Ohio..... New York..... Iowa..... Maine..... Vermont..... New York..... Maine..... Kansas..... Massachusetts..... Indiana.....	Democrat and Liberal..... Democrat..... Temperance..... Democrat..... Democrat..... Independent..... Republican..... Democrat..... Greenback..... Prohibition..... Republican..... Democrat..... Greenback..... Prohibition..... American..... Democrat..... Republican..... Prohibition..... Greenback..... Republican.....	22 Feb. 12, 1873	57	6	8	286	2,884,079	43.83	589,581	12.61	
Nov. 3, 1880.	Ulysses S. Grant..... Rutherford B. Hayes..... James A. Garfield..... Grover Cleveland..... Benjamin Harrison.....	Illinois..... Ohio..... New York..... Ohio..... Indiana.....	Republican..... Republican..... Republican..... Republican..... Republican.....	21 Feb. 10, 1880	37	26	214	317	2,709,613	47.33	1,808,725	44.94	
Nov. 4, 1884.	James A. Garfield..... Grover Cleveland..... Benjamin Harrison.....	Ohio..... New York..... New York.....	Republican..... Democrat..... Democrat.....	24 Feb. 9, 1881	38	19	214	369	4,449,053	48.26	4,442,635	48.25	
Nov. 6, 1888.	James A. Garfield..... Grover Cleveland..... Benjamin Harrison.....	Ohio..... New York..... New York.....	Republican..... Democrat..... Democrat.....	22 Feb. 13, 1889	38	20	219	385	5,445,003	47.15	4,911,017	48.82	



## Explanatory Paragraphs to Presidential Elections.

1789. <sup>1</sup> Rhode Island with three votes and North Carolina with seven votes had not ratified the Constitution (see page 96). New York lost eight votes (see page 268); Maryland and Virginia had each two electors absent. For Electoral Vote for first President, see page 268.
1793. <sup>2</sup> The Vice-President opened and read the certificates, tellers verifying and tabulating the returns, the exclusive power of the Vice-President being exercised.
1797. <sup>3</sup> A joint committee to count the electoral votes inaugurated; Adams presided, opened and read the certificates, declaring himself elected President; 70 votes a majority, 71 votes cast for Adams.
1801. <sup>4</sup> One Maryland elector absent. Electors of both parties, with the exception of one Rhode Island elector (who cast his vote for Jay instead of Pinckney), voted equally for both candidates. Jefferson and Burr received each 73 votes, devolving the choice upon the House of Representatives. Nineteen ballots taken by the House on February 11, nine on the 12th, one on the 13th, one on the 14th, and one on the 15th; the thirty-sixth ballot on February 17 resulting in the choice of Jefferson as President, who received 55 votes as against 49 for Burr.

STATES	JEFFERSON		BURR	
	JEFFERSON	BURR	JEFFERSON	BURR
New Hampshire.....	4	1	Delaware.....	1
Vermont.....	1	1	Maryland.....	4
Massachusetts.....	3	11	Virginia.....	16
Rhode Island.....	2	2	North Carolina.....	9
Connecticut.....	7	7	South Carolina.....	5
New York.....	6	4	Georgia.....	1
New Jersey.....	3	2	Kentucky.....	2
Pennsylvania.....	9	4	Tennessee.....	1

The Federalists declined to vote (except those from New Hampshire, Massachusetts, Rhode Island, and Connecticut), which action gave to Jefferson Vermont and Maryland, divided Delaware and South Carolina, and left Burr the four New England States, as shown in the table above. See "1825."

1805. <sup>5</sup> The Vice-President did not count the electoral vote.
1809. <sup>6</sup> One Kentucky elector absent.

1813. <sup>7</sup> One Ohio elector absent.
1817. <sup>8</sup> Three Federalist electors of Maryland and one of Delaware absent. Indiana, which adopted a Constitution in June, and was admitted as a State December 11, 1816, with three electoral votes; question of rejection raised on the ground that Indiana, until admitted by formal act of Congress, was not a State for the purpose of the election, after adoption of a Constitution. By unanimous vote, matter indefinitely postponed, and her electoral votes admitted. See "Missouri," "1821."

1821. <sup>9</sup> Pennsylvania, Mississippi, and Tennessee, each had one electorship vacant, owing to the death of the member between appointment and the meetings of the electors.

A contention on the three electoral votes of Missouri took place, which State had adopted a Constitution in July, 1820, but had not been proclaimed a State until August 10, 1821, not having fulfilled conditions exacted of it by Congress as a prerequisite to admission; that in the case of Indiana (see "1817"), although not fully admitted as a State at the time the electors voted, she was a State in full standing when the electoral votes were counted; whereas with Missouri there was not even a pledge that its legislature would accept the Congressional conditions exacted. A joint committee of Congress appointed to ascertain and report a mode of examining votes, as heretofore the custom; the Committee reported an additional resolution to former procedure:—

*Resolved*, That if any objection be made to the votes of Missouri, and the counting, or omitting to count, which shall not essentially change the result of the election, in that case they should be reported by the President of the Senate in the following manner: Were the votes of Missouri to be counted, the result would be, for A.B. for President of the United States, — votes; if not counted, for A.B. for President of the United States, — votes. But in either event A.B. is elected President of the United States. And in the same manner for Vice-President.

The three electoral votes of Missouri were counted.

[This was called "Counting in the Alternative" (see page 217, also "1837," "1869," and "1881" in this article).]

1825. <sup>10</sup> No candidate obtained a majority of the electoral votes for President. Jackson received 99; J. Q. Adams, 84; W. H. Crawford, 41; H. Clay, 37; necessary to a choice, 118. The choice of President devolved for the second time upon the House of Representatives (see "1801") from the three candidates receiving the highest number of votes (Constitution, Art. II., Sec. 3).

John Quincy Adams chosen on the first ballot.

STATES				STATES			
	ADAMS	JACKSON	CRAWFORD		ADAMS	JACKSON	CRAWFORD
Maine . . . . .	7	...	...	North Carolina . . . . .	1	2	10
New Hampshire . . . . .	6	...	...	South Carolina . . . . .	9	...	...
Vermont . . . . .	5	...	...	Georgia . . . . .	...	...	7
Massachusetts . . . . .	12	1	...	Alabama . . . . .	3	...	...
Rhode Island . . . . .	2	...	...	Mississippi . . . . .	1	...	...
Connecticut . . . . .	6	...	...	Louisiana . . . . .	2	1	...
New York . . . . .	18	2	14	Kentucky . . . . .	6	4	...
New Jersey . . . . .	1	5	...	Tennessee . . . . .	...	9	...
Pennsylvania . . . . .	1	25	...	Missouri . . . . .	1	...	...
Delaware . . . . .	...	...	1	Ohio . . . . .	10	2	2
Maryland . . . . .	5	3	1	Indiana . . . . .	...	3	...
Virginia . . . . .	1	1	19	Illinois . . . . .	1	...	...
				Total	87	71	54

John C. Calhoun was chosen Vice-President by the electors, having received 182 votes as against 30 for Sanford, 24 for Macon, 13 for Jackson, 9 for Van Buren, and 2 for Clay.

Statistics showing the "popular vote" for the several candidates were first published in connection with this election; no reliable results, particularly incident to many electors being appointed by the legislatures, as Vermont, New York, Delaware, South Carolina, Georgia, and Louisiana, whose "popular vote" does not enter into the following tables:—

	Greeley's Whig Almanac	Official returns (?)	Herein published
Jackson . . . . .	152,899	152,901	155,872
Adams . . . . .	105,321	114,023	105,321
Crawford . . . . .	47,265	46,979	44,282
Clay . . . . .	47,087	47,217	46,587

1829. <sup>11</sup> Vermont, New York, Georgia, and Louisiana changed to a "popular" election. Popular vote of Delaware and South Carolina not considered, as electors chosen by the legislature.

1833. <sup>12</sup> Delaware changed to "popular" election. Popular vote of South Carolina not considered, as electors chosen by the legislature, and Alabama made no report, considering it unimportant, as there was no opposition. Her electors voted for Jackson.

1837. <sup>13</sup> The vote of Michigan announced in the alternative by the House, there having been a division as to whether that State was or was not a State for the purposes of the election (see "1821"). She was formally admitted January 26, 1837, which made her a State at the time of the electoral count.

No person had a majority of votes for Vice-President ; the electoral vote as cast being Johnson 147, Granger 77, Tyler 47, and Smith 23 votes. The choice therefore devolved upon the Senate to be selected from the two highest, Johnson and Granger. By a vote of 33 to 16 Johnson chosen ; the only occasion upon which the selection of a Vice-President has devolved upon the Senate.

Popular vote of South Carolina not considered, as electors chosen by the legislature.

1841. <sup>14</sup> Popular vote of South Carolina not considered, as electors chosen by the legislature.
1845. <sup>15</sup> Popular vote of South Carolina not considered, as electors chosen by the legislature.
1849. <sup>16</sup> Popular vote of South Carolina not considered, as electors chosen by the legislature.
1853. <sup>17</sup> Popular vote of South Carolina not considered, as electors chosen by the legislature.
1857. <sup>18</sup> The electors of Wisconsin, on account of a severe snow-storm, were prevented from meeting on December 3, so cast their votes on December 4, upon which irregularity an objection raised at the official count, upon the presentation in the House of the vote of that State ; under a ruling of the President *pro tempore* of the Senate debate was not in order "while the tellers were counting the votes ;" he recapitulated the votes giving Buchanan and Breckenridge 174 each and Frémont and Dayton 114 each (which included the five votes of Wisconsin), and declared the election of Buchanan and Breckenridge ; his action caused protests on all sides and much debate, resulting in no change in the results as declared by the Chairman.

Popular vote of South Carolina not considered, as electors chosen by the legislature.

1861. <sup>19</sup> Popular vote of South Carolina not considered, as electors chosen by the legislature.
1865. <sup>20</sup> The following joint resolution passed both Houses of Congress in January, 1865, to fix the status of the States that had seceded from the Union, until their governments had been duly reconstructed by Congress :—

WHEREAS, The inhabitants and local authorities of the States of Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Texas, Arkansas, and Tennessee rebelled against the Government of the United States, and were in such condition on the 8th day of November, 1864, that no valid election of electors for President and Vice-President of the United States, according to the Constitution and laws thereof, was held therein on said day ; therefore,

*Be it resolved*, By the Senate and House of Representatives of the United States of America in Congress assembled, that the States mentioned in the preamble to this joint resolution are not entitled to representation in the Electoral College for the choice of President and Vice-President of the United States for the term commencing on the 4th day of March, 1865, and no electoral votes shall be received or counted from said States concerning the choice of President and Vice-President for said term of office.

The electoral votes of the eleven States covered by the above resolution were Virginia, 10; North Carolina, 9; South Carolina, 6; Georgia, 9; Florida, 3; Alabama, 8; Mississippi, 7; Louisiana, 7; Texas, 6; Arkansas, 5; Tennessee, 10; total, 80 votes. One of the electors of Nevada died, the State casting but two electoral votes.

During the reading of the votes, the Vice-President replied to an inquiry of one of the Senators: "The Chair has in his possession returns from the States of Louisiana and Tennessee, but in obedience to the law of the land, the Chair holds it to be his duty not to present them to the convention." The votes were not presented. These two governments had, in a measure, been recognized by the President, a State government being in full operation in Louisiana, and an election in Tennessee had been ordered by the Governor; but Congress viewed the results as pretended elections, claiming the electoral votes were cast by a handful of men, many not full citizens.

Popular vote of 25 States is shown; this includes the votes of the soldiers absent at the time from their respective States with the army, as follows:—

STATES	Repub- lican	Democ- ratic	STATES	Repub- lican	Democ- ratic
California .....	2,600	237	New Hampshire .....	2,066	690
Iowa .....	15,178	1,364	Ohio .....	41,146	9,757
Kentucky .....	1,194	2,823	Pennsylvania .....	26,712	12,349
Maine .....	4,174	741	Vermont .....	243	49
Maryland .....	2,800	321	Wisconsin .....	11,372	2,458
Michigan .....	9,402	2,959	Totals .....	116,887	33,748

1869. <sup>21</sup> Electoral votes of Mississippi, Texas, and Virginia excluded, as at the time of election neither State had adopted a Constitution "since the 4th of March, 1867," under which a State government had been organized and the election held under authority of the Government, the State becoming entitled to representation in Congress under the reconstruction laws. See "Reconstruction," page 254.

Georgia's electoral vote counted in the alternative (see "1821") by a special concurrent resolution, February 6, 1869.



“Popular vote” of Florida not considered, as electors chosen by the legislature; Mississippi, Texas, and Virginia not included for reasons as given.

The popular vote as canvassed in New York gave a Democratic majority of exactly ten thousand, which evenness in figures was credited to “irregularities,” and so accepted. This was the period of the “Tweed Ring.”

1873. <sup>22</sup> Three of the electoral votes of Georgia cast for Greeley rejected, as he was dead at the time the votes were cast (died November 29, 1872) and therefore ineligible as a candidate for the presidential office. Electoral vote of Mississippi objected to, as the certificates did not state that the electors voted by ballot, and that one vote was cast by an elector chosen to fill a vacancy, the choice of whom was certified by the Secretary of State only upon information and not of his own knowledge. After a debate, vote counted. Vote of Missouri objected to, as apparently votes were cast for Brown, both as President and as Vice-President, the count recording for *President*: Hendricks, 6; Brown, 8; Davis, 1; for *Vice-President*: Brown, 6; Julian, 5; Palmer, 3; Groesbeck, 1. The ground of the objection, that it was contrary to the provision of the Constitution (Art. II., Sec. I) that electors shall vote for two persons, “one of whom at least shall not be an inhabitant of the same State with themselves.” It being shown by certification no elector who voted for Brown as *President* voted for him as *Vice-President*, the vote of Missouri was counted. Vote of Texas objected to because not certified by the Governor as the law required, the certificate having been made by the acting Secretary of State; further, that four of the eight electors, not constituting a majority, had met and filled vacancies; Texas vote counted. The electoral vote of Arkansas and Louisiana rejected; Arkansas returns being certified by the Secretary of State only, his office seal the only one borne by the papers; Louisiana had two returning boards, two sets of electors met, voted, and sent their returns, both sets objected to by both Houses. Arkansas with 6 votes, Louisiana with 8 votes, and Georgia with 3 votes, were excluded; total, 17.

The action of Congress in excluding the electoral vote of Arkansas and Louisiana should affect the recorded popular vote, as their action was equivalent to a declaration of no vote of those States. The popular vote was as follows: Louisiana, Grant, 71,663; Greeley, 57,029; Arkansas, Grant, 41,927; Greeley, 37,927; which should reduce the total as printed in

table to read: Grant, 3,484,034; Greeley, 2,739,123; no votes were cast in either of the two States for any other candidate.

1877. <sup>23</sup> The joint rule of Congress that heretofore prevailed became a matter of dispute, the Senate voting to rescind it, the Republicans asserting the President of the Senate alone had the right to count the votes. The compromise effected was the establishment of a tribunal, as evenly divided politically as possible, which should decide all disputed questions so far as the Constitution gave authority to Congress to decide them.

#### ELECTORAL COMMISSION.

Created by Act of Congress January 29, 1877.

An Act to provide for and regulate the counting of votes for President and Vice-President, and the decision of questions arising thereon, for the term commencing March 4, A.D. 1877.

(Democrats in Italics.)

#### SENATE.

George F. Edmunds of Vermont.  
Oliver P. Morton of Indiana.  
Frederick T. Frelinghuysen of New Jersey.  
*Allan G. Thurman* of Ohio.  
*Thomas F. Bayard* of Delaware.  
*Francis Kernan* of New York, substituted February 26, for Mr. Thurman, who was incapacitated by sickness.

#### HOUSE OF REPRESENTATIVES.

James A. Garfield of Ohio.  
George F. Hoar of Massachusetts.  
*Henry B. Payne* of Ohio.  
*Eppa Hunton* of Virginia.  
*Josiah G. Abbott* of Massachusetts.

#### SUPREME COURT.

Justice *Nathan Clifford*.  
Justice William Strong.  
Justice Samuel F. Miller.  
Justice *Stephen J. Field*.  
Justice Joseph P. Bradley.

The latter selected as the fifth member, agreeable to Section 2 of the Act. Justice Clifford was elected President of the Commission.

OATH: "I, —, do solemnly swear (or affirm as the case may be) that I will impartially examine and consider all questions submitted to the commission of which I am a member, and a true judgment given thereon, agreeable to the Constitution and the laws, so help me God."

The electoral count began February 1, 1877, proceeding in alphabetical order of States, according to law. Florida's vote met with contention, the Commission by a strictly party vote deciding the four Hayes electors were duly appointed, and that their votes were the constitutional votes. Louisiana's vote brought discussion, as there were two sets of

returns showing different results, virtually two governments in the State: one, known as the Kellogg government, which had been recognized by every department of the United States Government as the true government of the State; the other, under which John McEnery was asserted to be the lawful governor. The Commission decided in favor of the Kellogg returns, which went to the credit of the Republicans. Michigan and Nevada met objections from the Democrats, alleging that one of the persons chosen by the people held a Federal office at time of appointment, that the act of other electors filling the vacancy was not legal. Objection overruled by both Houses. Oregon's vote was referred to the Electoral Commission, who rejected unanimously the "made-up" vote of the Tilden electors; by a vote of eight to seven they declared the full board of Hayes electors the legal electors. Pennsylvania had one elector, and, because he had been a "Centennial" commissioner, the other electors treated the place as vacant, and chose another person to act in his stead. This action alleged to be illegal; both Senate and House agreed to a full count of the State. Rhode Island had a similar case to Pennsylvania's. South Carolina's votes were referred to the Commission, who unanimously voted the Tilden electors as not the true electors, and by a vote of eight to seven declared the Hayes electors were the constitutional board. Vermont and Wisconsin each had substituted an alleged ineligible person, a party not chosen by the people; votes of both States counted. The count began February 1 and ended on the morning of March 2, when the Republican candidates, as the result of the most extraordinary vote in the history of the country, were declared elected by a majority of one electoral vote.

The "popular vote" of Colorado not considered, as her electors were chosen by the legislature. Florida and Louisiana had two counts, *i.e.* Republican and Democrat, which affects the figures shown in the table to the extent as each may be considered. Those in the table are based on the Republican count of these two States; the decision of the Electoral Commission decided the electoral vote as Republican.

	<i>Hayes.</i>	<i>Tilden.</i>
<i>Florida.</i>		
Republican count.....	22,927	23,849
Democratic count .....	24,434	24,340
<i>Louisiana.</i>		
Republican count.....	70,508	75,315
Democratic count .....	83,723	77,174
Total Republican count....	4,033,950	4,284,885
Total Democratic count....	4,036,298	4,300,590

1881. <sup>24</sup> As the electoral votes of Georgia had been cast on the second Wednesday in December, they were "counted in the alternative." See "1821."

"Popular vote" includes every State. In Louisiana there were two Republican tickets; in Virginia two Democratic tickets, the Regular and Readjuster (*q.v.*, page 184); the Regular polling 96,912 votes, the Readjuster 31,674 votes.

1889. <sup>25</sup> The electoral count was completed under the Act of February 3, 1887 (see page 277). This was the first count on the part of Congress, regulated by a general law, in the history of the Government under the Constitution.

Of the "popular vote" there have been three "official returns" published:—

	HAND-BOOK OF McPHERSON	CYCLOPEDIA OF APPLETON	HEREIN PUBLISHED
Cleveland .....	5,536,242	5,540,329	5,539,764
Harrison .....	5,440,708	5,439,853	5,445,003
Fisk .....	246,876	249,506	250,538
Streeter .....	146,836	146,935	146,693
Curtis .....	1,591	1,591	1,615
Cowdrey .....	3,073	3,073	3,081
Socialist and scattering ..	9,845	.....	9,760
Total.....	11,385,171	11,381,287	11,396,454

1893. <sup>26</sup> Michigan chose electors by districts, a device toward securing a few electors to a party who were conscious of being in the minority. The Supreme Court of the State declared constitutionality of the Act of State legislature as legally within the power of that body.

The "popular vote" as exhibited is the accepted choice of several "official returns" by reason of coalitions in various States. The Cleveland vote does not exhibit any popular vote as being cast in Colorado, Idaho, Kansas, North Dakota, and Wyoming; similarly with the Harrison vote in Florida.

Louisiana's "popular vote" for Harrison was 13,281; Weaver, 13,282; the fusion of the Populists with Republicans dividing the vote, the fusion electors received 26,563 votes.

1896. <sup>27</sup> The Bryan and Watson popular vote was 222,583, which is included in the Bryan figures of 6,509,052.

Appleton's Cyclopaedia gives the divisions of the popular vote as—

McKinley .....	7,104,244
Bryan .....	6,506,835
Palmer .....	134,652
Levering .....	144,606
Matchett.....	36,416
National .....	13,969

1900. <sup>28</sup> Appleton's Cyclopedia notes the popular vote as divided :—

Republicans .....	7,206,677
Democrats .....	6,374,397
Prohibitionists .....	208,555
Social Democrats .....	84,063
Social Labor .....	39,537
Middle-of-the-Road Populists ..	50,373
Union Reform.....	5,698
United Christian.....	1,060

TELLERS' PRO FORMA OF ELECTORAL COUNT.

The undersigned ——— and ——— tellers on the part of the Senate, and ——— and ——— tellers on the part of the House of Representatives, report the following as the result of the ascertainment and counting of the electoral vote for President and Vice-President of the United States for the term beginning March 4, ———.

STATE	NUMBER OF ELECTORAL VOTES TO WHICH EACH STATE IS ENTITLED	FOR PRESIDENT				FOR VICE-PRESIDENT			
Total									

Tellers on the part of the Senate.

Tellers on the part of the House of Representatives.

## CANDIDATES FOR VICE-PRESIDENT.

Prior to 1804, the candidate for President receiving the next highest of the electoral votes became the Vice-President of the United States. See "Amendment XII," also "Presidential Elections," page 294.  
The successful candidate indicated by an asterisk (\*).

1804.	Jefferson.	Vice-President :	* George Clinton, of N.Y.
	Pinckney.	"	Rufus King, of N.Y.
1808.	Madison.	"	* George Clinton, of N.Y.
	Pinckney.	"	Rufus King, of N.Y.
	Clinton.	"	James Madison, of Va.
1812.	Madison.	"	* Elbridge Gerry, of Mass.
	Clinton.	"	Jared Ingersoll, of Pa.
1816.	Monroe.	"	Daniel D. Tompkins, of N.Y.
	King.	"	John Eager Howard, of Md.
1820.	Monroe.	"	* Daniel D. Tompkins, of N.Y.
	Adams.	"	Richard Stockton, of N.J.
1824.	Jackson.	"	* John C. Calhoun, of S.C.
	Adams.	"	Nathan Sanford, of N.Y.
	Crawford.	"	Andrew Jackson, of Tenn.
	Clay.	"	Nathaniel Macon, of N.C.
1828.	Jackson.	"	* John C. Calhoun, of S.C.
	Adams.	"	Richard Rush, of Pa.
1832.	Jackson.	"	* Martin Van Buren, of N.Y.
	Clay.	"	John Sergeant, of Pa.
	Floyd.	"	Henry Lee, of Mass.
	Wirt.	"	Ames Ellmaker, of Pa.
1836.	Van Buren.	"	* Richard M. Johnson, of Ky.
	Harrison.	"	Francis Granger, of N.Y.
	White.	"	John Tyler, of Va.
	Webster.	"	Wm. Smith, of Ala.
	Mangum.	"	"
1840.	Harrison.	"	* John Tyler, of Va.
	Van Buren.	"	R. M. Johnson, of Ky.
	Birney.	"	L. W. Tazewell, of Va.
1844.	Polk.	"	* Geo. M. Dallas, of Pa.
	Clay.	"	T. Frelinghuysen, of N.J.
	Birney.	"	Thos. Morris, of Ohio.
1848.	Taylor.	"	* Millard Fillmore, of N.Y.
	Cass.	"	Wm. O. Butler, of Ky.
	Van Buren.	"	Chas. F. Adams, of Mass.
1852.	Pierce.	"	* Wm. R. King, of Ala.
	Scott.	"	Wm. A. Graham, of N.C.
	Hale.	"	Geo. W. Julian, of Ind.
1856.	Buchanan.	"	* John C. Breckenridge, of Ky.

	Frémont.	Vice-President :	Wm. L. Dayton, of N.J.
	Fillmore.	“	Andrew T. Donelson, of Tenn.
1860.	Lincoln.	“	* Hannibal Hamlin, of Me.
	Breckenridge.	“	Joseph Lane, of Ore.
	Douglas.	“	Herschel V. Johnson, of Ga.
	Bell.	“	Edward Everett, of Mass.
1864.	Lincoln.	“	* Andrew Johnson, of Tenn.
	McClellan.	“	Geo. H. Pendleton, of Ohio.
1868.	Grant.	“	* Schuyler Colfax, of Ind.
	Seymour.	“	Francis P. Blair, Jr., of Mo.
1872.	Grant.	“	* Henry Wilson, of Mass.
	Greeley.	“	B. Gratz Brown, of Mo.
	O’Conor.	“	Jno. Q. Adams, of Mass.
	Blaek.	“	John Russell, of Mich.
	Hendricks.	“	Geo. W. Julian, of Ind.
	Brown.	“	A. H. Colquitt, of Ga.
	Jenkins.	“	John M. Palmer, of Ill.
	Davis.	“	Thos. E. Bramlette, of Ky.
1876.	Hayes.	“	* William A. Wheeler, of N.Y.
	Tilden.	“	Thos. A. Hendricks, of Ind.
	Cooper.	“	Samuel F. Cary, of Ohio.
	Smith.	“	Gideon T. Stewart, of Ohio.
1880.	Garfield.	“	* Chester A. Arthur, of N.Y.
	Hancock.	“	Wm. H. English, of Ind.
	Weaver.	“	B. J. Chambers, of Tex.
	Dow.	“	H. A. Thompson, of Ohio.
	Phelps.	“	S. C. Pomeroy, of Kan.
1884.	Cleveland.	“	* Thos. A. Hendricks, of Ind.
	Blaine.	“	John A. Logan, of Ill.
	St. John.	“	Wm. Daniel, of Md.
	Butler.	“	A. M. West, of Miss.
1888.	Harrison.	“	* Levi P. Morton, of N.Y.
	Cleveland.	“	Allen G. Thurman, of Ohio.
	Fisk.	“	John A. Brooks, of Mo.
	Cowdrey.	“	W. H. T. Wakefield, of Kan.
	Streeter.	“	C. E. Cunningham, of Ark.
	Curtis.	“	James B. Greer, of Tenn.
1892.	Cleveland.	“	* Adlai E. Stevenson, of Ill.
	Harrison.	“	Whitelaw Reid, of N.Y.
	Weaver.	“	Jas. G. Field, of Va.
	Bidwell.	“	Jas. B. Cranfill, of Tex.
	Wing.	“	Chas. H. Matchett, of N.Y.
1896.	McKinley.	“	* Garret A. Hobart, of N.J.
	Bryan.	“	Arthur Sewall, of Me.

	Bryan.	Vice-President :	Thomas E. Watson, of Ga.
	Palmer.	“	Simon B. Buckner, of Ky.
	Levering.	“	Hale Johnson, of Ill.
	Matchett.	“	Matthew Maguire, of N.J.
	Bentley.	“	Jas. H. Southgate, of N.C.
1900.	McKinley.	“	* Theodore Roosevelt, of N.Y.
	Bryan.	“	Adlai E. Stevenson, of Ill.
	Woolley.	“	Henry B. Metcalf, of Ohio.
	Debs.	“	Job Harriman, of Cal.
	Barker.	“	Ignatius Donnelly, of Minn.
	Malloney.	“	Valentine Rummel, of Pa.
	Ellis.	“	Samuel T. Nicholas, of Pa.
	Leonard.	“	Jno. G. Woolley, of Ill.
1904.	Roosevelt	“	* C. W. Fairbanks, of Ind.
	Parker	“	Henry G. Davis, of W. Va.
	Debs	“	Benj. Hanford, of N.Y.
	Swallow	“	Geo. W. Carroll, of Texas.
	Watson	“	Thos. H. Tibbles, of Neb.
	Corregan	“	Wm. W. Cox, of Ill.
1908.	.....		
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INAUGURATION DAY.

After the ratification of the Constitution of the United States by eleven States, the Congress of the Old Confederation, by a vote on September 13, 1788,

“ *Resolved*, That the first Wednesday in January next be the day for appointing electors in the several States, which, before the said day, shall have ratified the said Constitution ; that the first Wednesday in February next be the day for the electors to assemble in their respective States, and vote for a President ; and that the first Wednesday in March next be the time, and the present seat of Congress [New York] the place for commencing the proceedings under the said Constitution.” (Page 96.)

The “ first Wednesday ” in March, 1789, was the fourth day of the month. Congress enacted in 1792 : “ That the term of four years for which the President and Vice-President shall be elected, shall in all cases com-



mence on the fourth day of March next succeeding the day on which the votes of the Electors shall have been given." Amendment XII. makes this day a part of the Constitution itself.

It was therefore by a resolution of the Congress of the Confederation, and not by a provision in the Constitution of the United States, "the first Wednesday in March . . . for commencing [the proceedings] under the said Constitution" happening to be March 4th, that the beginning and the end of successive administrations were fixed. See "Presidential Term," page 272.

The date seldom falls on Sunday, having so far fallen on that day but three times: the first, the second inaugural of Monroe, the fifth President, March 4, 1821; the second, when Zachary Taylor was made President, March 4, 1849; the third, R. B. Hayes, March 4, 1877. This will happen three times during each century, or one year after every seven leap years, except when, passing from one century to another, there is a slight variation, as noted in the following dates of the past and future inaugurations of the first four centuries of the Republic:—

March 4, 1821	March 4, 1945	March 4, 2057
" 1849	" 1973	" 2085
" 1877	" 2001	" 2125
" 1917	" 2029	" 2153

[Mr. Robert C. Winthrop, in his oration at the dedication of the Washington Monument, recalled the fact that Washington was inaugurated as first President of the United States on April 30, and that date should be the date selected as Inauguration Day.]

## INAUGURATIONS.<sup>1</sup>

With the ceremony of inauguration, there is issued no commission or proclamation to give official information of a change of administration. Beyond requiring the oath and fixing a day the President shall enter on the duties of his office, neither the Constitution nor the laws make any provision for the inauguration of the President.

It is the general custom, as inauguration day draws near, that a committee of Senators and Representatives is appointed to have in charge the arrangements. They usually have correspondence with the President-elect as to his personal wishes.

When the proper time arrives, the President-elect appears in Washington and calls upon the President a day or two before the day of inauguration. On the morning of March 4th, the President calls at the temporary residence of the President-elect, and rides with him to the Senate wing of

<sup>1</sup> *Inauguratio* was, in general, the Roman ceremony by which the augurs obtained, and endeavored to obtain, the sanction of the gods to something which had been decreed by man; in particular, however, it was the ceremony by which persons or things were consecrated to the gods. Not only were priests inaugurated, but also the higher magistrates, who for the purpose were summoned by the augurs to appear on the capitol, on the third day after their election. This *inauguratio* conferred no priestly dignity upon the magistrates, but was merely a method of obtaining the sanction of the gods to their election, and gave them the right to take *auspicia*; on important emergencies it was their duty to make use of this privilege.

the Capitol, where, in the President's room, the Committee of Arrangements meet them; later escorting them to the Senate Chamber. *This is the first official information* the President-elect receives that he is to become President of the United States. Before taking the oath the President-elect delivers an inaugural address, which is not an official paper, and is not required by law.

To Washington's first inaugural address each House made a return address, and Washington a reply. No similar exchange of courtesies has since taken place.

The form of inaugural address is "My Fellow-citizens," as Congress, in the usual course of things, is not in session when the President takes the oath of office, his address being to the people.

At Washington's inauguration, Congress being assembled, he took the oath before the people, and then retired within the building (Federal Hall, New York) to the Senate Chamber, where he delivered his address.

Following the address, the oath is taken on the open Bible, and sworn to before a Justice of the Supreme Court of the United States. This latter act makes the citizen "the President of the United States." There is not a scrap of paper executed to show his authority as President.

The Constitution does not state by whom the oath shall be administered, but courtesy has given the privilege to the Chief Justice of the Supreme Court of the United States. Washington, at his two inaugurations, and that of Tyler, Fillmore, and Roosevelt are the only exceptions. Arthur had the oath administered by a Supreme Court Justice of New York, but later had it publicly taken by a Chief Justice of the United States. The oath, when publicly performed, was in the presence of members of the Supreme Court, the two Houses of Congress sitting in joint session, and such other public men as were entitled to the floor of the Senate by the rules of that body.

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### Oath.

"I, \_\_\_\_\_, do solemnly swear (or affirm) that I will faithfully execute the Office of President of the United States, and will to the best of my ability, preserve, protect and defend the Constitution of the United States." (Constitution, Art. II., Sec. 1, Cl. 8.)

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I. GEORGE WASHINGTON was inaugurated President of the United States on a portico in front of the Senate Chamber, Thursday, April 30, 1789, in the Federal Building, facing Broad Street, in the City of New York. The oath of office administered to him by Robert R. Livingston, Chancellor of the State of New York, who exclaimed when the oath was taken, "Long live George Washington, President of the United States."

II. GEORGE WASHINGTON for a second term, in the Senate Chamber, Monday, March 4, 1793, in the Old Federal Hall, in the city of Philadelphia. Oath of office administered by William Cushing, of Massachu-

sets, an Associate Justice of the Supreme Court of the United States. A question was raised upon this occasion whether the oath of office should be taken by General Washington privately or in public, and was discussed in a Cabinet meeting, which decided for the public inauguration.

III. JOHN ADAMS, in the Chamber of the House of Representatives, Congress Hall, Saturday, March 4, 1797, in the City of Philadelphia. Oath of office administered by Oliver Ellsworth, Chief Justice of the United States.

IV. THOMAS JEFFERSON, in the Senate Chamber of the Capitol, Wednesday, March 4, 1801, in the City of Washington. Oath of office administered by John Marshall, Chief Justice of the United States.

V. THOMAS JEFFERSON for a second term, in the Senate Chamber, Washington, Monday, March 4, 1805, by Chief Justice John Marshall. No proceedings at this inauguration are recorded in the journals of either House of Congress, and the only reference to the subject is the following entry in the Journal of the House of Representatives of March 1, 1805, Vol. V., page 158: "The speaker laid before the house a letter addressed to him signed 'Th: Jefferson' notifying that 'he shall take the oath which the Constitution prescribes to the President of the United States, before he enters on the execution of his office on Monday, the 4th instant, at 12 o'clock, in the Senate Chamber.'"

VI. JAMES MADISON, in the Chamber of the House of Representatives, Washington, Saturday, March 4, 1809, in accordance with a written notice sent by him to the President of the Senate, to be laid before that body, and dated March 2d, 1809. Oath of office administered by Chief Justice John Marshall.

VII. JAMES MADISON for a second term, Thursday, March 4, 1813. Of this inauguration no notice or reference whatever is to be found in the journals of the Senate or House of Representatives, but from the *National Intelligencer* of March 6th, it appears to have taken place in the Representatives Hall, and the oath administered to him by Chief Justice Marshall.

VIII. JAMES MONROE, Tuesday, March 4, 1817. Oath administered by Chief Justice John Marshall, on a platform erected for the purpose, in front of the eastern portico of the Capitol at Washington.

IX. JAMES MONROE for a second term, in the Hall of Representatives, Monday, March 5, 1821. Here the 4th of March came on Sunday. There is nothing in the journals of either House in regard to the ceremonies, the only reference being in the report of the Joint Committee appointed to wait upon him, to notify him of his reelection, in which the committee say he informed them that he would "take the oath of office in the Hall of the House of Representatives at 12 o'clock on Monday next, March 5, 1821." Oath administered by Chief Justice Marshall.

X. JOHN QUINCY ADAMS, in the Hall of the House of Representatives, Friday, March 4, 1825. Oath of office administered by Chief Justice Marshall.

XI. ANDREW JACKSON, on the eastern portico of the Capitol, Wednesday, March 4, 1829. Oath administered by Chief Justice Marshall.

XII. ANDREW JACKSON for a second term, in the Hall of the House of Representatives, Monday, March 4, 1833. Oath administered by Chief Justice Marshall. There is no reference to this inauguration in either Journal of the Houses. Above taken from the *National Intelligencer* of March 5, 1833.

XIII. MARTIN VAN BUREN, on the eastern portico of the Capitol, Saturday, March 4, 1837. Oath administered by Chief Justice Taney.

XIV. WILLIAM HENRY HARRISON, on the eastern portico of the Capitol, Thursday, March 4, 1841. Oath administered by Chief Justice Taney.

JOHN TYLER, inaugurated 12 noon, Tuesday, April 6, 1841, at Brown's Indian Queen Hotel, Washington. Oath administered by Judge Cranch of the Circuit Court of the District of Columbia. Tyler was at Williamsburg, Va., at the time of President Harrison's death, and on hearing through the Cabinet of his death, hastened to Washington, reaching the White House at 4 A. M., April 6.

This being the first occasion of a Vice-President being called on to take the oath prescribed in the Constitution for the President, it was taken in full legal form.

I do solemnly swear that I will faithfully execute the office of President of the United States, and will, to the best of my ability, preserve, protect, and defend the Constitution of the United States.

JOHN TYLER.

April 6, 1841.

Accompanying the oath, the following certificate : —

DISTRICT OF COLUMBIA,  
City and County of Washington. } ss. :

I, William Cranch, Chief Judge of the Circuit Court of the District of Columbia, certify that the above-named John Tyler, personally appeared before me this day, and although he deems himself qualified to perform the duties and exercise the powers and office of President, on the death of William Henry Harrison, late President of the United States, without any other oath than that which he has taken as Vice-President, yet, as doubts may arise, and for greater caution, took and subscribed the foregoing oath before me.

W. CRANCH.

April 6, 1841.

XV. JAMES KNOX POLK, on the eastern portico of the Capitol, Tuesday, March 4, 1845. Oath administered by Chief Justice Taney.

XVI. ZACHARY TAYLOR, on the eastern portico of the Capitol, Monday, March 5, 1849. Here for the second time March 4th came on Sunday. Oath administered by Chief Justice Taney.

MILLARD FILLMORE, in the Hall of the House of Representatives, 12 A. M., Wednesday, July 10, 1850. Oath administered by Judge William Cranch.

XVII. FRANKLIN PIERCE, on the eastern portico of the Capitol, Friday, March 4, 1853. Oath administered by Chief Justice Taney.

XVIII. JAMES BUCHANAN, on the eastern portico of the Capitol, Wednesday, March 4, 1857. Oath administered by Chief Justice Taney.

XIX. ABRAHAM LINCOLN, on the eastern portico of the Capitol, Monday, March 4, 1861. Oath administered by Chief Justice Taney.

XX. ABRAHAM LINCOLN for a second term, on the eastern portico of

the Capitol, Saturday, March 4, 1865. Oath administered by Chief Justice Chase.

ANDREW JOHNSON, in his rooms at the Kirkwood House, Washington, D.C., 10 A.M., Saturday, April 15, 1865. Oath administered by Chief Justice Chase.

XXI. ULYSSES SIMPSON GRANT, on the eastern portico of the Capitol, Thursday, March 4, 1869. Oath of office administered by Chief Justice Chase.

XXII. ULYSSES SIMPSON GRANT for a second term, on the eastern portico of the Capitol, Tuesday, March 4, 1873. Oath administered by Chief Justice Chase.

XXIII. RUTHERFORD BIRCHARD HAYES, in the White House, at 7.05 P.M., Saturday, March 3, 1877. Oath administered by Chief Justice Waite. Here again Sunday came March 4th. It being decided in common law that Sunday is a *dies non*, although not so recognized in legislative matters, it was thought safest to administer the oath the day preceding, to enable prompt action of executive in case of insurrection, riot, and other causes. Oath of office publicly taken March 5, 1877, same being administered by Chief Justice Waite.

XXIV. JAMES ABRAM GARFIELD, on eastern portico of the Capitol, Friday, March 4, 1881. Oath administered by Chief Justice Waite.

CHESTER ALLEN ARTHUR, at his residence, 123 Lexington Avenue, New York, 2 A.M., Tuesday, September 20, 1881, the oath being administered by Hon. Jno. R. Brady, a Justice of the New York Supreme Court, N.Y. The oath was repeated in the Vice-President's room at the Capitol, Washington, September 22, 1881; administered by Chief Justice Waite.

XXV. GROVER CLEVELAND, on the eastern portico of the Capitol, Wednesday, March 4, 1885. Oath administered by Chief Justice Waite.

XXVI. BENJAMIN HARRISON, on eastern portico of the Capitol, Monday, March 4, 1889. Oath administered by Chief Justice Fuller.

XXVII. GROVER CLEVELAND, on eastern portico of the Capitol, Saturday, March 4, 1893. Oath administered by Chief Justice Fuller.

XXVIII. WILLIAM MCKINLEY, on the eastern portico of the Capitol, Thursday, March 4, 1897. Oath administered by Chief Justice Fuller.

XXIX. WILLIAM MCKINLEY for a second term, on the eastern portico of the Capitol, Monday, March 4, 1901. Oath administered by Chief Justice Fuller.

THEODORE ROOSEVELT, at residence of Ansley Wilcox, Buffalo, N.Y., September 14, 1901, at 3.32 P.M. Oath administered by Judge John R. Hazel, of the United States District Court.

XXX. THEODORE ROOSEVELT, on the eastern portico of the Capitol, Saturday, March 4, 1905. Oath administered by Chief Justice Melville W. Fuller.

### Inaugural Address.

The number of words in each address, and number of times the pronoun "I" was used: —

Washington — first term . . . 1,300	20	Buchanan . . . . .	2,772	13	
Washington — second term . . . 134	6	Lincoln — first term . . . . .	3,588	43	
John Adams . . . . .	2,311	13	Lincoln — second term . . . . .	588	1
Jefferson — first term . . . . .	1,526	19	Johnson . . . . .	362	15
Jefferson — second term . . . . .	2,123	16	Grant — first term . . . . .	1,139	39
Madison — first term . . . . .	1,170	11	Grant — second term . . . . .	1,332	24
Madison — second term . . . . .	1,142	4	Hayes . . . . .	2,472	16
Monroe — first term . . . . .	3,322	19	Garfield . . . . .	2,949	10
Monroe — second term . . . . .	4,466	26	Arthur . . . . .	431	1
J. Q. Adams . . . . .	2,944	14	Cleveland . . . . .	1,688	5
Jackson — first term . . . . .	1,116	11	B. Harrison . . . . .	4,588	20
Jackson — second term . . . . .	1,167	6	Cleveland . . . . .	2,029	18
Van Buren . . . . .	3,884	38	McKinley — first term . . . . .	3,975	19
W. H. Harrison . . . . .	8,578	38	McKinley — second term . . . . .	2,223	10
Tyler . . . . .	1,643	15	Roosevelt . . . . .	No inaugural	
Polk . . . . .	4,904	18	Roosevelt . . . . .	977	0
Taylor . . . . .	1,096	18	.....		
Fillmore . . . . .	No inaugural		.....		
Pierce . . . . .	3,319	25	.....		

### INAUGURATION OF THE VICE-PRESIDENT.

The Vice-President elect is always sworn in prior to the President, taking the oath of office in the United States Senate, it being administered by the presiding officer of that body. This presiding officer may be a retiring Vice-President, or a United States Senator elected by his colleagues as President *pro tempore*.

OATH: "I, ————, do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion, and I will well and faithfully discharge the duties of the office on which I am about to enter: So help me God."

### THE CABINET.

The Cabinet as now constituted was not contemplated by the Constitution. It is not found in the Constitution or laws, nor is it in any way a legal body.

The substitution of a secretary for the committees that prior to 1782 had the foreign affairs in charge, was the nucleus of suggesting the establishment of the Executive Department or Cabinet.

Article II., Sec. 2, authorizes the President to "require the opinion in writing of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices." That these officers constitute a cabinet, rests wholly upon usage. Washington originated the practice of consulting all the heads of departments on important measures, and by later Presidents they have generally been convened for joint consultation, until cabinet meetings to determine the course of the administration have come to be expected as a matter of course; as such, however, they have no legal duties to perform, the President deferring to their advice, but not obliged to follow it in any particular, the Constitution holding the President alone responsible for the performance of executive business. A Cabinet is a privy council, not a ministry.

At the same time the heads of departments have a legal responsibility as defined by law; under certain contingencies the members of the Cabinet are recognized as an essential part of the executive branch, under certain occurrences the office of President devolving upon one of their number. See "Succession," page 287.

No official record is made of Cabinet proceedings, as its conclusions are recommendatory only. All executive records are kept in the several departments. The President's office is not an office of record.

A *bureau* is a subordinate department to which particular matters are assigned, with a view to a prompt and orderly administration, *e.g.* Diplomatic Bureau, Consular Bureau, etc.

A *division* is a section of a bureau, over which there is a division chief, *e.g.* correspondence with foreign nations is assigned to Division A.

The Cabinet is appointed by the President by and with the advice and consent of the Senate; members removed at pleasure of the President.

The Cabinet take rank at the Cabinet table in the following order:—

Secretary of Commerce and Labor

Secretary of Agriculture		Secretary of the Interior
Secretary of the Navy		Postmaster-General
Attorney-General		Secretary of War
Secretary of the Treasury		Secretary of State
President		

The restriction concerning trade is confined to the office of the Secretary of the Treasury, also the First Comptroller and First Auditor of the Treasury (the Treasurer and Register of the Treasury):—

"No person appointed to the office of Secretary of the Treasury or First Comptroller, or First Auditor, or Treasurer or Register, shall directly or indirectly be concerned or interested in the carrying on the business of trade or commerce, or be the owner in whole or in part of any sea vessel, or purchase by himself, or another in trust for him, any public lands or other public property, or be concerned in the purchase or disposal of any public securities of any State, or of the United States, or take or apply to his own use any emolument or gain for negotiating or transacting any business in the Treasury Department, other than what shall be allowed by law; and every person who offends against any of the prohibitions of this section shall be deemed guilty of a high misdemeanor and forfeit to the United States the penalty of three thousand dollars, and shall upon conviction be removed from office, and forever thereafter be incapable of holding any office under the United States; and if any other person than a public prosecutor shall give information of any such offence, upon which a prosecution and conviction shall be had, one-half the aforesaid penalty of three thousand dollars, when recovered, shall be for the use of the person giving such information." Sec. 243, Revised Statutes of the United States.

A President who succeeds himself is not required to renominate his Cabinet. Washington, Jefferson, Madison, Monroe, Jackson, and Lincoln did not renominate their Cabinets. Grant was the first to submit the entire list of his Cabinet to the Senate at the beginning of his second term, and this not done until March 17 (1873), and the fact Cabinet officers could remain two weeks in office without renomination, established the principle that they might remain four years, or the pleasure of the President during his term.

The Confederate Constitution granted each Cabinet officer a seat in either House, with the right of debate on any measure relating to his department. See Art. I., Sec. 6, C. S. A. Constitution, page 113.

The word Cabinet is of French origin, being the diminutive of *cabine*, a small room. Its present adaptation is from the English, with whom it originated in the time of George I. He was ignorant of the English language, therefore could take no part in the deliberations of his Privy Council. His Ministers consulted in his absence in the private room of the King, or his cabinet, subsequently informing him of the result; so that that portion of the Privy Council supposed to possess more particularly the confidence of the Sovereign was spoken of as the Cabinet Council. In England to-day the Cabinet is unknown to the law; the names of its members are never officially announced to the public; no record kept of its meetings and resolutions; its members sworn to secrecy, which is preserved inviolate after retirement from office. The Cabinet has never been recognized by an Act of Parliament.

## PRESIDENTIAL CABINET OFFICES.

### STATE.

Committees of the Continental Congress, preferring to manage foreign affairs, on April 17, 1777, established the "Committee on Foreign Affairs," the successor of the "Committee of Secret Correspondence," selected November 29, 1775. August 10, 1781, the "Department of Foreign Affairs" established, Robert R. Livingston being selected as Secretary, taking office September 23, 1781, as "Secretary for Foreign Affairs." Congress at this time exercised all executive powers, so under its ruling all matters were transmitted to Congress, the Secretary being "permitted"



to attend the sessions "that he may be better informed of the affairs of the United States, and have an opportunity of explaining his reports." In February, 1782, the title changed to "Secretary of the United States of America for the Department of Foreign Affairs," yet all foreign correspondence required to be submitted to Congress for its approval, so that office was virtually "Secretary of Congress." Livingston resigned June 4, 1783, to accept the office of Chancellor of the State of New York.

The new Government under the Constitution, by Act of the First Congress, passed "An Act for establishing an Executive Department, to be denominated the 'Department of Foreign Affairs,' and its principal officer as the 'Secretary for the Department of Foreign Affairs.'" It became a law July 27, 1789. As it became necessary to enlarge its operations and duties, the President, September 15, 1789, approved "an Act to provide for the safe-keeping of the acts, records, and seal of the United States, and for other purposes," in the first section of which it was provided "that the Executive Department, denominated the 'Department of Foreign Affairs,' shall hereafter be denominated the 'Department of State,' and the principal officer therein shall be called the 'Secretary of State.'" Jefferson was appointed Secretary of State September 26, 1789, entering upon its duties March 21, 1790; John Jay (although never commissioned as such under the new Government) filling its duties until Jefferson assumed the Secretaryship.

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**DUTIES.** Secretary to perform and execute such duties as are from time to time enjoined or intrusted to him by the President of the United States, agreeable to the Constitution, relative to correspondence, commissions, or instructions to or with public ministers and consuls of the United States, or negotiations with public ministers from foreign States and princes, or memorials or other applications from foreign public ministers or other foreigners or such other matters respecting foreign affairs as the President may assign to the Department, the business thereof to be conducted in such manner as the President shall from time to time order.

In correspondence with the foreign office of another nation, the Secretary of State, as a medium of communication, uses the Ambassador or Minister of the foreign country, delivering to him the notes communicated to his home office. The Secretary, if he so wish, can use our Minister at the foreign court to conduct the correspondence under instructions. He receives and supervises the publication of the laws passed by Congress, and affixes the seal of the United States to civil communications. He is the Custodian of the Seal of the United States. He is the Custodian of the treaties made with foreign States and of the laws of the United States; he grants and issues passports; publishes the laws and resolutions of Congress, amendments to the Constitution, and proclamations declaring the admission of new States into the Union.

DEPARTMENTS. Diplomatic Bureau ; Consular Bureau ; Bureau of Indexes and Archives ; Bureau of Accounts ; Bureau of Rolls and Library ; Bureau of Appointments ; Bureau of American Republics (1890).

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### TREASURY.

Treasury Department established by Act of Congress, first session of Congress under the Constitution, September 2, 1789, principal officer, Secretary of the Treasury, and additional officials ; a Comptroller, an Auditor, a Treasurer, a Register, and an Assistant to the Secretary of the Treasury. See "trade restriction," under "The Cabinet," page 317-18.

Act of Congress, May 8, 1792, abolished the office of Assistant to the Secretary of the Treasury, in its stead creating office of Commissioner of the Revenue.

Act of Congress, April 6, 1802, office of Commissioner of the Revenue abolished.

Act of Congress, July 24, 1813, reëstablished office of Commissioner of the Revenue.

Act of Congress, December 23, 1817, office of Commissioner of the Revenue abolished.

Act of Congress, April 25, 1812, established the General Land Office, creating the office of Commissioner of the General Land Office, transferring the land duties from the State Department to the Treasury.

The Treasury is the third department in order of date. The present organization derived from legislation in Appropriation Act, March 3, 1875.

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DUTIES. The Secretary manages national finances ; plans for the improvement of the revenue and the support of the public credit ; prescribes the forms of keeping and rendering public accounts and of making returns ; grants all warrants for moneys drawn from the Treasury in pursuance of appropriations made by Congress, and for payment of moneys into the Treasury ; reports to the Senate and House, in person or in writing, information required by them appertaining to his office, and performs all duties relative to the finances that he is directed to perform ; orders the collection, deposit, transfer, safe-keeping, and disbursement of the revenue, directs the auditing and settling of accounts thereof. He controls the construction of public buildings ; coinage and printing of money ; the Revenue Cutter and Marine Hospital branches of the public service.

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BUREAUS. First Auditor, September 2, 1789 ; Second Auditor, March 3, 1817 ; Third Auditor, March 3, 1817, in lieu of Accountant of War Department, created by Act of Congress, May 8, 1792 ; Fourth Auditor and

Fifth Auditor, March 3, 1817; Sixth Auditor, July 2, 1836; Treasurer, First Comptroller, Register, September 2, 1789; Second Comptroller, March 3, 1817; Commissioner of Internal Revenue, July 1, 1862; Office of Supervising Architect; Commissioner of Navigation; Collectors of Customs; Naval Office and Surveyors; Revenue Marine Corps; Bureau of the Mint and Coinage, Weights and Measures; Supervising and Surgeon-General of Marine Hospital; Supervising Inspecting General of Steam Vessels; Engraving and Printing; Secret Service and the Division of Captured and Abandoned Property, Lands, etc.; Special Agents Division; National Board of Health, March 3, 1789.

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### WAR.

Department of War, by Act of Congress, August 7, 1789; principal officer, Secretary of War.

1776, the Board of War and Ordnance created, under a Committee of Congress; 1777, a Board of War not composed of members of Congress; 1781, a Secretary of War provided for; the First Congress established the War Department, August 7, 1789. Prior to April 30, 1798, the Secretary of War had charge of matters relating to both the land and naval forces.

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**DUTIES.** Secretary to execute all matters enjoined or intrusted to him by the President relative to military commissions, the military forces, the warlike stores of the United States, and other matters respecting military affairs, and to conduct under the direction of the President the business of the War Department.

Required to provide for taking of meteorological observations at various places; arrange the course of studies at the Military Academy; supervision of the national cemeteries; pier and crib construction on Mississippi River; management of Louisville and Portland Canal; remove vessels obstructing navigation.

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**DEPARTMENTS.** Military Secretary, Inspector-General's, Quartermaster-General's, Commissary-General's, Surgeon-General's, Paymaster-General's, Chief of Engineers of the Army, Chief of Ordnance, Bureau Military Justice, Signal Office. In charge of officers of the regular army.

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### JUSTICE.

Department of Justice organized by Act of Congress, June 22, 1870; principal officer, Attorney-General.

The law officers of the several departments transferred to this department, thereafter to exercise their functions under the supervision and control of the Attorney-General, whose appointment was originally provided for by the Act of September 24, 1789.

**DUTIES.** The Attorney-General to give his advice and opinion upon questions of law, when required by the President, and also when required by the head of any Executive Department, as to the questions of law arising upon the administration of his department. Conduct and argue suits and writs of error and appeals in the Supreme Court, and suits in the Court of Claims in which the United States Government is interested, and also in any of the United States courts when deemed necessary. Exercise general superintendence over United States Attorneys and Marshals in all judicial districts in the States and Territories.

**BUREAUS.** Solicitor-General; five Assistant Attorneys-General; Solicitor of Internal Revenue; Solicitor of the Treasury; Assistant Solicitor of the Treasury; Examiner of Claims for the Department of State.

#### POSTOFFICE.

Act of Congress, September 22, 1789, entitled "An Act for the temporary establishment of the Postoffice," created the department; subsequently, May 8, 1794, established at the seat of government a General Postoffice, and provided for a Postmaster-General, etc.

The present organization owes its existence to the Act of June 8, 1872, "An Act to revise, consolidate, and amend the Statutes relating to the Postoffice Department."

Principal officer, Postmaster-General. The Postmaster-General was a sub-officer of the Treasury Department, and was not considered a Cabinet officer until invited by President Jackson to Cabinet meetings in 1829.

**DUTIES.** The Postmaster-General to establish and discontinue post-offices, to superintend generally the business of the department, and execute all laws relating to the postal service. He appoints all postmasters, not exceeding \$1000 per annum in salary, the President appointing all others.

**BUREAUS.** Four Assistant Postmasters-General; Superintendents of Foreign Mails; Money Order System; Railway Service; Dead Letter Office; Free Delivery System and City Delivery System.

#### NAVY.

Navy Department by Act of Congress, April 30, 1798 (practical operation in June, 1798; its duties previously controlled by the War Department); principal officer, Secretary of the Navy.

**DUTIES.** The Secretary to provide naval stores and materials for the construction, manning, armament, equipment, and employment of vessels

of war, and all other matters connected with the naval establishment. The heads of bureaus are chosen from naval officers above the rank of captain.

**BUREAUS.** Navigation ; Equipment and Recruiting ; Ordnance ; Medicine and Surgery ; Supplies and Accounts ; Steam Engineering ; Construction and Repairs ; Yards and Docks ; Justice ; Marine Corps.

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### INTERIOR.

Department of the Interior, established by Act of Congress, March 3, 1849 ; principal officer, Secretary of the Interior. Originally known as the "Home Department," its functions being distributed among the departments of State, Treasury, War, and Navy.

**DUTIES.** The Secretary to have supervision of public business relating to patents for inventions ; pensions and bounty lands ; the public lands and surveys ; the Indians ; education ; railroads ; the Geological Survey ; the Hot Springs Reservation, Arkansas ; Yellowstone National Park, Wyoming ; and the Yosemite, Sequoia, and General Grant parks, California ; forest reservations ; distribution of appropriations for agricultural and mechanical colleges in the States and Territories ; the custody and distribution of certain public documents ; and supervision of certain hospitals and eleemosynary institutions in the District of Columbia. Also certain powers and duties in relation to the Territories of the United States.

**BUREAUS.** General Land Office, created April 25, 1812, in the Treasury Department ; Patent Office ; Indian Office, July 9, 1832 ; U.S. Pension Office, established in the War Department, March 12, 1833, transferred March 3, 1849 ; Bureau of Education, March 2, 1867 ; Auditor of Railroad Accounts, June 19, 1878 ; Architect of the Capitol ; Geological Survey, March 3, 1879 ; Entomological Commission, March 3, 1877 ; Officers of the District of Columbia ; Interstate Commerce Commission, February 4, 1887.

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### AGRICULTURE.

Department of Agriculture founded May 15, 1862, established as separate department by Act of Congress, February 9, 1889 ; principal officer, Secretary of Agriculture.

**DUTIES.** The Secretary to collect and diffuse useful information on subjects connected with agriculture ; acquire and preserve all informa-

tion by means of books and correspondence, by practical and scientific experiments; collection of statistics; collect new and valuable seeds and plants; cultivate and propagate such as may require a test, or be worthy of propagation, and distribute among agriculturists.

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**BUREAUS.** Weather Bureau (from "War" in 1891); Animal Industry; Chemistry; Statistics; Section of Foreign Markets; Accounts and Disbursements; Experiment Stations; Entomology; Biological Survey; Forestry; Botany; Plant Industry; Vegetable Physiology and Pathology; Agrostology; Pomology; Experimental Gardens and Grounds; Seed and Planting Introduction; Soils; Public Roads; Seeds.

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### COMMERCE AND LABOR.

Department of Commerce and Labor established by Act of Congress February 14, 1903. Principal officer, Secretary of Commerce and Labor.

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**DUTIES.** The Secretary to foster, promote, and develop the foreign and domestic commerce; the mining, manufacturing, shipping, and fishery industries, the labor interests, the transportation facilities; the insurance business, and complete statistics.

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**BUREAUS.** Light-house Board; Light-house Establishment; Standards; Coast and Geodetic Survey, organized February 10, 1807; Immigration Service; Navigation (transferred from the Treasury); Census Office (transferred from the Interior); Bureau of Statistics (a consolidation of Bureau of Foreign Commerce (State) and Statistics (Treasury); Labor (created Bureau of Labor, June 27, 1884; Department of Labor, June 13, 1888); Fish and Fisheries; Manufacturers and Corporations (two new departments).

The Bureau of Manufacturers to foster, promote, and develop the manufacturing industries at home and abroad, through statistics, local and consular reports. The Bureau of Corporations to investigate into the organization, conduct, and management of corporations, joint stock companies or corporation combinations engaged "in commerce in the several states and with foreign nations"; excepting common carriers subject to "An Act to Regulate Commerce, approved February 4, 1887" (the Interstate Commerce Act); and report to the President, "and the information so obtained and as much thereof as the President may direct shall be made public."

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This latter clause, known as the Nelson Amendment (Knut Nelson, Republican, Minnesota), establishes the principle that the Federal Government shall exercise constitutional powers to control and restrain combinations in trade that are to the prejudice of public policy and individual rights.

VICE-PRESIDENTS.

The only duty assigned the Vice-President by the Constitution is to serve as President of the Senate [except in case of impeachment of the President], and unless the Senate be equally divided he has no vote. It is known as a "complimentary nomination."

ADMIN.	VICE-PRESIDENT	ELECTED			BORN		DIED		
		Date	From	Age	Date	Birthplace	Date	Where	Age
1-2	John Adams	1789	Mass.	54	1735	Quincy Mass.	1826	Quincy Mass.	91
3	Thomas Jefferson	1796	Va.	53	1743	Shadwell Va.	1826	Monticello Va.	83
4	Aaron Burr	1800	N. Y.	44	1756	Newark N. J.	1836	Richmond Co. N. Y.	80
5-6	George Clinton	1804	N. Y.	65	1739	Ulster Co. N. Y.	1812	Washington D. C.	73
7	Elbridge Gerry	1812	Mass.	68	1744	Marblehead, Mass.	1814	Washington D. C.	70
8-9	D. D. Tompkins	1816	N. Y.	42	1774	Scarsdale N. Y.	1825	Richmond Co. N. Y.	51
10-11	John C. Calhoun	1824	S. C.	42	1782	Abbeville S. C.	1850	Washington D. C.	65
12	Martin Van Buren	1832	N. Y.	50	1782	Kinderhook N. Y.	1862	Kinderhook N. Y.	80
13	Rich. M. Johnson	1836	Ky.	56	1780	Louisville Ky.	1850	Frankfort Ky.	70
14	John Tyler	1840	Va.	50	1790	Greenway Va.	1862	Richmond Va.	72
15	George M. Dallas	1844	Penn.	52	1792	Philadelphia Pa.	1864	Philadelphia Pa.	72
16	Millard Fillmore	1848	N. Y.	48	1800	Summer Hill, N. Y.	1874	Buffalo N. Y.	74
17	Wm. Rufus King	1852	Ala.	66	1786	Sampson Co. N. C.	1853	Dallas Co. Ala.	67
18	J. C. Breckenridge	1856	Ky.	35	1821	Lexington Ky.	1875	Lexington Ky.	54
19	Hannibal Hamlin	1860	Me.	51	1809	Paris Me.	1891	Bangor Me.	82
20	Andrew Johnson	1864	Tenn.	56	1808	Raleigh N. C.	1875	Greenville Tenn.	67
21	Schuyler Colfax	1868	Ind.	45	1823	New York N. Y.	1885	Mankato Minn.	62
22	Henry Wilson	1872	Mass.	60	1812	Farmington, N. H.	1875	Washington D. C.	63
23	Wm. A. Wheeler	1876	N. Y.	57	1819	Malone N. Y.	1887	Malone N. Y.	68
24	Chester A. Arthur	1880	N. Y.	50	1830	Fairfield Vt.	1886	New York N. Y.	56
25	T. A. Hendricks	1884	Ind.	65	1819	Muskingum Co. O.	1885	Indianapolis Ind.	66
26	Levi P. Morton	1888	N. Y.	64	1824	Shoreham Vt.	.....	.....	..
27	A. E. Stevenson	1892	Ill.	57	1835	Christian Co. Ky.	.....	.....	..
28	Garret A. Hobart	1896	N. J.	52	1844	Long Branch, N. J.	1899	Paterson N. J.	55
29	Theo. Roosevelt <sup>4-1</sup>	1900	N. Y.	42	1858	New York N. Y.	.....	.....	..
30	C. W. Fairbanks	1904	Ind.	52	1852	Unionville Cen., O.	.....	.....	..
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<sup>1</sup> Later elected President.

<sup>3</sup> Resigned.

<sup>2</sup> Died in office.

<sup>4</sup> Succeeded to Presidency.

## Presidential Genealogy

ADMINISTRATION	PRESIDENTS	BORN		PARENTS			TERM OF OFFICE	
		DATE	BIRTHPLACE	FATHER	MOTHER	FROM	TO	
1-2	George Washington	Fri. Feb. 22, 1732	Bridges Creek, near Fredericksburg, Va.	Augustine	Mary Ball	Apr. 30, 1789	Mar. 4, 1797	
3	John Adams	Wed. Oct. 30, 1735	Braintree, Mass.	John	Susanna Boylston	Mar. 4, 1797	Mar. 4, 1801	
4-5	Thomas Jefferson	Tues. April 13, 1743	Shadwell, Va.	Peter	Jane Randolph	Mar. 4, 1801	Mar. 4, 1809	
6-7	James Madison	Fri. Mar. 16, 1751	Port Conway, Va.	James	Nellie Conway	Mar. 4, 1809	Mar. 4, 1817	
8-9	James Monroe	Fri. April 28, 1758	Westmoreland Co., Va.	Spence	Elizabeth Jones	Mar. 4, 1817	Mar. 4, 1825	
10	John Quincy Adams	Sat. July 11, 1767	Braintree, Mass.; now Quincy	John	Abigail Smith	Mar. 4, 1825	Mar. 4, 1829	
11-12	Andrew Jackson	Sun. Mar. 15, 1767	Waxhaw Settlement, N.C.	Andrew	Elizabeth Hutcheson	Mar. 4, 1829	Mar. 4, 1837	
13	Martin Van Buren	Thurs. Dec. 5, 1782	Kinderhook, N.Y.	Abraham	Mary Hoos	Mar. 4, 1837	Mar. 4, 1841	
14	William Henry Harrison	Tues. Feb. 9, 1773	Berkeley, Va.	Benjamin	Elizabeth Bassett	Mar. 4, 1841	Apr. 4, 1841	
15	John Tyler	Mon. Mar. 29, 1790	Charles City Co., Va.	John	Mary Armistead	Apr. 6, 1841	Mar. 4, 1845	
16	James Knox Polk	Mon. Nov. 2, 1795	Mecklenburg Co., N.C.	Samuel	Jane Knox	Mar. 4, 1845	Mar. 4, 1849	
17	Zachary Taylor	Tues. Nov. 24, 1784	Orange Co., Va.	Richard	Sarah Strother	Mar. 4, 1849	July 10, 1850	
18	Millard Fillmore	Tues. Jan. 7, 1800	Summer Hill, N.Y.	Nathaniel	Phoebe Millard	July 10, 1850	Mar. 4, 1853	
19	Franklin Pierce	Fri. Nov. 23, 1804	Hillsborough, N.H.	Benjamin	Anna Kendrick	Mar. 4, 1853	Mar. 4, 1857	
20	James Buchanan	Sat. April 23, 1791	Stony Batter, Pa.	James	Elizabeth Speer	Mar. 4, 1857	Mar. 4, 1861	
21-22	Abraham Lincoln	Sun. Feb. 12, 1809	Nolin Creek, Larnie Co., Ky.	Thomas	Nancy Hanks	Mar. 4, 1861	Apr. 15, 1865	
23	Andrew Johnson	Thurs. Dec. 29, 1808	Kaleigh, N.C.	Jacob	Mary McDonough	Apr. 15, 1865	Mar. 4, 1869	
24	Ulysses Simpson Grant	Sat. April 27, 1822	Point Pleasant, O.	Jesse Root	Harriet Simpson	Mar. 4, 1869	Mar. 4, 1877	
25	Rutherford B. Hayes	Fri. Oct. 4, 1822	Delaware, O.	Rutherford	Sophia Birehard	Mar. 4, 1877	Mar. 4, 1881	
26	James A. Garfield	Sat. Nov. 19, 1831	Bedford, Township, O.	Abram	Eliza Ballou	Mar. 4, 1881	Sep. 19, 1881	
27	Chester Alan Arthur	Tues. Oct. 5, 1830	Fairfield, Vt.	William	Malvina Stone	Sep. 20, 1881	Mar. 4, 1885	
28	Grover Cleveland	Sat. Mar. 18, 1837	Caldwell, N.J.	Rich'd Falley	Anne Neale	Mar. 4, 1885	Mar. 4, 1893	
29	Benjamin Harrison	Tues. Aug. 20, 1833	North Bend, O.	John Scott	Elizabeth Findlay Irwin	Mar. 4, 1889	Mar. 4, 1893	
30	Grover Cleveland	Sat. Mar. 18, 1837	Caldwell, N.J.	Rich'd Falley	Anne Neale	Mar. 4, 1893	Mar. 4, 1897	
31-32	William McKinley	Sun. Jan. 29, 1843	Siles, O.	William	Nancy Allison	Mar. 4, 1897	Sep. 14, 1901	
33	Theodore Roosevelt	Wed. Oct. 27, 1858	25 E. 20th St., New York City	Theodore	Martha Bullock	Sep. 14, 1901	.....	
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The upper figures in date column correspond to old calendar; the lower to new.

<sup>1</sup> Parton records his birthplace as Union County, North Carolina; Kendall, Jackson's biographer, notes it as Lancaster County, South Carolina; Jackson, in his proclamation of 1822, called himself a South Carolinian.





MARRIED			CHILDREN			WIFE		
TO WHOM			WHERE			BIRTHPLACE		
DATE	TO WHOM	WHERE	BOYS	GIRLS	BIRTHPLACE	DATE	FATHER	
Jan. 17, 1759	Mrs. Martha Custis.....	Williamsburg, Va.....	0	0	New Kent Co., Va.....	May, 1732	John	
Oct. 25, 1764	Abigail Smith.....	Weymouth, Mass.....	3	2	Weymouth, Mass.....	Nov. 11, 1744	William	
Jan. 1, 1772	Mrs. Martha Skelton.....	The Forest, Charles Co., Va.....	0	0	Charles City Co., Va.....	Oct. 13, 1748	John	
Madison.....	Mrs. Dorothy Todd.....	Harewood, Va.....	0	0	North Carolina.....	May 26, 1712	John	
Monroe.....	Eliza Kortwright.....	New York, N.Y.....	0	2	New York, N.Y.....	1785	Lawrence	
Adams, J. Q.....	Louisa Catharine Johnson.....	London, Eng.....	3	1	London, Eng.....	Feb. 12, 1775	Joshua	
Jackson.....	Mrs. Rachel Robards.....	Natchez, Miss.....	3	0	.....	1767	John	
Van Buren.....	Hannah Hoes (Goes).....	Kinderhook, N.Y.....	4	0	Kinderhook, N.Y.....	Mar. 8, 1783	Johannes	
Harrison.....	Anna Symmes.....	North Bend, O.....	6	4	Morristown, N.J.....	July 25, 1775	John Cleves	
Harrison.....	Letitia Christian.....	Cedar Grove, Va.....	3	4	.....	Nov. 12, 1790	Robert	
Taylor.....	Julia Gardner.....	New York, N.Y.....	4	2	East Hampton, N.Y.....	1820	David	
Polk.....	Sarah Childress.....	Murfreesboro, Tenn.....	0	0	Near Murfreesboro, Tenn.....	Sept. 4, 1808	Joel	
Taylor.....	Margaret Smith.....	9 miles N. E. Louisville, Ky.....	1	8	Calvert Co., Md.....	Mar. 13, 1798	Walter	
Fillmore.....	Abigail Power.....	Moravia, N.Y.....	1	1	Stillwater, N.Y.....	Mar. 13, 1798	Lemuel	
Fillmore.....	Mrs. Caroline McIntosh.....	Albany, N.Y.....	0	0	.....	Oct. 21, 1813	Jesse	
Pierce.....	Jane Means Appleton.....	Amherst, N.H.....	3	0	Hampton, N.H.....	Mar. 12, 1806	Jesse	
Buchanan.....	Unmarried.....	.....	.....	.....	.....	Unmarried	.....	
Lincoln.....	Nov. 4, 1842	Elizabeth Metcalf.....	4	0	Lexington, Ky.....	Dec. 12, 1818	Robert S.	
Johnson.....	May 17, 1827	Julia Metcalf.....	3	2	Greenville, Tenn.....	Oct. 4, 1810	John	
Grant.....	Aug. 22, 1848	Julia Dent.....	3	1	St. Louis, Mo.....	Jan. 26, 1826	Frederick	
Hayes.....	Dec. 30, 1852	Lucy Ware Webb.....	1	1	Chillicothe, O.....	Aug. 28, 1831	James	
Garfield.....	Nov. 11, 1858	Lucretia Rudolph.....	4	1	Uran, O.....	Apr. 19, 1832	Zeb.	
Arthur.....	Oct. 29, 1859	Ellen Lewis Herndon.....	1	1	Culpeper Co., Va.....	Aug. 30, 1831	Wm. Lewis	
Cleveland.....	June 2, 1856	Frances Folsom.....	2	3	Buffalo, N.Y.....	July 21, 1814	Oscar	
Harrison.....	Oct. 26, 1853	Caroline Lavina Scott.....	1	1	Oxford, O.....	Oct. 1, 1832	John W.	
Cleveland.....	April 6, 1896	Mary Scott Lord Dnumick.....	0	1	Honesdale, Pa.....	Apr. 30, 1858	Russell	
McKinley.....	June 2, 1856	Frances Folsom.....	1	3	Buffalo, N.Y.....	July 21, 1864	Oscar	
Roosevelt.....	Oct. 27, 1880	Alice Hathaway Lee.....	0	1	.....	.....	James	
Roosevelt.....	Dec. 2, 1886	Edith Kermit Carow.....	4	1	Brookline, Mass.....	July 29, 1861	Geo. Cabot	
					London, Eng.....	Aug. 6, 1861	Charles	

The upper figures in date column correspond to old calendar ; the lower to new.

W I F E

	DIED	DATE	AGE	CAUSE	WHERE BURIED
Washington	Mt. Vernon, Va. . . . .	May 21, 1801	71	Billous fever . . . . .	Mt. Vernon, Va. <sup>1</sup>
Adams, Jno.	Quincy, Mass. . . . .	Oct. 28, 1818	74	Fever . . . . .	Quincy, Mass.
Jefferson . . .	Monticello, Va. . . . .	Sept. 5, 1782	34	Child-birth . . . . .	Monticello, Va. <sup>2</sup>
Madison . . .	Washington, D.C. . . . .	July 12, 1849	78	Age . . . . .	Montpellier, Va. <sup>3</sup>
Monroe . . .	Oak Hill, Va. . . . .	Sept. 23, 1830	42	Fever . . . . .	Oak Hill, Va.
Adams, J. Q.	Quincy, Mass. . . . .	May 15, 1852	78	Decline . . . . .	Quincy, Mass.
Jackson . . .	Hermitage, Tenn. . . . .	Dec. 22, 1828	61	Pleurisy . . . . .	Hermitage, Tenn. <sup>4</sup>
Van Buren . .	Albany, N. Y. . . . .	Feb. 5, 1819	36	Consumption . . . . .	Kinderhook, N. Y.
Harrison . . .	No. Bend, O. . . . .	Feb. 25, 1864	89	Age . . . . .	No. Bend, O.
Tyler . . . . .	Washington, D.C. . . . .	Sept. 10, 1842	52	Paralysis . . . . .	Cedar Grove, Va.
Polk . . . . .	Richmond, Va. . . . .	July 10, 1839	69	Congestive chill . . . . .	Richmond, Va.
Taylor . . . . .	Nashville, Tenn. . . . .	Aug. 14, 1891	88	Old age . . . . .	Nashville, Tenn.
Fillmore . . .	E. Passegoula, La. . . . .	Aug. 18, 1852	62	Decline . . . . .	Near Louisville, Ky. <sup>5</sup>
Pierce . . . . .	Washington, D.C. . . . .	Mar. 30, 1853	55	Suf. water on lungs	Buffalo, N. Y.
Buchanan . .	Buffalo, N. Y. . . . .	Aug. 11, 1881	65	Paralysis . . . . .	Buffalo, N. Y. <sup>6</sup>
Lincoln <sup>7</sup> . . .	Andover, Mass. . . . .	Dec. 2, 1863	58	Nerv. prostration . . . . .	Concord, N. H.
Johnson . . .	Springfield, Ill. . . . .	July 16, 1882	64	Paralysis . . . . .	Springfield, Ill.
Grant . . . . .	Home, Tenn. . . . .	Jan. 15, 1876	66	Consumption . . . . .	Greenville, Tenn.
Hayes . . . . .	Washington, D.C. . . . .	Dec. 14, 1902	76	Valv. heart trouble . . . . .	New York, N. Y.
Garfield <sup>8</sup> . . .	Fremont, O. . . . .	June 25, 1889	56	Paralysis . . . . .	Fremont, O.
Arthur . . . .	New York, N. Y. . . . .	Jan. 12, 1880	43	Pneumonia . . . . .	Albany, N. Y.
Cleveland . .	Washington, D.C. . . . .	Dec. 25, 1892	50	Consumption . . . . .	Indianapolis, Ind.
Harrison <sup>9</sup> . . .	New York, N. Y. . . . .	Feb. 14, 1884	23	Child-birth . . . . .	Cambridge, Mass.
McKinley <sup>10</sup> . .	.....	.....	.....	.....	.....
Roosevelt . . .	.....	.....	.....	.....	.....
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<sup>1</sup> Relict of Daniel P. Custis, née Dandridge.  
<sup>2</sup> Relict of Bathurst Skelton, née Wayles.  
<sup>3</sup> Relict of John Todd, née Payne.  
<sup>4</sup> Relict of Lewis Robards, née Donelson.  
<sup>5</sup> Third daughter Elizabeth, married Jefferson Davis.  
<sup>6</sup> Relict of Ezekiel McIntosh, née Carmichael.  
<sup>7</sup> John Wilkes Booth, the assassin, shot April 26, 1865.  
<sup>8</sup> Charles Jules Guiteau, the assassin, hung June 30, 1882.  
<sup>9</sup> Relict of Walter Dimmick, née Lord (niece of Mrs. Harrison, first wife).  
<sup>10</sup> Leon F. Czolgosz, the assassin, electrocuted October 29, 1901.

DERIVATION OF PRESIDENTIAL SURNAMES.

**Washington.** Originally from Wessyngton or De Wessyngton ; a manor of that name in the county of Durham, England, owned by William de Hertburne, who, as was the custom in those days, took the name of the estate ; the name as a family first known about the middle of the thirteenth century. *Wessyngton* from *weis* or *wash*, a creek setting in from the sea, the shallow part of a river ; *ing*, a meadow or low ground ; *ton* for dun, a hill or town, "the town on the wash or salt river or creek."

The Anglo-Saxon name of Washington in Sussex was Wassingatun, the town of the *Wass-ings*, i. e. sons or descendants of Wass. Thus, by two steps back, from Washington, we come to Wass, and the name of Wass still stands in the London Directory (1874). But who was Wass ? It is a little curious that the only two of that name, whom I have been able to meet with in Anglo-Saxon times, both occur in a charter of manumission (Cod. Dipl. No. 971) to which one of them was a witness, and the other the father of a witness. *Wasa* and

*wasning* were Old German names, and Grimm refers to *wasjan*, pollere, A.-Sax. *hwoes*, Old Norse *hrass*, keen, bold. Hence, probably the name of the illustrious Gustavus Wasa, King of Sweden. Thus I have connected the name of Washington with a family, probably more or less distinguished, of A.-Sax. times. I have shown that one of that family, and the son of another, stood godfathers to an ancient act of freedom. I have proposed a not unworthy etymon for the name, and I have suggested that it may be the same as that of another distinguished champion of his country's freedom. — FERGUSON, pp. 115, 116.

**Adams.** (Hebrew.) Meaning man, earthly or red. *Adam* is the oldest of all proper names. It comes from a word signifying *red*, and refers to the red earth, *adama*, out of which the first man was taken. Some say the word should be translated *likeness*, and that it comes from the same root as *adama*, red earth, because red earth is always alike wherever found. As a surname, *Adam* is of great antiquity in Scotland; Duncan Adam, son of Alexander Adam, lived in the reign of King Robert Bruce (1275), and had four sons, "from whom all the Adams descended."

**Jefferson.** Probably from *Jeffers* or *Jeffrey*, which is corrupted from *Geoffrey* or *Godfrey*, German for God and *fried*, joyful peace. "God's peace." This name was borne by the chief of the house of Plantagenet.

**Madison.** *Matthew's son*, or *Matty's son*. *Matthew* (Hebrew) meaning "Gift of the Lord." Lower notes:—

Matthew, as a baptismal name, introduced in England at the time of the Conquest, has not only become a surname, but the parent of many others: *Mather*, *Mathews*, *Mathews*, *Matthieson*, *Matthie*, *Matthieson*, *Matson*, *Mayhew*, *Mayo*, *Matts*, *Matty*, *Maddy*, *Madison*.

**Monroe.** From *Monadh Roe* or *Mont Roe*, a mount on the River Roe, Londonderry, Ireland. *Moine Roe*, a mossy place on the Roe. *M'unroe*, from, of, or about the Roe. The name of the river sometimes written *Munree*.

**Jackson.** Literally, son of *John* (nickname being *Jack*), or, more properly, son of *James* (French, *Jacques*), the name *Jack* supposed to have been introduced into the English language when the English and French were mingled together in the camps of the Black Prince and Henry V.

**Van Buren.** (Dutch.) From the town of Buren, Guelderland, Holland. *Van*, a prefix, signifying of, belonging to, or coming from the city; nearly all Dutch local proper names have this prefix, being an equivalent of the German *von* and the French *de* or *d'*, and like the old English *atte*, implying "residence in a place."

So very common is this prefix in Holland that in speaking of a person's family name, they call it his *Van*. As in the phrase, "*Ik weet zyn Van niet*," "I don't know his surname." — LOWER.

**Harrison.** From *Henry*, a Norman name; a corruption through *Hurrie*, *Harris*, *Harrison*, etc. (Son of *Harry*.) *Harry* from the Saxon *Einrich*, "ever rich," or from *Honoricus*, "honorable."

**Tyler.** From an occupation; a layer of tiles.

**Polk.** An abbreviation of *Pollock*. (President Polk being third in descent from a Mr. Pollock.) *Pollock* is derived from the parish of *Pol-*

*lock* in Renfrewshire, Scotland. The name is from the Gaelic, *Pollag*, a little pool, pit, or pond; a diminutive of *pol*, a pool. It is vulgarly pronounced *Pock* or *Polk*, further corrupted by pronunciation into *Pulk* in Norfolk, meaning "a puddle or shallow pool."

**Taylor.** From the name of a trade, the Norman being *tailleur*.

**Fillmore.** *Fille*, Saxon, denoting "fulness or plenteousness"; *Mere*, a lake, or moist section of ground; "fertile piece of ground." The spelling at different times being *Eylmere*, *Filmour*, and *Filmore*. Other derivations, in *Filea*; Celtic and Gaelic, "a bard, a historian"; *mor*, "great"; that is, "the famous bard."

The *Fileas* among the Gauls or Celts were held in great esteem, and their office was honorable. They turned the tenets of religion into verse and animated the troops, before and during an engagement with martial odes, and celebrated the valorous deeds of the chieftains, and princes who entertained them.

Ferguson says of the second syllable: "*More* is probably in most cases from Anglo-Saxon *Māra*, renowned. Among the various compounds may be noted *Filmore*, *Füllmer*, or *Phillimore*, the Old High German. *Fili-mer*, "full-famous," like *Filbert*, "full-bright." In some compound names, however, the word is more probably Old Norse *mār*, "a gull."

**Pierce.** A spelling of *Percy*, the renowned family of Northumberland, England, whose name is derived from Percy Forest in Normandy (province of Maen). *Percy* from *pierre*, "a stony place." It may be a derivative of the French *percer*, "to bore, to drill, to penetrate, to pierce," or the Teutonic word *pīrsen*, "to hunt."

**Buchanan.** A parish in the Shire of Sterling, Scotland. Arthur notes: "The derivation of the name is uncertain; it is probably from the same root as *Buchan*, the Gaelic *boc*, *bocan*, deer, meaning in its doubled syllable, "a place abounding in deer."

**Lincoln.** From Lincoln, England. *Lin* in the Gaelic, Welsh, and Cornish-British signifies "a pool, pond, or lake"; *coln*, "the ridge or neck of a hill." The name thus applied to the locality from its situation, it occupying the top and side of a steep hill, on the river Witham.

**Johnson.** Son of *John*. *John* (Hebrew) meaning "gracious God's grace."

**Grant.** Playfair says as follows:—

In the Saxon, *Grant* signifies crooked or bowed. Thus Cambridge, the town and University in England, so-called, signifies a crooked bridge, or rather a bridge upon Cam River, or "the crooked or winding river." The Saxons called this town *Grantbridge*; *Cam* in the British and *Grant* in the Saxon being of the same signification, "crooked." So Mons Gramphius, the Gramplan Hill was called by the Saxons *Granz Ben*, or "the crooked hill"; but we cannot see from this Saxon word how the surname should be borrowed.

In the Old Irish *Grandha*, signifies ugly, ill-favored. *Grande* signifies dark or swarthy. *Grant* and *Chiar* signifying much the same thing, or are synonymous words, and there being a tribe of the Grants called Clan Chiaran, it is the same as Clan Grant. Thus the surname might have been taken from a progenitor that was Chiar or Grant, that is to say, a swarthy or gray-headed man; and though in time Grant became the common and prevailing surname, yet some always retained the other name, Chiaran, and are called Clan Chiaran.

In the French, *Grand* signifies great, brave, valorous, and from thence many are inclined to think that the surname *Grant* is taken from *Grand*, which in the Irish is sounded short, and thereby the letter *d* at the end of the word is changed into *t*, thus Grand into Grant.

The surname, it seems, was thus understood in England about five hundred years ago, for Richard Grant was made Archbishop of Canterbury in the year 1229, and is, in Anderson's Genealogical Tables, as well as by others, expressly called Richard Grant. But the English historians of that time, writing in Latin, called him *Richardus Magnus*, which plainly shows that they took Grant to be the same with the French *Grand* and the Latin *Magnus*. In the old writs the article *the* is put before the surname Grant.

**Hayes.** (Anglo-Norman.) *Hay* meaning a hedge, an enclosure ; to enclose, fence in, a protection, a place of safety.

"But right so as these holtes and these hayes."

—*Troilus and Creseida*, CHAUCER.

In the reign of Kenneth III., about 980, the Danes having invaded Scotland, were encountered by that king near Lonearty, in Perthshire. The Scots at first gave way and fled through a narrow pass, where they were stopped by a countryman, of great strength and courage, and his two sons, with no other weapon than the yokes of their ploughs ; upbraiding the fugitives for their cowardice, he succeeded in rallying them ; the battle was renewed, and the Danes totally discomfited. It is said that after the victory was obtained, the old man, lying on the ground wounded and fatigued, cried, "Hay, Hay !" which word became the surname of posterity. — DOUGLAS.

**Garfield.** (Saxon.) *Garvian*, to prepare ; German and Dutch *gar*, dressed, done, ready, prepared ; *field*, a place where everything is furnished necessary for an army.

**Arthur.** (British.) "A strong man." *Ar* (Latin *vir*), a man ; *thor*, strong. In the Gaelic, *air* is the same as *fear*, a man ; the ancient Scythians called a man *Aior*. *Thor* was the Jupiter of the Teutonic races, their god of Thunder. In Welsh, *arth* is a bear, an emblem of strength and courage ; *ur* a noun termination, a man ; *Arthur*, a bear-man, a hero, a man of strength.

**Cleveland.** As a family surname, derived from a place of that name in Yorkshire, England, a corruption of "Cliff-lane," so called from its being almost impassable with cliffs and rocks. *Cleve*, *clive*, *clift*, Anglo-Saxon for "a cliff." *Land* (Anglo-Saxon), originally Celtic, meaning "a people, an inhabitant."

**McKinley.** Is of Celtic origin, the original Gaelic form is said to have been Mac-an-Ollaimh, "the son of the bard," later corrupted into McQually, thence McKinlay.

It is also said to form on Finlay, "fair hair." It being claimed that a century and a half ago some representatives of the clan McKinlay went over from the west coast of Scotland to the north of Ireland, and during the residence of the family there the name was modified to its present form, the "a" being changed to "e."

M', i.e. *Mac* or *Mc*, a Gaelic prefix meaning "son." *Kinley* stands for the Gaelic *Cionnfhaoilidh* (pronounced Kineely), literally "the man with the glad countenance." From the adjective *faoilidh*, "glad, joyous," comes the noun *faoilte*, modern Irish form, *fáilte*, "gladness." It is the

word now used for "welcome," as in the phrase, *ceud mille fáilte*, "a hundred thousand welcomes." MacKinley (McKinley), "the descendant of the man with the joyous countenance," literally "head of hospitality or chief hospitaller." *Ceann* or *cionn*, "a head chief, top, or point."

McKinley, a variation of the Scottish name MacKinlay, borne by a sept of the Farquharsons of Braemar and Deeside. About 1500, Findlay or Finlay Farquharson was known as Finlay or Findla Mór, or the Great Findla, from his herculean stature. He had four sons who were called MacIania MacKinlay or "sons of Finlay," from Finlay, the Gaelic form of which is *Fionnladh*, the form *Mac Fhionnlaidh*, meaning "son of Finlay."

There is no *k* in Gaelic, although used in Anglicized names. In Gaelic the name is *Macfionnlaidh*, *fh* being elided for euphony, hence pronounced "Mach-un-lay or Mach-ionn-lay," as near as English can show. *Fionnladh* is Finlay, the *i* being inserted to show the possessive case, as well as the *h* after the *F*.

**Roosevelt** (Rose-a-velt). The original family bore the name Van Roosevelt, translating "of the field of roses," descriptive of their estates in Holland. Claes Martenszen Van Rosenvelt, born August, 1649, emigrated to New Amsterdam (New York). His son (1653) and all of his descendants dropped the Dutch title, *Van*.

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## PRESIDENTIAL SOBRIQUETS.

**Washington.** *Father of his Country.* "Providence left him childless, that his country might call him father."

"For the might that clothed  
The *Pater Patriæ* — for the glorious deeds  
That make Mount Vernon's tomb a Mecca shrine."

— SIGOURNEY.

The first application of the title "The Father of his Country," as applied to Washington, is traceable to an Almanac printed in 1779, at Lancaster, Pennsylvania. The publication had in its frontispiece a picture of Fame holding in one hand the portrait of Washington in a medallion, and with the other, holding to her lips a bugle, from which are issuing the words "*Des Landes Vater*," which being translated is, "Father of his Country."

*Pater Patriæ.* "This, the highest honor that man can receive on earth, was not as of old, a title given to an adored chief by victorious soldiers who, however renowned for their valor, were always open to the influence of personal and temporary feelings; nor was it obtained through the instrumentality of a venal Senate; neither did it originate in state-craft or priest-craft, which have in every age paid homage to the great men of the world for selfish and sinister purposes. The high honors to Washington . . . sprang from the disinterested and deliberate judgment of an intelligent, virtuous, and free people, who felt that he had, in his military



capacity alone, done incomparably more than any other man for the establishment of their Independence, and that in all his civil service he had been actuated by the same upright motives which had governed his whole previous career, and that in that sphere also, as in every act of his life, he had placed the performance of public duties and the advancement of public interests before all other earthly considerations. . . . So regarding his whole career, they with one accord gave him the highest place on the roll of fame and the first in their hearts." — VAN BUREN, *Political Parties*, p. 65.

The first individual belonging to an epoch strictly historical, who received the title *Pater Patriæ* was Cicero, to whom it was voted by the Senate after the suppression of the Catilinarian conspiracy.

"Father of his Country" has been applied to many individuals: —

"Joab, the father of the valley of Charashim."

1 Chron. iv. 14.

Its first application was offered by the Romans to MARIUS for his annihilation of the Teutones, near Aix in 102, and the Cimbri at Vercellæ, July 30, 101 B.C.

CAIUS JULIUS CÆSAR was so-called, subsequent to his quelling the Spanish insurrection at the battle of Munda, March 17, 95 B.C.

MARCUS TULLIUS CICERO, B.C. 62, for breaking up the Catiline conspiracy.

AUGUSTUS CÆSAR, B.C. 31-14 A.D. "Pater atque Princeps" (HORACE).

EMPEROR ANDRONICUS PALÆOLOGUS, the elder, assumed the title, 1260-1332 A.D.

Admiral ANDREA DORIA (1468-1560) termed the "liberator" and the "father of peace" by the Genoese, August 5, 1529 A.D.

COSMO I., DE MEDICI, grand duke of Tuscany (1519-1574 A.D.), is designated on his tombstone, *Cosmus Medici | Hic situs est | Decreto publico, 1 Pater Patriæ.*

LAURENCE O'TOOLE, Archbishop of Dublin, died November 14, 1180.

LOUIS XVIII. of France, 1765-1824.

It was also one of the titles of FREDERICK I., Emperor of Germany.

*American Fabius.* His military policy resembling that of the Roman General Quintus Fabius Maximus Verrucosus as adopted against Hannibal, in declining to risk a battle in the open field, preferring to harass by marches, counter-marches, and ambuscades. (It is an historical fact that Washington never won a battle.)

Chief Justice Marshall notes: —

He has been termed the *American Fabius*; but those who compare his actions with his means, will perceive at least as much of Marcellus as of Fabius in his character. He could not have been more enterprising without endangering the cause he defended, nor have put more to hazard without incurring justly the imputation of rashness. Not relying upon those chances which sometimes give a favorable issue to attempts apparently desperate, his conduct was regulated by calculations made upon the capacities of his army, and the real situation of his country.

*The Cincinnatus of the West.* So expressed by Lord Byron in his "Ode to Napoleon," verse 19: —

"Where may the wearied eye repose  
When gazing on the Great,  
Where neither guilty glory glows,  
Nor despicable state?  
Yes — one — the first — the last — the best —  
The Cincinnatus of the West,  
Whom envy dared not hate,  
Bequeath'd the name of Washington,  
To make man blush there was but one!"



Lucius Quintus Cincinnatus, the Roman, was ploughing his field, when he was saluted as Dictator. After he had conquered the Volsci and delivered his country from danger, he laid down his office and returned to his plough.

"And Cincinnatus, awful from the plough."  
— THOMSON, *Winter*, 512.

The application to Washington was an allusion to his coming from his retirement at Mount Vernon to assume the Presidency.

*Atlas of America.* Having a *new* world on his shoulders.

*Lovely Georgius.* A sarcastic nickname applied by the English soldiery.

"Old Mother Hancock with a pan  
All crowded full of butter,  
Unto the lovely *Georgius* ran,  
And added to the splutter."  
— 6th stanza, *Adam's Fall: the Trip to Cambridge*. 1775.

*Flower of the Forest*, used by the Seneca Indian chief, Red Jacket, in one of his "powwows."

"General Washington, whom the chief used to call 'the flower of the forest,' presented him with a silver medal which he never ceased to wear." — TUCKERMAN, *Book of Artists*, p. 212.

*Deliverer of America.* Expressed on the title-page of the play of "Bruto" (the first Brutus), a tragedy by the Italian poet, Vittorio Alfieri.

DEDICATION. "The name of the *Deliverer of America* alone can stand in the title-page of the tragedy of the Deliverer of Rome. — To you, most excellent and most rare citizen, I therefore dedicate this: without first hinting at even a part of so many praises due to yourself, which I now deem all comprehended in the sole mention of your name."

*Step-father of his Country.* Sarcastically applied by bitter opponents during his Presidency.

*Savior of his Country*, appeared in the "Gazette of the United States," April 25, 1789.

**Adams.** *Colossus of Independence*, *Atlas of Independence*, *Partisan of Independence*. The quick second to the resolution of Richard Henry Lee, and to whose influence and efforts for Colonial Independence in the Continental Congress the ultimate adoption of the Declaration of Independence is due. A coincidence occurred in his death on the semi-centennial anniversary of its adoption (July 4, 1826).

*President of Three Votes.* An epithet applied to Adams by his political opponents, who claimed that but for the bad faith of two Pennsylvania electors, chosen for Republicans, Jefferson would have been President instead of Adams (1796). See page 298.

*American Herschel.* The newspapers of the day so styled him, because he discovered the approach of the baneful French comet (war with France) before his fellow-citizens. (Sir F. William Herschel, English astronomer.)

"A patriot sage who had forecast events and warned an incredulous public to prepare seasonably against coming dangers." — SCHOLLER, V. 1, p. 392.

*The Macchiavelli of Massachusetts.* The Federalists after their defeat in the Presidential election of 1800, as one of their last acts, in a sort of

pique at Jefferson's success, passed a measure creating twenty-three new Federal judgeships, in order to provide places for Federalist partisans, each person chosen opposed to the precepts of Jefferson. Adams was occupied until after midnight March 3, signing their commissions. They were contemptuously called "Midnight Justices."

Nicolo del Machiavelli (1469-1527) of Florence, wrote a political treatise called *The Prince* (Del Principe, or De Principatibus), which, in its general scope, essayed to show that rulers may resort to any treachery and artifice to uphold their arbitrary power, and whatever dishonorable acts princes may indulge in are fully set off by the insubordination of their subjects. The book was supposed to have been written to recommend the author to the Medici; it was not originally intended for publication.

Political cunning, and overreaching by diplomacy, or pernicious political principles, are known as *Machiavellian*.

Tiberius, the Roman emperor (B.C. 42 to A.D. 37), has been called *The Imperial Machiavelli*; his political axiom was, "He who knows not how to dissemble knows not how to reign."

*Son of Liberty.* A direct lineal descendant in the fourth generation, from Henry Adams, who fled from the persecutions in England during the reign of Charles I. His maternal ancestor was John Alden, a passenger in the *Mayflower*. He inherited the title from both parental ancestors.

**Jefferson.** *Sage of Monticello.* A combining of the name of his estate with an allusion to his wise statesmanship and great political sagacity, as exhibited by him in his intercourse with visitors and in his correspondence with public men on matters of government, after he had retired from the Presidency.

*Father of Expansion.* It was under his administration the first possession of territory beyond the domain of the United States was accomplished, — the purchase of Louisiana, April 30, 1803.

*King Mammoth.* A political epithet applied (1802) in derision, as a visionary theorist, "a cat on the kite of popularity who would soon tumble," a man of scientific pretensions.

*Father of Nullification.* Applied, but in error. He died before the tariff measure which gave birth to nullification in South Carolina was passed, or even proposed in Congress. It was a later-date epithet, and probably derived from his introduction of the word into the Kentucky Resolutions; the dogma of his invention being expanded by Calhoun into a system of political philosophy. See "Nullification," page 246.

*The Apostle of Democracy.* So styled by friend and foe, incident to his "practising simplicity in all things."

*The Exponent of Democracy.* The personal representative of the precepts of the Democratic party.

*Long Tom.* Given by his political opponents, suggested by his great height and slender figure.

**Madison.** *Father of the Constitution.* Being the author of the resolution that led to the invitation for the Convention of 1787, issued by the Virginia Legislature, that paved the way to the adoption of the Constitution of the United States.

Also attributable to the fact of his being the oldest survivor, the last of the signers of the Constitution.

*Shield-bearer of Jefferson.* Because he was a sincere and constant friend of Jefferson, the mutual confidence and friendship being firmly cemented when he was Jefferson's Secretary of State.

**Monroe.** *Last Cocked Hat.* From the circumstance of his being the last of the Revolutionary Presidents to wear the hat of that period.

**J. Q. Adams.** *Old Man Eloquent.* His eloquence in Congress in favor of the "right of petition" gained him this title; Congress for a long time refusing to have read his petitions for the abolishing of slavery.

Isocrates, the Athenian orator, B.C. 436, who died (suicide) of grief on hearing the result of the battle of Charonea, which was fatal to Grecian liberty, is styled "old man eloquent" in Milton's Sonnet X, to the Lady Margaret Ley:—

"When that dishonest victory  
At Charonea, fatal to liberty,  
Killed with report that *Old Man Eloquent*."

**Jackson.** *Old Hickory.* Conferred in 1813, by the soldiers of his command. Parton says:—

The name of "Old Hickory" was not an instantaneous inspiration, but a growth. First of all, the remark was made by some soldier, who was struck with his commander's pedestrianism powers, that the General was *tough*. Next, it was observed . . . that he was *tough as hickory*. Then he was called *Hickory*. Lastly the affectionate adjective *old* was prefixed, and the General thenceforth rejoiced in the completed nickname.

*Pointed Arrow.* Given by the Indians, against whom he fought in 1813. A reference to his sword.

*Big Knife* and *Sharp Knife*, given him by the Creek Indians at the time he was prosecuting the Southern Indian War; expressive of his penetration and indomitable will, and significant as a wearer of a sword.

*Hero of New Orleans, Man of New Orleans, Savior of the South.* Consequent upon his victory over the British troops at New Orleans, January 8, 1815, "there never being in a great battle such disparity of losses."

The British: 700 killed, 1400 wounded, and 500 prisoners. The Americans: 8 killed and 13 wounded. (Respective armies numbered, British, 10,000; Americans, 6000.)

*Military Star of the Southwest.* His prominence and efficiency in the Southern border wars.

*Gin'ral.* Used by David Crockett in his "Life of Martin Van Buren."

*Old Hero.* Mentioned in Schurz's "Life of Henry Clay."

*The Old Lion*, or as the phrase was used, "the old lion in his lair." After the expiration of his second term as President he retired to the quiet retreat of "The Hermitage," where his influence in party politics dominated, as shown in the nomination of Van Buren in 1836 and Polk in 1844. While in the quiet of his home, yet exerting an extended and potent influence that not unfrequently stirred up party zeal, if not rancor, he was often spoken of as "the old lion in his lair."

"Freeman, cheer the Hickory tree,  
 In storms its boughs have sheltered thee;  
 O'er Freedom's Land its branches wave;  
 'Twas planted on the LION'S GRAVE."  
 — *Campaign Song of 1828.*

*Cesar of the White House.* Because he used his office as an engine in partisan warfare, displacing hundreds of his predecessors' appointees, and selecting men of his party for the places declared vacant. In his first year he removed five hundred postmasters.

*King Andrew.* Given by his enemies, alleging he had usurped all the functions of State, like an absolute monarch.

"King Andrew had five trusty 'squires,  
 Whom he held his bid to do;  
 He also had three pilot-fish  
 To give the sharks their cue.  
 "There was Mat and Lou and Jack and Lev,  
 And Roger of Taney hue,  
 And Blair the cook,  
 And Kendall chief cook,  
 And Isaac, surnamed the true."

"Five 'squires" — Martin Van Buren, Secretary of State; Louis McLane, Secretary of the Treasury; John Branch, Secretary of the Navy; Levi Woodbury, Branch's successor; Roger B. Taney, Attorney-General.

The administration organ, *The Globe*, Francis P. Blair, editor; Amos Kendall and Isaac Hill (N.H.) contributors. These three friends were called the *Kitchen Cabinet* by the Whigs, who alleged Jackson admitted them by the back door to avoid observation.

*The People's President.* Elected to office without a previous political prestige, the candidate of the people.

*Van Buren. Little Magician.* In allusion to his supposed political sagacity and talents.

"Charges of political chicanery were brought against him in shapes more varied than those of Proteus and thick as the leaves that strew the Vale of Vallombrosa; but he invariably extricated himself by artifice and choice management, earning the sobriquet of the 'Little Magician.'" — POORE'S *Reminiscences*, p. 130.

*Wizard of Kinderhook.* Another form of reference as before mentioned, Kinderhook being his dwelling-place, as well as birth-place.

*Follower in the Footsteps.* Appellation used by himself, *i.e.* successor of his predecessor, said to be a sort of masculine Madame Blaize,

"Who shone the neighborhood to please,  
 With manners wondrous winning,  
 And never followed wicked ways,  
 Except when she was sinning."

*The Obscure.* Because he had pledged himself to Jackson, that if elected he would tread in his footsteps. "He was muffled to the ears in his patron's mantle."

*Matty.* Owing to his soft and demure qualities.

*Little Van.* On account of his being undersized.

"For Tippecanoe and Tyler, too — Tippecanoe and Tyler, too;  
 And with them we'll beat little Van, Van,  
 Van is a used up man;  
 And with them we'll beat little Van."  
 — *Whig Campaign Song (1840), to the tune of "Little Pig's Tail."*

*The Flying Dutchman.* The Dutch origin of his family, added to his excitable nature.

*Whiskey Van.* Given by opponents of Crawford in the State of Georgia, See Crockett's "Life of Martin Van Buren," p. 25.

*King Martin the First.* See "Off-hand Takings," p. 127. Bungay.

The papers of the day had various nicknames, as "Sweet Little Fellow," *Richmond Inquirer*; "Northern Man of Southern Principles," *Charleston Courier*; also, "Political Grimalkin" (Clinton), "Weasel" (Calhoun), "An Old Fox" (see *Loco-Foco*, page 175).

**W. H. Harrison.** *Tippecanoe.* Owing to his military reputation, attained at the junction of the Tippecanoe and Wabash rivers in the 1812 War, dating from the Battle of Tippecanoe, November 7, 1811. The campaign cry at the time of his election being *Tippecanoe and Tyler, too.*

"What has caused the great commotion, motion, motion  
Our country through?  
It is the ball a-rolling on  
For Tippecanoe and Tyler, too,  
For Tippecanoe and Tyler, too."

Another refrain contained the following:—

"Then hurrah for the field where the bald eagle flew  
In pride o'er the hero of *Tippecanoe.*"

*Hard Cider—Log Cabin.*

"A Washington correspondent of the *Baltimore Republican* in one of his letters sneeringly remarked that give the candidate a pension of a thousand dollars and a barrel of hard cider, and he would sit contented in his log cabin for the rest of his days. To ridicule the log cabin in which every Western man was born, ill became the party whose best representative was Jackson. Some happy observer seized the unfortunate sneer and used it as a rallying cry for the Harrison party. Log cabins large enough to hold great crowds of people were built in many places. Small ones mounted on wheels, and decorated with raccoon skins, were used in processions, and a barrel marked 'Hard Cider,' was conspicuous at the public meetings. Politicians wore log-cabin buttons and handkerchiefs, log-cabin cigars were smoked, and even laundresses advertised to do up shirts in log-cabin style. Log-cabin songs, introducing the hard cider, were sung, and a collection of these songs was published in a book."—FREY.

*Cincinnatus of the West.* He was called to the Presidency from his estate *in the West*, on the Ohio River. See "Cincinnatus of the West," as applied to Washington.

*Old Tip.* Poore's "Reminiscences," p. 231, notes "when he calls to mind how confoundedly 'Old Tip' chased, caught, and licked Proctor and Tecumseh."

"Farewell, dear Van,  
You're not our man;  
To guide the ship  
We'll try 'Old Tip'!"

—A *Banner Motto*, in the *Campaign of 1840.*

*Washington of the West.* During the campaigns of 1812–1813 he was constantly in service, and devoted his best and greatest energies to his country. He followed the British into Canada, and captured the whole army of Proctor. He was then hailed as the *Washington of the West.* — BURR, "Life and Times of Harrison," p. 262.

**Tyler.** *Young Hickory.* Repetitious application of Jackson's nickname, suggested by Tyler's physical strength, as compared with President Harrison.

The sobriquet used in "My Thirty Years out of the Senate," by Major Jack Downing, also in a speech of Stephen A. Douglas, on June 3, 1840.

*Accidental President.* Through his being President by the death of the President elected, the first occurrence in the history of the United States; applied derisively by the Whigs, who had nominated him as Vice-President, and against which party he completely turned when he became President.

**Polk.** *Young Hickory.*<sup>1</sup> Polk being born in North Carolina, the same State as Jackson, and afterwards settling, as did Jackson, in Tennessee, there being, too, resemblance in their political feelings, his adherents of the campaign, to resurrect the Jacksonian element, so christened him.

**Taylor.** *Rough and Ready.* From prominent traits in his character; given by his soldiers during the Mexican War; sometimes used with the national endearment, *Old*, as a prefix.

*Old Buena Vista.* An allusion to his laconic expressions at the Battle of Buena Vista, Mexico: "General Taylor never surrenders," and "A little more grape, Captain Bragg." See Index, "American Aphorisms."

*Old Zach.* *Zach* an abbreviated nickname for Zachary, with the familiar prefix, *Old*. — TAYLOR, "Textbook," p. 2.

**Fillmore.** *The American Louis Philippe.* His dignified, courteous manner, combined with his polished personnel when contrasted with these social qualifications in his predecessors, suggested to the descriptive mind of the press, "French manners now at Court." His similarity in physique to the French king further aided in the application of the sobriquet.

**Pierce.** *Purse.* A special pronunciation of the name by his political friends.

"The convention at last on the forty-ninth ballot nominated General Pierce — Purse his friends called him." — POORE'S *Reminiscences*, p. 414.

**Buchanan.** *Old Public Functionary.* He thus alluded to himself in his message to Congress in 1859. (In the newspapers allusions to this nickname were confined to the initials O. P. F.)

"This advice proceeds from the heart of an *old public functionary*, whose service commenced in the last generation, among the wise and conservative statesmen of that day, now nearly all passed away," etc.

*Bachelor President.* As the prefix implies.

*Old Buck.* A catch-name, with reference to his age. See Forney's "Anecdotes of Public Men," p. 64.

**Lincoln.** *Honest Old Abe.* "Kind, earnest, sympathetic, faithful, honest, democratic, anxious only to serve his country."

"The words, *Honest Old Abe*, have passed into the language of our time and country as the synonym for all that is just and honest in man." — KIRKLAND, *Anecdotes*, p. 646.

*Old Abe.* Used by the Confederates in a derisive sense. At the beginning of the war it appeared in the following rhyme:—

“ Davis's answer is rough and curt —  
Sumter is ours, and nobody hurt ;  
With mortar, Paixhan, and petard,  
We tender 'Old Abe' our *Beau-regard*.”

*Emperor at the Other End of the Avenue.* A Democratic expression in describing him as dangerous to the liberties of his countrymen.

*Uncle Abe.* Used by the negro, subsequent to the issuance of the Emancipation Proclamation. *Uncle* in the Southern and Middle States is the particular property of the negro race, being used as a respectful mode of addressing an elderly colored person.

*Massa Linkum.* Another negro salutation.

*Sectional President.* An application made by the Southerners, who at the time of his candidacy, claimed that he represented the Northern section of the nation, not the whole people.

*Rail-Splitter.* At the Republican State Convention, Decatur, Illinois, May 9 and 10, 1859, John Hanks, an old Democrat, presented to the meeting two small triangular rails, and a banner which bore the inscription:—

ABRAHAM LINCOLN,

THE RAIL CANDIDATE

FOR PRESIDENT IN 1860.

Two rails from a lot of 3000 made in 1830 by Thos. Hanks and Abe Lincoln, whose father was the first pioneer of Mercer County.

The term “rail-splitter” became a campaign sobriquet.

*Father Abraham.* Biblical word-play on his Christian name, made famous in the war song by James Sloan Gibbon of New York City (July, 1862).

“ We're coming, Father Abra'am, three hundred thousand more.”

*The First American.* So termed by James Russell Lowell, meaning that he was the first perfected fruit of our nationality in its definite phase.

“ The kindly, earnest, brave, foreseeing man,  
Sagacious, patient, dreading praise, not blame,  
New birth of our new soil, the first American.”

Closing lines of an *Ode to Abraham Lincoln recited at the Commemoration of the Living and Dead Soldiers of Harvard University, July 21, 1865.*

“ Independent of and far above all parties and prejudices, the great, gaunt, patient Abraham towers, as the old statue of Saint Christopher towered hard by the Cathedral of Notre Dame in Paris, a wonder and a marvel, looked up to of men, not because of its beauty, but of its rough nobility and grandeur. Lincoln is the possession of no party; he belongs to the plain people, from whom he sprang, whose homely humor suited him, whose aspirations were sacred to him.”

*Illinois Baboon.* Given by the Confederates during the Civil War. — RICHARDSON, *Secret Service*, p. 355.

*The Great Emancipator.* An allusion to his Proclamation of Emancipation of the slaves. See page 127.

*The Nation's Elder Brother.* The wisecrack of the nation's family, to whom the people of the North, during the Civil War, looked for counsel and leaned upon for material support.

*The Man of the People.* Because looked upon as the incarnation of the spirit of Democracy. The completeness with which he understood the common people was the basis of his power as a leader in a crisis when ordinary principles were useless.

"He was the North, the South, the East, the West,  
The thrall, the master, all of us in one."

*The Middle-class President.* — EMERSON.

*The Foremost Convincer of his Time.* "The one who could do his cause more good and less harm than any other living man." — GREELEY.

*That Grand Old Man.* — *Life of Seward*, V. I., p. 713.

*New Type of American.* The election into office of a citizen without social prestige, political influence, or noted family antecedents; a child of the undeveloped West, as if nature had departed from her usual form and "reverted to a rudimentary type."

"Nature, they say, doth dote,  
And cannot make a man  
Save on some worn-out plan,  
Repeating us by rote.  
For him her Old World moulds aside she threw  
And, choosing sweet clay from the breast  
Of the unexhausted West,  
With stuff untainted shaped a hero new."  
— *Commemoration Ode*, LOWELL.

**Johnson.** *Sir Veto.* Incident to his extraordinary use of the veto power, and his subsequent impeachment by the House.

"*The Man at the Other End of the Avenue.*" A phrase many times used in Congress by Senator Thaddeus Stevens; a sarcastic reference to President Johnson who was at the time in the White House at the other end of Pennsylvania Avenue. The Capitol is at the opposite end of the same avenue.

**Grant.** *Unconditional Surrender.* When General Buckner, on whom the command of Fort Donelson devolved, February 16, 1862, asked General Grant for an armistice to arrange terms of capitulation, Grant replied, "No terms other than an unconditional and immediate surrender can be accepted." (See "American Aphorisms.") . . . The conditions, *unconditional surrender*, carrying an acrostic of the initial letters of his Christian names, quickly made the words a popular sobriquet, and was the subsequent introduction through the press of similarly built nicknames: *Unanimously Supported*, *Union's Safeguard*, *Unprecedented Strategist*, *Unquestionably Skilled*, *Uncommon Stronghold*, *Unparalleled Stickler*, *Undaunted Stahwart*, *Unexceptionably Successful*, *Uniformed Soldier*, *Unyielding Schemer*, *United States*, *Uncle Sam*, etc.



*Old Three Stars.* So called by his soldiers, that number indicating his rank as lieutenant-general.

*Hero of Appomattox.* Alluding to the surrender to Grant of General Lee at Appomattox Court-House, Virginia, April 9, 1865, of which Grant was the hero.

*The Silent Man of Appomattox.* The quiet, unostentatious mannerism displayed upon the surrender of General Lee.

*American Cæsar.* Applied by the opponents to his third-term candidacy, claiming that a breach of the customary presidential term of eight years would have a monarchial tendency; alleging Grantism had become a synonym for Cæsarism. See page 273.

*American Sphinx, Great Unspeakable, Ulysses the Silent.* Names applied while a military officer, owing to his secretiveness, and his uncommunicative manner incident to his positions of responsibility, wherein he was obliged to be chary in his expressions of opinion and purpose.

*Hayes. President de Facto.* Name applied by the friends and press that were favorable to S. J. Tilden, the defeated nominee, asserting the cause of his defeat was fraud, which belief they continued to emphasize by speaking of Tilden as President *de jure*, and Hayes as President *de facto*.

These terms *de facto* and *de jure* are generally used in connection with the holding of office. One who has actual possession of an office and exercises its functions is said to be an officer *de facto*, or in fact; one who is entitled to an office, but does not actually fill it, is said to be an officer *de jure*, or by right. A *de facto* officer may hold his office without wrongful intent, though without legal sanction, as when there have been technical irregularities in the appointment, or when the law under which he was appointed is afterward declared unconstitutional by the courts. The acts of a *de facto* incumbent are valid as respects third persons and the public generally if the officer holds his position by color of right (that is, with supposed authority based on reasonable grounds), if he holds it with some degree of notoriety, if he is actually in exercise of continuous official acts, or if he is in actual possession of a public office.

*Garfield. The Martyr-President.* Allusion to his assassination because he was the President.

"A mass meeting was held in front of the Merchants' Exchange in New York City, April 15, 1865, the day of President Lincoln's death. The excited throng was demanding vengeance upon certain newspapers for utterances considered treasonable; two men lay dying in the street for exulting in assassination, and telegrams from Washington gave intimations of other probable victims of a general conspiracy. At this critical moment a man known to but few stepped forward, and beckoning to the crowd with a small flag, spoke these words in a clear and impressive voice: 'Fellow-citizens, — Clouds and darkness are around about Him. His pavilion is dark waters and thick clouds of the skies. Justice and judgment are the establishment of his throne. Mercy and truth shall go before his face. God reigns, and the government at Washington still lives.' The effect was instantaneous. The crowd listened, and became calm, and the meeting afterwards was quietly dissolved.

"Sixteen years later, on the 17th of July, as President Garfield himself lay prostrate from the assassin's bullet, he called for paper, and wrote distinctly his name, followed by *strangulatus pro republicâ* (tortured for the republic)." — BENT, *Sayings of Great Men*.

*The Teacher-President.* When a boy it was his great ambition to obtain a college education, in order that he might be a thoroughly qualified teacher. At eighteen years of age he was a teacher, at twenty-five a college professor, subsequently being President of Hiram College, Ohio.

*The Dark Horse.* A reference to his nomination for the Presidency. In political parlance it is an unforeseen or compromise candidate. The

term is borrowed from the turf, incident to a custom of training a horse in secret, or "keeping him dark," so that his powers may be unknown.

**Arthur.** *Our Chet.* A contraction of Chester, used by his New York friends.

*The first gentleman in the land.*

"He was emphatically the *first gentleman in the land*. His thorough knowledge of prominent men and politics during the preceding quarter of a century enabled him to entertain his listeners with graphic descriptions of remarkable scenes, piquant but never indelicate anecdotes and keen sketches of men and women and interesting statements about the workings of political machinery." — POORE, *Reminiscences*, p. 451.

"*Flos regum Arthur*, the Laureate, heads the noble dedication of his Arthuric legends to the manes of Albert; not 'flower of kings,' shall history call this Arthur of ours, and yet must she accord him some attributes of his mythic namesake, a high and noble courtesy to all men, small and great; an unflinching, uncomplaining loyalty to friends who turned too often ingrate; a splendid presence, a kindly heart, a silent courage, and an even mind. These things go no small way toward the making of *America's first gentleman*." (A DEDICATION.)

**Cleveland.** *Man of Destiny.* In allusion to his rapid rise in political life, the most extraordinary in the history of the country; *an unknown man* in 1881 (then mayor of Buffalo, N. Y.), three years later elected to the "highest office in the land."

It was in the spring of 1883, at a public banquet following the dedication of a soldiers' monument in Buffalo, at which the then Governor Cleveland and his staff were present. Congressman John M. Farquhar of Buffalo was toast-master for the occasion. When the time was reached for Governor Cleveland to respond to "the State of New York," Mr. Farquhar said: "Ladies and gentlemen, we will now have the pleasure of listening to some remarks on the glories and achievements attained by the Empire State by an appropriate character of New York — *the man of destiny* — the present Governor of the State."

**Grover.** A familiar use of his Christian name by the press and people.

*Stuffed Prophet.* A political designation adopted by the *New York Sun* in the campaign of 1892, alleging Cleveland was "stuffing" the public with airy nothings by his various prophecies regarding tariff reform and sound money, with the "great benefits" to the country consequent upon his election. The antagonism was against the Mugwumpian spirit. See "Mugwump," page 176.

Other sobriquets used by the same journal were, *Mugwump Moses*, *Grover le gros*, *The Claimant*, and *King of Cranks*.

**B. Harrison.** *Son of his Grandfather.* Given by the opposing party, alleging the personality of himself and father unknown; that whatever merit existed would be the transmitted reputation of heritage, from being the son of his grandfather, *Tippecanoe*.

His *grandfather's hat* was a conspicuous element in the hands of cartoonists during the campaign of 1888.

*Backbone Ben.* Used by the press; an outcome of his self-opinioned action in appointments, as against suggestions of the machine-political.

*Pure Sarsaparilla.* Being interrogated at Indianapolis October 5, 1895, and asked if the published interview between him and John C. Ward was authorized, he smilingly replied: —

"Young man, when I want to say anything to my political friends, I

will say it myself. When you see my name subscribed to the statement you will know that it is the pure sarsaparilla, and not till then."

*Little Ben.* A pet name given him by the Seventieth Indiana regiment, which he organized, and later was appointed its colonel. The name incident to his short stature.

*Hoosier President.* Elected from Indiana, the Hoosier State. See Index, "Indiana."

*McKinley. Prosperity's Advance Agent.* Incident to the association of his name with the Republican Tariff bill, which was to produce prosperity. The application in the campaign of 1896 was an indication of a renewal of prosperity.

In 1901 the application emphasized by using "*contemporary witness of prosperity; prophet of prosperity's continuance and increase.*"

"To no President has it ever before been given to report as a tremendous accomplished fact the national situation, which was thus described by Mr. McKinley in his Roanoke address (April 29, 1901):—

"We have never had so much to do in all our history as we have now. We never had so much business at home, nor so much abroad. We never made so much and never sold so much as we shall sell this year. We are expanding our markets. Our productive capacity has become so great that we are not only able to supply the home markets, but we require a foreign market for our surplus; and so we are seeking an open door in the Orient for the products of American soil and American labor.'" — *New York Sun*, May 1, 1901 (Editorial).

*Bonaparte of Politics, Napoleon of Canton.* Incident to the resemblance of McKinley to Bonaparte in face and taciturnity.

The caricaturists always represented him wearing the hat of the great Napoleon, the *chapeau bicorne*, or "two-cornered hat."

*Roosevelt. Teddy.* A familiar abbreviation of his Christian name, developed in college days. The wholesomeness of his life among the people and with his family caused thousands of American citizens to call him not only by his Christian name, but more familiarly by his nickname.

"He whom men called 'Teddy,'  
And the gods call 'Theodore.'"

*Our Strenuous President.* In an address delivered by him in Chicago, April 10, 1899, before the Hamilton Club, he used the following sentences: "I wish to preach, not the doctrine of ignoble ease, but the doctrine of the strenuous life—the life of toil and effort, of labor and strife; to preach that highest form of success which comes, not to the man who desires mere easy peace, but to the man who does not shrink from danger, from hardship, or from bitter toil, and who out of these wins the splendid ultimate triumph."

This remark attached itself to his name forever, the word "strenuous" summing up his character; a fighter in war for his country, a fighter in peace for his principles, a hunter, a boxer, and an athlete for his health and happiness; every inch of his road from Cutler's Academy to the White House fought out against odds. The first all-round athlete to sit in the President's chair.

*The Rough Rider.* Incident to his novel aggregation or gathering together of the hardy horsemen, or rough riders, from all sections of the country, creating with them a regiment which was mustered into service as the First Regiment United States Volunteer Cavalry, performing active duty in Cuba during the Spanish-American War. He enlisted as lieutenant-colonel, ultimately becoming its colonel.

*Man on Horseback.* An application used by the Democrats, alleging he rode into prominence through his Spanish War record; also that all of his acts are done precipitately, without regard to consequences.

## AS MEN OF LETTERS.

**Washington.** "Maxims," 1796; "Transcripts of Revolutionary Correspondence," Boston, 1834-1837.

**Jno. Adams.** "Essay on Canon and Feudal Law," 1765; "Political Essays in Almon's Remembrancer," 1774, under name of *Novanglus*; "Defense of the American Constitution," 1786; "History of Dispute with America"; "Discourses on Davila," 1790.

**Jefferson.** "A Summary View of the Rights of America," 1775; "The Declaration of Independence," 1776; "Notes on Virginia," 1784; "Act for Freedom of Religion," 1786; "Manual of Parliamentary Practice"; State Papers.

**Madison.** "Reports of Debates during the Congress of the Confederation and Federal Congress." Washington, 1840; "Notes on Confederacies," published in *The Federalist*, Nos. 17, 18, and 19; Essays, under name of *Helvidius*, criticising "Monarchical Prerogative of the Executive"; State Papers.

**Monroe.** "A View of the Conduct of the Executive," 500 pp., Philadelphia, 1797; "Tour of Observation," 1817; "The People," "The Sovereign," etc.; State Papers.

**J. Q. Adams.** "Poems of Religion and Society," "The Bible and Teachings," "Letters on Freemasonry," "Translation of Wieland's *Oberon* into English," 1797; "Lectures on Rhetoric and Oratory," 1810; "Criticisms of 'Rights of Man'" (Paine's), by *Publicola*; "Defense of Washington's Policy of Neutrality," under name of *Marcellus*; "Discussion of the Extraordinary Behavior of Citizen Genet," as *Columbus*; State Papers.

**Van Buren.** "Inquiry into the Origin and Causes of Political Parties in the United States," New York, 1862 (published as a fragment).

**W. H. Harrison.** "A Discourse on the Aborigines of the Valley of the Ohio," Cincinnati, 1838.

**Buchanan.** "Résumé of My Administration," Philadelphia, 1866.

**Lincoln.** His orations, Gettysburg the finest — “It has taken place as a classic in American literature.”

**Johnson.** His speeches. Boston, 1865.

**Grant.** “An Undeserved Stigma, an Act of Justice to General Fitz-John Porter.” — *North American Review*, December, 1882. Four campaign articles to the *Century Magazine*: “Shiloh,” February, 1885; “Vicksburg,” September, 1885; “Chattanooga,” November, 1885; “The Wilderness,” February, 1886; “The Personal Memoirs of U. S. Grant,” 2 vols. New York, 1885.

**Garfield.** “Discovery and Ownership of the Northwestern Territory and Settlement of the Western Reserve,” Ohio His. Soc. Papers, 1874; “Garfield’s Words” (his speeches), 1881.

**Cleveland.** The writings and speeches of. 1892.

**Harrison, B.** His speeches, 1892; “This Country of Ours,” 1897; “Views of an ex-President,” 1901.

**McKinley.** Speeches, 1896.

**Roosevelt.** “The Naval War of 1812,” 1882; “Hunting Trips of a Ranchman”; “The Wilderness Hunter,” 1885; “Life of Thomas Benton,” 1887; “Essays on Practical Politics,” 1888; “Life of Gouverneur Morris,” 1888; “Historic Towns,” New York, 1891; “The Winning of the West,” 4 vols., 1894-1896; “Hero Tales from American History” (joint-author with Henry Cabot Lodge), 1895; “Ranch Life and the Hunting Trail,” 1896; “Some American Game,” 1897; “American Ideals,” 1897; “Public Papers as Governor,” 1899; “The Rough Riders,” 1899; “Life of Oliver Cromwell,” 1900; and magazine articles.

### Ex-Presidents Living at Time of President Incumbent Entering Office.

Washington.		Lincoln.	{ Van Buren, Tyler, Fillmore,
2d term.			{ Pierce, Buchanan.
Adams.	Washington.	2d term.	Fillmore, Pierce, Buchanan.
Jefferson.	Adams.	Johnson.	Fillmore, Pierce, Buchanan.
2d term.	Adams.	Grant.	Fillmore, Pierce, Johnson.
Madison.	Adams, Jefferson.	2d term.	Fillmore, Johnson.
2d term.	Adams, Jefferson.	Hayes.	Grant.
Monroe.	Adams, Jefferson, Madison.	Garfield.	Grant, Hayes.
2d term.	Adams, Jefferson.	Arthur.	Grant, Hayes.
J. Q. Adams.	Adams, Jefferson, Monroe.	Cleveland.	Grant, Hayes.
Jackson.	Monroe, J. Q. Adams.	Harrison, B.	Hayes, Cleveland.
2d term.	Adams, J. Q.	Cleveland.	Harrison, B.
Van Buren.	Adams, Jackson.	McKinley.	Cleveland, B. Harrison.
Harrison, W.	Adams, Jackson, Van Buren.	2d term.	Cleveland, B. Harrison.
Tyler.	Adams, Jackson, Van Buren.	Roosevelt.	Cleveland.
Polk.	{ Adams, Jackson, Van Buren,		
	{ Tyler.		
Taylor.	Van Buren, Tyler, Polk.		
Fillmore.	Van Buren, Tyler.		
Pierce.	Van Buren, Tyler, Fillmore.		
Buchanan.	{ Van Buren, Tyler, Fillmore,		
	{ Pierce.		

(Fac-simile of original signatures.)

George Washington

John Adams.

Th. Jefferson

James Madison

James Monroe

J. Q. Adams

Andrew Jackson

Wm. Van Buren

W. H. Harrison

John Tyler

James K. Polk

Zachary Taylor.

Millard Fillmore

Franklin Pierce

James Buchanan.

A. Lincoln

Andrew Johnson

U. S. Grant

R. B. Hayes

J. A. Garfield

C. A. Arthur

Grover Cleveland

Benjamin Harrison

Wm McKinley  
Theodore Roosevelt

## EDUCATION AND PROFESSION.

	EDUCATIONAL ADVANTAGES	PROFES- SION WHEN ELECTED	EARLY VOCATION	ANCESTRY	FATHER'S BUSINESS
Washington	Common school .....	Planter ..	Surveyor.	English .....	Planter.
Adams .....	{ Graduate, Harvard College, 1755.....	Lawyer ..	Teacher ..	English .....	Farmer.
Jefferson ...	{ Graduate, College William and Mary, 1762 .....	Lawyer ..	Lawyer ..	Welsh .....	Planter.
Madison ....	{ Graduate, Princeton Col- lege, 1771.....	Lawyer ..	Lawyer ..	English .....	Planter.
Monroe .....	{ Entered College William and Mary .....	Politician.	Lawyer ..	Scotch .....	Planter.
Adams, J. Q.	{ Graduate, Harvard College, 1787.....	Lawyer ..	Lawyer ..	English .....	Lawyer.
Jackson ....	Self-taught .....	Lawyer ..	Lawyer ..	Scotch-Irish.	Farmer.
Van Buren ..	Academy .....	Lawyer ..	Lawyer ..	Dutch.....	Farmer.
Harrison, W.	{ Entered Hampden-Sydney College.....	Army ....	Medicine.	English .....	Statesman.
Tyler .....	{ Graduate, College William and Mary, 1806.....	Lawyer ..	Lawyer ..	English .....	Jurist.
Polk .....	{ University of North Caro- lina .....	Lawyer ..	Lawyer ..	Scotch-Irish.	Farmer.
Taylor .....	Common school .....	Army ....	Soldier ...	English .....	Planter.
Fillmore ....	Public school .....	Lawyer ..	Tailor ....	English .....	Farmer.
Pierce .....	{ Graduate, Bowdoin Col- lege, 1824.....	Lawyer ..	Lawyer ..	English .....	Farmer.
Buchanan ...	{ Graduate, Dickinson's Col- lege, 1809.....	Lawyer ..	Lawyer ..	Scotch-Irish.	Merchant.
Lincoln ....	Self-taught .....	Lawyer ..	Farmer ..	English .....	Farmer.
Johnson ....	Self-taught .....	Politician.	Tailor ....	English .....	Sexton.
Grant .....	{ Graduate, West Point Mil. Academy, 1843 .....	Army ....	Tanner...	English .....	Tanner.
Hayes .....	{ Graduate, Kenyon College, O., 1842 .....	Lawyer ..	Lawyer ..	Scotch .....	Merchant.
Garfield ....	{ Graduate, Williams Col- lege, 1856.....	Lawyer ..	Teacher ..	English .....	Farmer.
Arthur .....	{ Graduate, Union College, 1848.....	Lawyer ..	Teacher ..	Scotch-Irish.	Clergyman.
Cleveland ...	Common school .....	Lawyer ..	Teacher ..	English .....	Clergyman.
Harrison, B.	{ Graduate, Miami Univer- sity, O., 1851 .....	Lawyer ..	Lawyer ..	English .....	Farmer.
McKinley ...	{ Graduate, Poland, O., Academy.....	Lawyer ..	Teacher ..	Scotch-Irish.	Iron manfr.
Roosevelt ...	{ Graduate, Harvard College, 1880.....	Politician.	Lawyer ..	Dutch-Scotch	Merchant.
.....	.....	.....	.....	.....	.....
.....	.....	.....	.....	.....	.....



CIVIL OFFICES HELD BY PRESIDENTS.

MEMBER PROVISIONAL CONGRESS	DELEGATE CONTINENTAL CONGRESS	MEMBER COMMITTEE DRAFTING CONSTITUTION	MAYOR OF CITY	MEMBER STATE LEGISLATURE	GOVERNOR STATE OR TERRITORY	MEMBER HOUSE OF REPRESENTATIVES
John Adams	John Adams	Washington				
Jefferson	Jefferson			Jefferson	Jefferson	
	Madison			Madison		Madison
		<sup>8</sup> Monroe		Monroe	Monroe	Monroe
				J. Q. Adams		
				Jackson	Jackson	Jackson
				Van Buren	Van Buren	
				W. Harrison	W. Harrison	W. Harrison
				Tyler	Tyler	Tyler
				Polk	Polk	Polk
				<sup>1</sup> Fillmore		Fillmore
				Pierce		Pierce
				Buchanan		Buchanan
				<sup>2</sup> Lincoln		Lincoln
			<sup>3</sup> Johnson	Johnson	Johnson	Johnson
					Hayes	Hayes
				Garfield		Garfield
			<sup>4</sup> Cleveland		Cleveland	
					McKinley	McKinley
				Roosevelt	Roosevelt	

UNITED STATES SENATOR	MINISTER TO FOREIGN COUNTRIES	CABINET SECRETARY OF STATE	SPEAKER HOUSE OF REPRESENTATIVES	VICE-PRESIDENT	NO CIVIL OFFICE
	John Adams			John Adams	
Jefferson	Jefferson	Jefferson		Jefferson	
		Madison			
Monroe	Monroe	Monroe			
J. Q. Adams	J. Q. Adams	<sup>7</sup> J. Q. Adams			
Jackson					
Van Buren	Van Buren	Van Buren		Van Buren	
W. Harrison	<sup>6</sup> W. Harrison				
Tyler			Polk	Tyler	
					Taylor
				Fillmore	
Pierce					
Buchanan	Buchanan	Buchanan			
Johnson				Johnson	
		<sup>10</sup> Grant			<sup>10</sup> Grant
<sup>9</sup> Garfield					
				<sup>6</sup> Arthur	
B. Harrison					
				Roosevelt	

<sup>1</sup> Fillmore, Comptroller of N.Y. State; <sup>2</sup> Lincoln, Postmaster; <sup>3</sup> Johnson, Alderman; <sup>4</sup> Cleveland, Assistant District Attorney and Sheriff of Erie Co., N. Y.; <sup>5</sup> Arthur, Collector of the Port of New York. <sup>6</sup> Rejected. <sup>7</sup> Also Secretary of War.

<sup>8</sup> Justice of the Peace after retirement from the Presidency.

<sup>9</sup> Elected for term commencing March 4, 1881, but before taking his seat was elected President.

<sup>10</sup> *ad int.* Secretary of War, 1867.

## PRESIDENTIAL AND VICE-PRESIDENTIAL.

## HISTORICAL NOTES.

Washington is the only President, in fact the only American, whose birthday anniversary is kept as a legal holiday by the entire country. He is the *only human historical character* who has a birthday permanently recognized by a nation anywhere in the world.

The accepted date of the birth of Washington is February 22, 1732 (February 11, O.S., or February 22, N.S.).

The following historic references note an uncertainty. Washington was initiated into a Masonic lodge at Fredericksburg, Va., November 4, 1752 ("Encyclopedia of Freemasonry," p. 869), and as twenty-one years is the minimum age requirement, this would evidence his year of birth as 1731.

Edward Everett's "Life of Washington," p. 19, notes:—

"In the family record contained in a Bible which belonged to the mother of Washington, and which is now in the possession of George Washington Bassett, of Hanover County, Virginia, who married a grand-niece of Washington, the following entry is found:—

"George Washington, son to Augustine and Mary his wife, born ye 11th day of February, 1731 1-2, about ten in the morning, and was baptized the 3rd of April following; Mr Beverly Whiting and Captain Christopher Brooks, godfathers, and Mrs Milfred Gregory, godmother."

"The above is in the handwriting of Augustine Washington."

The inscription over his grave declares him 68 years old December 14, 1799, the date of his death, which would make 1731 the year of his birth.

The notation 1731 1-2 was the common way of writing "1731 or 1732," as the Gregorian calendar had not been adopted by Great Britain and her dependencies, the year beginning with March 25, so that the dates between January 1 and March 25 were stated alternately as "1731 or 1732," as the reckoning was from the respective date, *i.e.* from January 1 it would be 1732; if from March 25, the year would be 1731. (The new style adopted in 1751 (24 George II.) taking effect January 1, 1752.)

There was no February in 1751, because it was made the second month of 1752, instead of, as it would have been, the eleventh month of 1751, evidencing Washington was under twenty-one November 4, 1752; the proper date of his majority being February 22, 1753, and aged 67 years, 9 months, and 22 days at his death.

Lincoln's birthday, February 12, is a holiday in some States. Jefferson Davis, of the late Confederacy, has his birthday recognized in some of the Southern States.

All Presidential elections take place in leap year (1900 was not a leap year).

The most remarkable coincidence in the canvass of 1896 was, every State that voted for Lincoln in 1860 voted for McKinley in 1896; every State that voted for Jefferson Davis in 1861 voted for Bryan in 1896.

McKinley had a larger majority than Lincoln had in 1860 in every State.

At the time of election, the profession of lawyer was pursued by eighteen out of twenty-four Presidents; three belonged to the army; three were politicians; one, a planter.

None of the country's worthy orators have ever succeeded in being elected to the office of President.

Cleveland is the only candidate whose surname began with "C" who was successful; *e.g.* Geo. Clinton, DeWitt Clinton, Crawford, Clay, Cass, Cooper, Cowdrey, Curtis, and we might here add Cleveland, he being an aspirant for the twenty-sixth administration.

All Presidential candidates whose surnames ended with the letter *n*, with a Vice-President candidate whose surname likewise ended with *n*, were elected, excepting Bryan and Watson and Bryan and Stevenson.

Jefferson and Clinton.

Madison and Clinton.

Jackson and Calhoun.

Jackson and Van Buren.

Van Buren and Johnson.

Lincoln and Hamlin.

Lincoln and Johnson.

Harrison and Morton.

The letter *n* is the final surname letter of ten Presidential names.

Polk was the first "dark horse" candidate ever nominated by any hopeful party for the Presidency; he was pressed for the Vice-Presidency.

Buchanan was the only Chief Magistrate who, having served one term, was not a candidate for reëlection.

Grant, the only President who made a struggle for a third term. Cleveland was three times a candidate, once defeated.

No President *pro tem.* of the Senate, which office was eligible prior to the Succession Act of 1886 (*q.v.*), ever reached the Presidency. The nearest approach was in 1868, when Johnson had succeeded Lincoln, and as President would have been disqualified had the impeachment trial gone against him. Had this occurred, Senator Wade of Ohio, who was President *pro tem.* of the Senate, would have been Chief Magistrate. It was this situation that culminated in the Succession Act of 1886.

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Cabinet Secretaries of State who became President: Jefferson, Madison, Monroe, John Quincy Adams, and Buchanan.

---

Jackson and Cleveland, the only candidates in three national elections who received an increased plurality in each successive contest. Both were defeated in one battle, and where they had received the largest popular vote.

---

The choice of Adams and Jefferson gave the country a Federalist President and a Democratic Vice-President. If the President had died in office his successor would have made a radical change both of principal officials and of policies.

---

Cleveland was the only President ever elected for two terms that were not consecutive.

---

Monroe at his reelection (1820) was not formally nominated by any party, and but a single electoral vote was cast against him, viz., one, New Hampshire's, which would have voted solidly for Monroe had it been necessary; but one elector, unwilling any other President than Washington should receive a unanimous electoral vote, cast his vote for John Quincy Adams for President.

---

Monroe was the last President of the Virginian line. Pierce was the last from New England. The centre of political power passed from east to west.

---

Grant was the nominee of the Republicans in 1868. He was not a Republican, never had been, never voted a Republican ticket, never cast a Republican ballot until he had been eight years a Republican President. His last vote before he entered the army was cast for a radical pro-slavery Democrat.

---

Neither candidate of the Republicans in 1872 bore his own proper name. Grant's name was Hiram Ulysses Grant; through an error at West Point he was entered as Ulysses Simpson Grant. Henry Wilson's true name

was Jeremiah Colbath, and when known as the "Natick Cobbler" he was charmed with the eloquence of Representative Wilson of New Hampshire and adopted his name, "Henry Wilson."

There have been more Presidents than Vice-Presidents. Roosevelt is officially declared the twenty-sixth President, Cleveland being counted twice. Roosevelt was the twenty-fifth Vice-President.

Jefferson was the first President nominated by a Congressional caucus.

Announcement of Polk's nomination was the first news ever sent by magnetic telegraph; it was transmitted from Baltimore to Washington, May 29, 1844.

Garfield was the first President that had made political speeches.

Washington the only President refusing a nomination.

Five openly strove for a re-nomination: Van Buren, Tyler, Fillmore, Grant, Cleveland.

Cleveland the only ex-President to become President.

In the election of 1824 a Vice-President, John C. Calhoun, chosen by the electors, but no President, neither candidate receiving a majority.

Martin Van Buren held the following political positions: Senator, Governor, Minister to England, Vice-President, President.

Roosevelt's political career is most conspicuous for rapid advancement.

1882. Elected to the New York Assembly.

1884. Re-elected to the New York Assembly.

1886. Independent candidate for Mayoralty of New York, defeated.

1889. Civil Service Commissioner, resigned 1895.

1895. Police Commissioner, New York City, resigned 1897.

1897. Assistant Secretary of the Navy, resigned 1898.

1898. Organized the "Rough Riders" Cavalry Regiment.

1898. Governor of New York.

1900. Vice-President of the United States.

1901. President.

Jefferson was the first President inaugurated in Washington; Adams

the first in Philadelphia ; Washington at second election inaugurated at Philadelphia, the first being in New York.

Monroe was the first inaugurated in the open air.

---

Washington and Adams began their administrations by addressing Congress in a speech, to which Congress replied.

This manner stigmatized by Jefferson as "monarchical," so that he addressed Congress in a written message, which custom has been followed by all subsequent Presidents.

---

When Lincoln was first inaugurated, Douglas, who had been his competitor for the Presidency, stood at Lincoln's side during the delivery of his inaugural ; in fact, he held Lincoln's hat during part of the address.

This is the only record of "victor and vanquished" of a Presidential contest being similarly friendly.

---

The first inauguration of McKinley took place on the centennial anniversary of the retirement of Washington to private life. His second inauguration occurred on the centennial of the first inauguration of a President at the permanent seat of government, Washington.

---

Pierce and Cleveland were the only Presidents to deliver their inaugural addresses *ex tempore*.

---

Fillmore made no inaugural address.

---

The only official document of President W. H. Harrison was his inaugural address.

---

Benjamin Harrison made an innovation on the regular custom by first taking the oath and then delivering his inaugural.

---

W. H. Harrison's inaugural contained the greatest number of words, 8578 ; Washington's second inaugural, the least number, 134.

---

Garfield's first act after taking the oath was to kiss his mother.

---

The only executive act of Garfield from July 2 to September 19, 1881, was the signing of his name to an extradition paper.

---

"Mother" Garfield was the first mother who heard her son deliver a Presidential inaugural.

---

It is a Masonic tradition that Washington at his first inauguration kissed the open Bible at Genesis xlix. 14. The page adorned with a picture of Issachar as "a strong ass, couching down between two burdens."

---

Grant at his second term, after the oath, touched with his lips Isaiah xi. 2 and 3.

---

Hayes accidentally kissed verse 12 of Psalm cxviii.

---

Cleveland, after taking the oath as President (his first term), kissed the open Bible, his lips touching Psalm cxii. 5-10 inclusive.

---

The Bible on which Cleveland was sworn in, at each of his inaugurations, was presented to him by his mother when he first started out for himself in 1852.

On the same Bible he was sworn in as Governor of New York in 1883.

---

McKinley, at his first inauguration oath, kissed the tenth verse of the first chapter of the Second Book of Chronicles.

---

Twice sworn in office: Hayes, March 3 and 5, 1877; Arthur, September 20 and 22, 1881. See page 315.

---

Tyler was the first Vice-President called to the Presidential chair, and as he was absent at the time of President Harrison's death, the Cabinet had concluded he should be styled "Vice-President of the United States, acting President."

This impression quickly removed when Mr. Tyler was among them.

---

There have been *ad interim* Presidents who have never acted as Presidents, by virtue of their office as President *pro tem.* of the Senate, under the Succession Act. See page 287.

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There have been but two occasions when there were no ex-Presidents: during the term of Adams, when Washington died, and the second term of Grant, when Johnson died.

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The only Presidents delivering a Farewell Address were Washington, September 17, 1796, and Jackson, March 3, 1837.

---

Washington, Monroe, Jackson, W. H. Harrison, Taylor, Pierce, Lincoln, Grant, Hayes, Garfield, Arthur, B. Harrison, McKinley, and Roosevelt

were at one time or another connected with the United States Army. No President did service in the Navy.

Washington was an officer of the "Provincials" and not of the British Regular Army of the period before the Revolution. He served as lieutenant-colonel of a Virginia Regiment operating in 1754 at the sources of the Ohio River, and resigned because of an order discriminating in favor of British as against provincial officers.

Washington and Monroe were the only Presidents that served in the field during the Revolution.

They were together at Trenton, where Monroe, as a lieutenant, was wounded.

No President ever elected to succeed himself, or elected for two consecutive terms, unless he was himself a soldier, or held a chief executive office during a war period.

Washington, a soldier of the Revolution.

Jefferson, Governor of Virginia during the Revolutionary War.

Madison, President at the outbreak of the War with Great Britain.

Monroe, a Revolutionary officer.

Jackson, a soldier of the 1812 War.

Lincoln, a soldier in the Black Hawk War, 1832, and President during the Civil War.

Grant a soldier of the Mexican and Civil wars.

McKinley, a soldier of the Civil War and President during the Spanish-American War.

Tyler enlisted in the militia for the defence of Richmond in 1813; Buchanan in 1814 for the defence of Baltimore.

Neither did active service.

When McKinley enlisted in the Civil War it was as a private in the 23d Ohio Infantry, July 11, 1861. Promoted Sergeant, April 15, 1862; Second Lieutenant, September 24, 1862; First Lieutenant, January 15, 1863; Captain, July 25, 1864; Aide-de-Camp on Staff General R. B. Hayes (the ex-President), October, 1864; brevetted Major, February 1, 1865.

Roosevelt was a member of the National Guard, 8th New York Regiment, 1884 to 1888; Lieutenant-Colonel and Colonel First Regiment United States Volunteer Cavalry, 1898 (enlisted for the Spanish-American War).

Washington was the consequence of the Revolution, Jackson of the War of 1812, Taylor, the Mexican War, Grant, the Civil War, Roosevelt, the Spanish-American War.



---

On electoral votes for the Presidency, Aaron Burr lacked one for election. Monroe was elected, securing all but one. Hayes went into office with a majority of one.

---

The Hayes election has been the only really disputed one the country has ever known.

The elections of 1800, 1824, 1836, and 1876 are classed among the "disputed elections." See page 298 *et seq.*

---

Johnson, the only President impeached "for high crimes and misdemeanors." A two-thirds majority necessary for conviction; thirty-five voted "guilty"; nineteen, "not guilty." One more vote "guilty" would have resulted in conviction.

---

Two resolutions of censure, one by the Senate and one by the House, have been passed on the President.

March 28, 1834, on President Jackson, by the Senate, for the removal of government deposits from the United States Bank. In 1842, on President Tyler, by the House, for vetoing the Tariff Bill.

---

The first seven Presidents were all men of the Revolutionary epoch.

---

Van Buren, the first President that was not born a British subject.

---

Washington passed his entire life in the eighteenth century. Pierce was the first born in the nineteenth century.

---

Tyler was a member of Congress of the Confederate States.

---

With two exceptions (Van Buren and Roosevelt) the Presidential ancestry has been from the British Isles.

---

Perhaps the most impressive likeness of a President is that of Lincoln; when once his picture has been looked upon, the general expression is never forgotten.

---

Jackson is the only President of whom it may be said, "He went out of office far more popular than he was when he entered."

---

Garfield was the first Knight Templar ever elected President.

Fillmore was wafted into the State legislature from Erie County, New York, as an Anti-Mason during the excitement that resulted from the abduction and murder of William Morgan.

Madison was "the last surviving signer" of the Constitution of the United States.

---

Presidents' names appended to the Declaration of Independence: John Adams and Thos. Jefferson.

---

Presidents' names appended to the Constitution of the United States: George Washington and James Madison.

---

Jefferson was Secretary of State under Washington, Madison under Jefferson, Monroe under Madison, J. Q. Adams under Monroe.

Each as Secretaries subsequently became President, except in Jefferson case, directly after the President under whom he served as Secretary.

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Monroe studied in the law office of Jefferson.

---

Returned to their law practice: Monroe, Arthur, Cleveland, B. Harrison.

---

Monroe, John Q. Adams, and Johnson, the only Presidents holding civil official positions after their retirement; Monroe, a Justice of the Peace; Adams, a member of the House of Representatives; Johnson as Senator from Tennessee.

---

Taylor never cast a vote, or held a civil office, until elected President.

---

There was a remarkable coincidence of events in the lives of Abraham Lincoln and Jefferson Davis until each approached the climacteric of his public career. Both born in Kentucky; Lincoln in 1809, Davis in 1808. Both removed from their native State in childhood, Davis being carried Southwest, Lincoln to the Northwest, then so called. In the Black Hawk War (1832) Davis was a Second Lieutenant of the Regulars, Lincoln a Captain of Volunteers. Both began their political careers at the same period, 1844, Davis being then a Presidential Elector for Polk, and Lincoln a Presidential Elector for Henry Clay. Both were elected to Congress about the same time, 1845 and 1846. And—lastly in the parallel—in the same year, and almost the same day, they were called upon to preside over their respective governments, Davis as President of the Confederate States, February 8, 1861, and Lincoln as President of the United States, March 4, 1861.

---

The familiar story of Washington and "his little hatchet" is not found in the "Life of Washington," as written by Headley, Marshall, Irving, Everett, or Sparks; nor in "Recollections of Washington," by Custis.

The likeness or head of the ruling President does not appear on any postage stamp, coin, or document issued by the Government. This is contrary to the customs of other nations, who have the head of their ruler or sovereign so placed. See "Coinage."

The State "record rank" furnishing Presidents:—

BIRTHS		RESIDENCE WHEN ELECTED					
Virginia	7	New Hampshire	1	New York	6	Illinois	1
Ohio	5	New Jersey	1	Virginia	5	Indiana	1
New York	4	Pennsylvania	1	Ohio	4	Louisiana	1
North Carolina	3	Vermont	1	Tennessee	3	New Hampshire	1
Massachusetts	2	Total	26	Massachusetts	2	Pennsylvania	1
Kentucky	1			Dist. of Columbia	1	Total	26

New York occupies the following unique situation in regard to the Executive Office:—

Van Buren and Cleveland the only ones elected President from that State, and both defeated for a second successive term.

Three elected Vice-Presidents from that State—Fillmore, Arthur, and Roosevelt—became Presidents.

Of the five Presidents who died in office, three of their successors came from New York.

Nine of the twenty-six Vice-Presidents were elected from New York.

Garfield was left-handed. This characteristic is noticeable in the pose of Ward's statue at Washington.

Lincoln the first President wearing a full beard.

Grant the first President wearing a mustache.

Lincoln was the tallest, 6 feet 4 inches.

Madison was the shortest, 5 feet 4 inches.

Polk the leanest.

Cleveland the stoutest.

Van Buren the tidiest in dress.

Taylor the most careless.

The descent of Wm. Henry Harrison and Benjamin Harrison from Pocahontas (daughter of Powhatan) is outlined in a work by Hon. Wyndham Robertson, entitled "Pocahontas and her Descendants through her Marriage at Jamestown, Virginia, in April, 1614, with John Rolfe, Gentleman."

- |    |                 |                                |
|----|-----------------|--------------------------------|
|    | John Rolfe and  | } married, 1614; one son only. |
|    | POCAHONTAS,     |                                |
| 1. | THOMAS ROLFE,   | } one daughter only.           |
|    | Jane Poythress, |                                |

2. JANE ROLFE, }  
Colonel Robert Bolling, } married, 1675; one son only.
3. JOHN BOLLING (of Cobbs), Colonel, }  
member of House of Burgesses, Va., } one son, five daughters.  
Mary Kennon,
4. JANE BOLLING, }  
Colonel Richard Randolph (of Curles), } five sons, four daughters.
5. RICHARD RANDOLPH (M. H. B.), }  
Nancy Meade, } four sons, nine daughters.
6. SUSANNA RANDOLPH, }  
Benjamin Harrison of Berkeley, member } one son.  
of Non-Importation Association, 1770, }
7. BENJAMIN HARRISON, }  
Elizabeth Bassett. } three sons.
8. WILLIAM H. HARRISON, }  
Anna Symmes, } married, 1795; six boys, four girls.
9. JOHN SCOTT HARRISON, } BENJAMIN HARRISON, being a great-great-  
Elizabeth F. Irwin, } great-great-great-great-great-grandson.

---

John Adams was the father of John Quincy Adams, a President.

Wm. H. Harrison was the grandfather of Benj. Harrison, a President.

---

The genealogy of the Simpson family shows the mother of Grant and the father of Jefferson Davis were own cousins.

---

Jefferson always laid particular stress on signing (and having same appear in print) his Christian name abbreviated, with a colon punctuation, *i. e.* Th: Jefferson.

---

John Adams, Madison, Jackson, Tyler, Buchanan, McKinley, and Roosevelt were Juniors, carrying the same full name as their fathers.

Hayes and Garfield each had as one of his Christian names, that of his father.

Fillmore had given as his Christian name that of his mother's family.

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Hayes's name combined his father's and his mother's maiden name.

Grant's and Polk's middle names, those of their mothers' families.

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Cleveland was christened Stephen Grover Cleveland. The Rev. Stephen Grover, after whom he was named, was the Presbyterian minister at his native place. The name Stephen dropped in early life.

---

Similarity in names Andrew Jackson and Andrew Johnson — Jack nickname of John.

Biblical Christian names predominate: James, five; John, three; Andrew, two; Thomas, one; Abraham, one; Benjamin, one.

Prevailing absence of middle names noticeable—eighteen Presidents so blessed.

The letter **A** occurs in the name of each President excepting Tyler's and Roosevelt's.

George W <b>A</b> shington,	Fr <b>A</b> nklin Pierce,
John <b>A</b> dams,	James Buch <b>A</b> nan,
Thom <b>A</b> s Jefferson,	Abrah <b>A</b> m Lincoln,
James M <b>A</b> dison,	<b>A</b> ndrew Johnson,
J <b>A</b> mes Monroe,	Ulysses S. Gr <b>A</b> nt,
John Q. <b>A</b> dams,	Rutherford B. H <b>A</b> yes,
<b>A</b> ndrew Jackson,	James <b>A</b> . Garfield,
Martin V <b>A</b> n Buren,	Chester <b>A</b> . Arthur,
Willi <b>A</b> m H. Harrison,	Grover Clevel <b>A</b> nd,
John Tyler,	Benjamin H <b>A</b> rrisson,
J <b>A</b> mes K. Polk,	Willi <b>A</b> m McKinley,
Z <b>A</b> chary Taylor,	Theodore Roosevelt.
Mill <b>A</b> rd Fillmore,	

Hannibal Hamlin was Vice-President under Abraham Lincoln; the last three letters in *Abraham*, and the first three letters in *Lincoln*, when joined spell *Ham-lin*.

When the names Lincoln and Hamlin are written as below, they can be read downward and horizontally with the same result:—

HAM-LIN  
LIN-COLN.

The initial letters of Grant's name emblematic of his country: U. S., "United States." See Presidential Sobriquets, "Grant," page 342.

Christened *Hiram Ulysses Grant*. His parents called him "Ulysses"; so that when Senator Thomas L. Hamer proposed him for a cadetship at West Point, knowing him as Ulysses and his mother's family name as Simpson, he filled in the application to the War Department as Ulysses S., and the cadet-warrant so read.

Grant registered himself at West Point as *Ulysses Hiram Grant*, and subsequently signed the pay-rolls in the same manner, *Ulysses Hiram*.

On the order book at West Point announcing the successful candidates, his name appears as *Ulysses S. Grant*, and so carried on subsequent rolls. He supplied the name *Simpson* in honor of his mother, upon finding he could not have the cadet-warrant changed, ever after adopting the full name of *Ulysses Simpson Grant*.

Poore infers that Grant adopted the middle name of Sidney prior to that of Simpson.

Esther, daughter of President Cleveland, the only child born to a President in the White House, September 9, 1893.

All Presidents were married at the time of their election, except Van Buren, Buchanan, and, during his first term, Cleveland.

Tyler, the first President to bring a bride to the White House.

Tyler and Cleveland, the only Presidents married during their term of office.

The wife of Tyler, also the first wife of B. Harrison, died in the White House.

Buchanan, the only "permanent" bachelor President; Cleveland, when first sworn in office, divided that distinction.

The Presidents having children married while they were in office, were: Monroe, Quincy Adams, Van Buren, Tyler, and Grant.

Miss Marie Monroe, to Samuel L. Gouverneur of New York.

John Adams, to Miss May Hellen of Washington, D.C.

Abraham Van Buren, to Miss Angelica Singleton of South Carolina.

Elizabeth Tyler, to William Waller of Williamsburg, Virginia.

Ellen Wrenshall Grant, to Algernon Charles Frederic Sartoris of England.

Miss Monroe, Miss Tyler, and Miss Grant were married in the White House.

The following Presidents were born at regular intervening periods of eight years, and retired from office at same regular periods:—

John Adams, born, 1735; retired, 1801.

Jefferson, born, 1743; retired, 1809.

Madison, born, 1751; retired, 1817.

J. Q. Adams, born, 1767; but served only four years.

The cradles of all our Presidents stood in small towns or villages, except that of Andrew Johnson and Roosevelt.

With the exception of R. M. Johnson, Dallas, A. Johnson, Colfax, and Roosevelt, the situation was the same with the Vice-Presidents.

The first *five* Presidents ended their terms of service each in the sixty-sixth year of his age, and had John Quincy Adams been elected a second time he would have ended his term in his sixty-sixth year.

The influence of the number *seven* on the life of President Johnson forms a curious series; the name—*Johnson*—contains *seven* letters. At 14

(*twice seven*) years of age, he became a tailor's apprentice, working at the trade *seven* years, giving it up when twenty-one (*three times seven*) years old. In the year '28 (*four times seven*) he was an Alderman in Greenville, Tennessee. In '35 (*five times seven*) he entered the Legislature of Tennessee. In '42 (*six times seven*) he became a member of Congress. He entered the Senate at the age of 49 (*seven times seven*). On the *seventh* of March, 1862, he was appointed Military Governor of Tennessee. In 1865, aged 56 (*eight times seven*), he became Vice-President of the United States. As President he was the *seventeenth*. Dying in his *sixty-seventh* year, in the *seventh* month of the year eighteen hundred and *seventy-five*.

Benjamin Harrison carries the number *eight*; *eight* letters in Benjamin, and *eight* letters in Harrison; nominated on the *eighth* ballot and elected President in 1888. The initial letter of his surname is the *eighth* letter of the alphabet. If he had served *eight* years he would then have been the *eighth* Republican elected to the Presidency.

Franklin Pierce was the *fourteenth* President, and his initials stand for *Fourteenth* President. There are *fourteen* letters in his name.

The "fatal 13" appear as thirteen letters in the names of Andrew Jackson, James Knox Polk, Zachary Taylor, James Buchanan, Andrew Johnson.

Friday in Presidential records:—

Inaugurated on Friday: J. Q. Adams, Pierce, and Garfield. Born on Friday: Washington, Madison, Monroe, Pierce, and Hayes. Died on Friday: Tyler, Polk, Pierce.

Lincoln, Garfield, and McKinley were shot on Friday.

July has proved a fatal month to Presidents.

July 4, 1826, John Adams died.

July 4, 1826, Jefferson died.

July 4, 1831, Monroe died.

July 9, 1850, Taylor died.

July 24, 1862, Van Buren died.

July 31, 1875, Johnson died.

July 2, 1881, Garfield received his death wound.

July 23, 1885, Grant died.

Washington, the first President elected and the first to die.

No President died between 1850 and 1862.

---

No President has died out of the United States.

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Washington died about 11 P.M. Saturday, December 14, 1799; the last year of the century, the last month of the year, the last day of the week, and nearly within the last hour of the day.

---

“Gentlemen of the Senate and Gentlemen of the House of Representatives :

“The letter herewith transmitted will inform you that it has pleased Divine Providence to remove from this life our excellent fellow-citizen, George Washington, by the purity of his character and a long series of services to his country rendered illustrious through the world. It remains for an affectionate and grateful people, in whose hearts he can never die, to pay suitable honor to his memory.

JOHN ADAMS.

“United States, December 19, 1799.”

“MOUNT VERNON, December 15, 1799.

“Sir, —It is with inexpressible grief that I have to announce to you the death of the great and good Gen. Washington. He died last evening between 10 and 11 o'clock, after a short illness of about twenty hours. His disorder was an inflammatory sore throat, which proceeded from a cold, of which he made but little complaint on Friday. On Saturday morning about 3 o'clock he became ill. Dr. Craik attended him in the morning, and Dr. Dick of Alexandria and Dr. Brown of Port Tobacco were soon after called in. Every medical assistance was offered, but without the desired effect. His last scene corresponded with the whole tenor of his life; not a groan nor a complaint escaped him in extreme distress. With perfect resignation, and in full possession of his reason, he closed his well-spent life.

“I have the honor to be, with highest esteem, sir, your most obedient and very humble servant,

TOBIAS LEAR.

“The President of the United States.”

---

John Quincy Adams “died in harness,” being stricken with apoplexy while in his seat in the House of Representatives, February 21, 1848.

---

Tyler died while a member of the Confederate States Congress.

---

The average age of the twenty-one Presidents who died, from Washington to Arthur inclusive, was 70 years 3 months and 16 days; Washington to Tyler, 77 years 10 months and 3 days; Polk to Arthur, 63 years 5 months and 7 days.



---

Lincoln and Arthur were of the same age at death.

---

Jefferson was Adams's successor in office, and jointly, it may be said they were the producers of the "Declaration of Independence." Jefferson, its author, while Adams secured its adoption after three days' debate. They both died on the bicentennial celebration, July 4, 1826, within a few hours of each other. Jefferson died first. His last words were, "This is the fourth day of July." Adams's last words were "Thomas Jefferson still lives."

---

Lincoln, Garfield, and McKinley were assassinated while in office.

*Lincoln*, while attending a performance at Ford's Theatre, Washington, April 14, 1865, from a pistol shot fired by John Wilkes Booth, a Southern sympathizer, one of a gang of conspirators. Booth was hunted by United States soldiers, and killed near Fredericksburg, Virginia, April 26, 1865, by Sergeant Boston Corbett.

*Garfield* in the Pennsylvania Railroad Depot, Washington, D.C., July 2, 1881, by a pistol shot fired in revenge by Charles Jules Guiteau, a disappointed office-seeker, who was hanged in the jail at Washington, D.C., June 30, 1882.

*McKinley*, while attending the Pan-American Exposition at Buffalo, New York, at 4 P.M., September 6, 1901, by shots from a revolver, fired by an anarchist, Leon F. Czolgosz (shōl-gōsh). Two shots took effect, one proving fatal, McKinley dying at 2.15 A.M., September 14. The assassin was electrocuted at the State Prison at Auburn, New York, October 29, 1901.

---

*Jackson* was shot at in the Capitol, Washington, D.C., January 29, 1835, by a house painter named Richard Lawrence, Jackson escaping through the assassin's pistol missing fire.

---

*W. H. Harrison* was the oldest man elected to the Presidency, and *Roosevelt* the youngest who has held that office.

*Jackson* was the oldest of the retiring Presidents, going out of office eleven days before the completion of his seventieth year. *Buchanan*, fifty days prior to his seventieth year.

*Cleveland* was the youngest retiring President (at his first term), being within less than a month of his fifty-second year. *Pierce*, next youngest, went out of office not quite four months after he had completed his fifty-second year.

Four Presidents passed their fiftieth birthdays in the executive office: *Grant*, *Cleveland*, *Pierce*, and *Polk*.

*Washington*, *Jefferson*, *Madison*, and *J. Q. Adams*, each fifty-eight on entering the Presidency.

*Washington, Adams, Jefferson, and Madison*, each in their sixty-sixth year on retiring.

*John Adams* lived the longest, dying in his ninety-first year. The shortest lived was *Garfield*, aged forty-nine years and ten months.

Age order of the Presidents when inaugurated:—

W. H. Harrison, Buchanan, Taylor, Jackson, Adams, Monroe, Madison, Jefferson, Quincy Adams, Washington, Johnson, B. Harrison, Hayes, Van Buren, McKinley, Lincoln, Tyler, Arthur, Fillmore, Polk, Garfield, Pierce, Cleveland, Grant, Roosevelt.

John Adams, the only Vice-President officially presiding (April 21, 1789) prior to the inauguration of the President (April 30, 1789).

John Adams, the only Vice-President presiding (April 21, 1789) prior to taking an oath. Oath administered June 2, 1789. See page 269.

John Adams, Clinton, Tompkins, and Calhoun only Vice-Presidents reëlected.

John Adams and Tompkins, the only Vice-Presidents who were reëlected at the reëlections of their Presidents.

Tyler, Fillmore, Johnson, Arthur, and Roosevelt elected as Vice-Presidents and elevated to the Presidency by the death of their President.

Two Vice-Presidents each served under two Presidents: Clinton under Jefferson and Madison, Calhoun under Quincy Adams and Jackson.

Since 1833 no Vice-President served longer than four years.

During the nineteenth century there has been but one Vice-President elected to the Presidency, viz. Martin Van Buren.

Richard M. Johnson, the only Vice-President not elected by the Electoral College. Virginia refused to give her electoral vote, which left him without a majority. The Senate elected Johnson with 33 votes, Francis Granger receiving 16 votes.

With the exception of Tyler, Wheeler, and Hendricks, none of the Vice-President candidates for election have ever been suggested, at the time of their nomination, as candidates for President.

Four Vice-Presidents elected President: John Adams, Jefferson, Van Buren and Roosevelt.

The State "record rank" furnishing Vice-Presidents:—

BIRTHS		RESIDENCE WHEN ELECTED	
New York . . . . .	7	New York . . . . .	9
Kentucky . . . . .	3	Massachusetts . . . . .	3
Massachusetts . . . . .	2	Indiana . . . . .	3
Virginia . . . . .	2	Virginia . . . . .	2
New Jersey . . . . .	2	Kentucky . . . . .	2
North Carolina . . . . .	2	New Jersey . . . . .	1
Vermont . . . . .	2	Pennsylvania . . . . .	1
Ohio . . . . .	2	Maine . . . . .	1
South Carolina . . . . .	1	Alabama . . . . .	1
Pennsylvania . . . . .	1	Tennessee . . . . .	1
Maine . . . . .	1	Illinois . . . . .	1
New Hampshire . . . . .	1	South Carolina . . . . .	1
	<u>26</u>		<u>26</u>

Six Vice-Presidents died in office:—

George Clinton, April 20, 1812.

Elbridge Gerry, November 23, 1814.

William Rufus King, April 18, 1853.

Henry Wilson, November 22, 1875.

Thos. A. Hendricks, November 25, 1885.

Garret A. Hobart, November 21, 1899.

Four died within a few days of the same day of the month in the year of their respective deaths, the other two dying in the month of April.

## BURIAL PLACES OF THE PRESIDENTS AND THEIR WIVES.

### GEORGE WASHINGTON.

Buried at Mount Vernon, Virginia, on the south bank of the Potomac River, about sixteen miles from Washington. The present tomb was constructed agreeable to a clause in his will.

"The family vault at Mount Vernon requiring repairs, and being improperly situated besides, I desire that a new one of brick, and upon a larger scale, may be built at the foot of what is commonly called the Vineyard Enclosure on the ground which is marked out, in which my remains, and those of my deceased relatives, now in the old vault, and such others of my family as may choose to be entombed there, may be deposited."



THE TOMB OF WASHINGTON.

The interior walls are of brick, arched over eight feet from the ground. This forms a roomy brick vault of about twelve feet square. The front of the tomb is rough, with a freestone casement, enclosing a plain iron door, over which on a stone panel is carved:—

"I AM THE RESURRECTION AND THE LIFE. HE THAT BELIEVETH IN ME, THOUGH HE WERE DEAD, YET SHALL HE LIVE."

Enclosing this tomb proper is a brick structure, twelve feet high, the entrance to which is an iron gateway, opening some distance in advance of the vault, forming an antechamber. The gateway is flanked with pilasters, surrounded with stone coping and cornice, covering a pointed Gothic arch; above the arch is a plain marble slab, bearing the inscription:—

WITHIN THIS ENCLOSURE REST THE REMAINS OF GENERAL GEORGE WASHINGTON.

In the antechamber are two marble sarcophagi. The one on the right contains the remains of Washington. It is a plain sarcophagus, with a sculptured lid, upon which is represented the American shield suspended over the flag of the Union, the latter hung in festoons, and the whole surmounted, as a crest, by an eagle with open wings, perched upon the superior bar of the shield. Below the design and deeply cut is :—

WASHINGTON.

One of the talons of the eagle in the coat-of-arms was broken off during the Civil War by some relic hunter, which incident suggested the outer and higher gate. This was the only outrage committed at Mount Vernon, though the unarmed pickets of both sides often met before the tomb. Their arms at the request of the servants in charge were left without objection at the old Porter's Lodge some three-quarters of a mile distant. There was but one gate to the tomb at this time, the iron bars not extending to the ceiling. It was over this gate the vandal climbed. This act led to the construction of the present double gate. The legend is, after the gate was locked the key was thrown into the channel of the Potomac River under orders of the Mount Vernon Association preceding a declaration that the gates are never to be opened.

The sarcophagus of Mrs. Washington is perfectly plain, with the words :—

MARTHA  
CONSORT OF WASHINGTON  
DIED MAY 21ST 1801; AGED 71 YEARS.

The sarcophagi consist of single blocks of Pennsylvania marble, eight feet in length and two feet in height. They were constructed by John Struthers of Philadelphia, from a design by William Strickland, by whom they were presented to the relatives of Washington. The transfer of the remains to the sarcophagi was completed Saturday, October 7, 1837.

In consequence of a feeling of insecurity, the body of Washington was transferred from the old family vault and placed in the new vault April 19, 1831.

The present vault contains the remains of about thirty relatives, members of Washington, Blackburn, Corbin, Bushrod, Lewis, and Custis families.

JOHN ADAMS.

Buried beneath the portico of the "Stone Temple" (First Congregational), Unitarian Church, at Quincy, Massachusetts. The tomb is an apartment in the cellar beneath the granite portico that forms the entrance to the church, walled in with large blocks of roughly faced granite. A granite slab, seven feet by three, with a huge clasp, padlock, and massive hinges

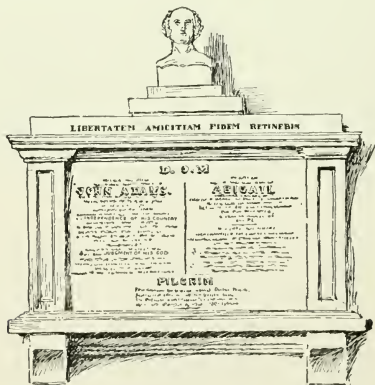
of wrought iron, all red with rust, forms the door. Within, the body lies in a leaden casket placed within a case hewn from a single block of stone. Over and around this odd monument is a Gothic structure, twelve feet long, nine feet wide, and twenty feet high, with four pillars supporting a peaked roof.



UNITARIAN CHURCH, QUINCY, MASS.

On the left of the pulpit (as you face it), in the church proper, is a memorial tablet to John Adams and his wife, of slightly clouded marble, seven feet by four. This is surmounted by a life-sized bust of John Adams, from the chisel of Greenough.

This monument and vault and the tablet was erected by John Quincy Adams, the indenture conveying to him for the purpose "a space four-



TABLET IN UNITARIAN CHURCH, QUINCY, MASS.

teen feet square under the portico, with liberty to affix to any portion of the walls of the temple obituary tablets."

The tablet bears the following inscription :—

LIBERTATEM AMICITIAM FIDEM RETINEBIS.  
 D. O. M.  
 Beneath these Walls  
 Are deposited the Mortal Remains of  
 JOHN ADAMS,  
 Son of John and Susanna (Boylston) Adams,  
 Second President of the United States.  
 Born  $\frac{13}{10}$  October 1735  
 On the Fourth of July 1776  
 He pledged his Life, Fortune, and Sacred Honour,  
 To the INDEPENDENCE OF HIS COUNTRY.  
 On the third of September 1783  
 He affixed his Seal to the definitive Treaty with Great Britain,  
 Which acknowledged that Independence,  
 And consummated the Redemption of his Pledge.  
 On the fourth of July 1826  
 He was summoned  
 To the Independence of Immortality  
 And to the JUDGMENT OF HIS GOD  
 This House will bear witness to his Piety ;  
 This Town, his Birth-Place, to his Munificence ;  
 History to his Patriotism ;  
 Posterity to the Depth and compass of his Mind.  
 At his Side  
 Sleeps, till the Trump shall Sound

ABIGAIL,  
 His beloved and only Wife,  
 Daughter of William and Elizabeth (Quincy) Smith.  
 In every Relation of Life a Pattern  
 Of Filial, Conjugal, Maternal and Social Virtue.  
 Born November  $\frac{11}{2}$ , 1744  
 Deceased 28th October 1818.  
 Aged 74.

Married 25th October, 1764.  
 During an Union of more than Half a Century  
 They survived in Harmony of Sentiment, Principle and Affection,  
 The Tempests of Civil Commotion ;  
 Meeting undaunted, and surmounting  
 The Terrors and Trials of that Revolution  
 Which secured the Freedom of their Country ;  
 Improved the Condition of their Times ;  
 And brightened the Prospects of Futurity  
 To the Race of Man upon Earth.

PILGRIM  
 From lives thus spent, thy earthly Duties learn ;  
 From Fancy's Dreams, to active Virtue turn ;  
 Let Freedom, Friendship, Faith, thy Soul engage,  
 And serve like them thy Country and thy Age.

### THOMAS JEFFERSON.

The grave is in a thick growth of woods, a few hundred yards to the right of the embowered road leading to Monticello from Charlottesville, Virginia.

There have been two monuments erected over the remains of Jefferson, as shown in the illustrations.

The family cemetery in Jefferson's time was surrounded by a rough stone wall about four feet high ; after his death a high brick wall with an

iron gate was built outside and surrounding

the stone one, to protect the monument from relic hunters.



JEFFERSON'S OBELISK.

Midway in the plot, along the northerly side, Wormley, Jefferson's old servant, who survived him twenty-five years, dug the grave in the spot his master had indicated. At its head was placed a coarse granite obelisk, in two parts, eight feet high, resting on a base three feet square, designed from a drawing made by Jefferson. The inscription, as noted on his pen-and-ink sketch, was transferred to or cut upon a marble tablet and let into the southern face of the pedestal : —

Here was buried  
THOMAS JEFFERSON,  
Author of the Declaration of American Independence,  
Of the Statute of Virginia  
For religious freedom,  
And father of the  
University of Virginia.

In Howe's "Historical Collections of Virginia," 1845, he gives the inscription as written by Jefferson himself, as beginning : —

"Here lies buried."

How the substitution of "was" came about is not known.

On the northern side of the base stone : —

Born April 2,  
1743, O. S.  
Died July 4, 1826.

This monument was erected in 1828, from granite quarried in Vermont ; the request of Jefferson was it should be Virginia granite, which could not be procured.

In 1882, through an action and appropriation by the United States Congress, work was begun on a new monument, which was placed in position in 1883.

The new monument is Virginia granite, quarried on the James River



near Richmond, composed of two blocks reaching a total height of eighteen feet, the shaft twelve feet, the die three feet two and one-half inches, a plinth of four and one-half inches, on two base stones measuring nine inches each.

On the east side of the shaft is carved : —

Here was buried  
 THOMAS JEFFERSON,  
 Author of the  
 Declaration of Independence,  
 of the  
 Statute of Virginia  
 for  
 Religious Freedom,  
 And father of the  
 University of Virginia.

On the die, underneath  
 the above, is cut : —

Born April 2nd, 1743, O.S.  
 Died July 4th, 1826.

At the right side of Jefferson, not beneath the monument, is the grave of Mrs. Jefferson, marked by a marble slab bearing the inscription (the composition of Jefferson) : —

MARTHA JEFFERSON,  
 Born 1748.  
 Intermarried with Thomas Jefferson,  
 January 1, 1772.  
 Torn from him by death  
 September 5, 1782.



JEFFERSON'S MONUMENT.

Below these are two lines of the speech of Achilles over the dead body of Hector : —

And though spirits in a future state be oblivious of the past, he will even there remember his loved companion.

At the request of the "University of the State of Missouri," located at Columbia, Missouri, the "old" monument was presented to them by the great-grandchildren of Jefferson on July 4, 1883.

The old monument was placed in the University campus, in the quadrangle facing the pillars of the old building. The marble tablet bearing the inscription was taken into the building for safe-keeping, and became

broken through the burning of the building January 9, 1892; the pieces were afterward gathered and joined together, leaving scarcely any evidence of the accident.

The brick wall surrounding the Monticello cemetery has been supplanted by an iron railing, seven feet six inches in height, the gate bearing a shield of the stars and stripes. The cost to the government of the improvement was \$8352.83.

### JAMES MADISON.

Buried on the place which he owned at the time of his death, Montpelier, Orange County, Virginia. The graceful shaft over his grave is in

the centre of a large field, in a plot about one hundred feet square, originally surrounded by a substantial brick wall five feet high, the entrance being by means of an iron gate, bearing the inscription:—

MADISON,  
1820.

Within the enclosure rises his monument, a simple obelisk, consisting of seven massive pieces of stone, the whole being twenty feet, six inches high, and weighing thirty-two thousand pounds; with the foundation the structure measures twenty-four feet above the burying ground.

The inscription is about nine feet from the base, reading:—

MADISON,  
Born March 16, 1751.  
Died June 28, 1836.

By his side is the grave of his wife, the inscription reading:—

In memory of  
DOLLY PAYNE,  
Wife of James Madison.  
Born May 20, 1772.  
Died July 12, 1849.



MADISON'S MONUMENT

The monument was not erected until about twenty-two years after Madison's death, and then through private subscription. His grave meanwhile had been unmarked, so that at the time of placing the monument the location of the body was identified with difficulty.

JAMES MONROE.

Buried in the Second Avenue Cemetery, between Second and Third streets, New York City. The marble slab that covered the vault bore the inscription :—

JAMES MONROE,  
ROBERT TILLOTSON,  
Vault No. 147.

Here his remains rested twenty-seven years.

At 5 A.M., July 2, 1858, the body was exhumed. Later in the day it was transferred with much ceremony to the steamer "Jamestown," the Seventh (New York) Regiment acting as an escort. The steamer reached Richmond, Virginia, July 5, on which day the body was deposited in the Presidents' plot, Hollywood Cemetery. This section of eight hundred and four feet area was bought by Governor Wise, for the State, the original intention being to bury all Virginia's Presidents within the enclosure.



MONROE'S VAULT, HOLLYWOOD CEMETERY, VA.

The coffin is in a vault of brick and granite, five feet under ground, covered by a huge block of polished Virginia marble, on which rests the sarcophagus, a

granite block wrought into the shape of a coffin. The sarcophagus has affixed to its side a metal plate with the inscription :—

JAMES MONROE,  
Born in Westmoreland County, 28th April, 1758.  
Died in the City of New York, 4th July, 1831.  
By order of the General Assembly  
His remains were removed to this Cemetery, 5th July, 1858,  
As an evidence of the affection of Virginia  
For her Good and Honored son.

On the opposite side was a similar plate, inscribed :—

JAMES MONROE,  
Governor of Virginia 1799 to 1802. 1811.  
President of the U. S., 1817 to 1825.

This plate was stolen by some vandal, and never recovered.

Enclosing the monument is a highly ornamented open-work caging of iron, a sort of Gothic temple placed over the sarcophagus for its protection. It is lightly and strongly built, and so constructed as not to conceal from view the monument proper. It is said a resemblance is traceable to the monument of Abelard and Héloïse in the Père-la-Chaise, Paris.

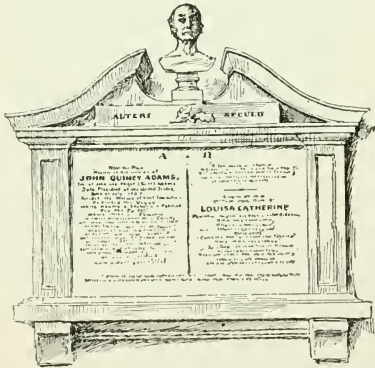
The architect was Albert Sybrock. The monument was erected in 1859.

Mrs. Monroe was buried with other members of her family, near her former residence, at Oak Hill, Loudon County, Virginia. Her death occurred about a year previous to her husband's. No stone marked her grave.

The remains of Mrs. Monroe were taken to Richmond, Virginia, and deposited beside those of President Monroe in Hollywood, November 18, 1903. The expense was borne by the Virginia Legislature, under a bill passed by the House of Delegates, May 14, 1903.

### JOHN QUINCY ADAMS.

Beneath the portico of the First Congregational Unitarian Church, at Quincy, Massachusetts, in the same vault which his filial affection built for his parents, in a like casket and of similarly hewn stone, his remains now repose, together with those of his wife.



JOHN QUINCY ADAMS'S TABLET, UNITARIAN CHURCH, QUINCY, MASS.

A mural monument, similar to that of his father, was erected in 1852, by his son, Rev. C. F. Adams, being a tablet of white marble to the right of the pulpit of the church. The tablet is crowned by a bust of John Quincy Adams, executed by Powers. It was finished by him in April, 1837, after repeated sittings by Mr. Adams.

The inscription on the tablet reads : —

ALTERI



SECULO

A                      Ω

Near this Place  
Reposes all that could die of  
JOHN QUINCY ADAMS,  
Son of John and Abigail (Smith) Adams,  
Sixth President of the United States,  
Born 11 July, 1767.  
Amidst the storms of civil Commotion  
He nursed the Vigor  
Which nerves a Statesman and a Patriot,  
And the Faith  
Which inspires a Christian,  
For more than half a Century,  
Wherever his Country called for his Labors,  
In either Hemisphere or in any Capacity,  
He never spared them in her Cause.  
On the twenty-fourth of December, 1814,  
He signed the second Treaty with Great Britain,  
Which restored Peace within her Borders.  
On the twenty-third of February, 1848,  
He closed sixteen years of eloquent Defence  
Of the Lessons of his Youth,  
By dying at his Post  
In her great national Council.  
A son, worthy of his Father,  
A Citizen, shedding glory on his Country,  
A scholar, ambitious to advance Mankind,  
This Christian sought to walk humbly  
In the Sight of his God.

Beside him lies  
His Partner for fifty Years,  
LOUISA CATHERINE,  
Daughter of Joshua and Catherine (Nuth) Johnson;  
Born, 12 February, 1775;  
Married, 26 July, 1797;  
Deceased, 15 May, 1852;  
Aged 77.  
Living through many Vicissitudes, and  
Under high Responsibilities,  
As a Daughter, Wife, and Mother,  
She proved equal to all.  
Dying, she left to her Family and to her Sex  
The blessed Remembrance  
Of a "Woman that feareth the Lord."

"HEREIN IS THAT SAYING TRUE; ONE SOWETH, AND ANOTHER REAPETH. I SENT YOU TO REAP THAT WHEREON YE BESTOWED NO LABOR; OTHER MEN LABORED, AND YE ARE ENTERED INTO THEIR LABORS."

The design of an acorn, sculptured with the white oak leaves at the head of the tablet, was a particular favorite with Mr. Adams. His attachment to the acorn was illustrated in his having it specially cut upon a seal, the seal ever afterward being worn by him. The white oak leaf was emblematic of the sturdy growth of New England.

The Greek letters, the first and last of the alphabet, were Mr. Adams's favorite symbols of the Deity, often referring to the passage :—

I am Alpha and Omega, the beginning and the ending, saith the Lord, which is, and which was, and which is to come, the Almighty. — *Revelation* i. 8.

## ANDREW JACKSON.

His grave is at the Hermitage, on the Cumberland River, eleven miles from Nashville, Tennessee. In a corner of the garden at the Hermitage,



JACKSON'S MONUMENT.

enclosed by an iron railing, is a simple, elegant monument raised over the vault in which lie the remains of General Jackson and his wife. Three steps run around a circular area, eighteen feet across. From this stone platform, reached by the steps, spring eight fluted columns of the Doric order; this is surmounted by a handsome entablature supporting the dome, which is crowned with a funeral urn. The entire structure is about fifteen feet high. The interior is a plain cornice with vaulted ceiling, stuccoed in white, giving an air of

purity and comeliness well suited to a tomb. From the centre of the stone platform rises a white marble pyramid on a square base, the two sections reaching about eight feet. On the floor or platform on each side of this pyramid lie two tablets, that over the General's body bearing the inscription:—

GENERAL ANDREW JACKSON,  
Born March 15, 1767,  
Died June 8, 1845.

The tablet over the grave of his wife, who had died sixteen years before him, bears the following inscription, written by Mr. Jackson:—

Here lie the remains of  
MRS. RACHEL JACKSON,  
Wife of President Jackson,  
Who died on the 22d of December, 1828.  
Aged 61.  
Her face was fair, her person pleasing, her temper  
amiable, and her heart kind.  
She delighted in relieving the wants of her fellow-  
creatures,  
And to cultivate that divine pleasure by the most liberal  
and unpretending methods.

To the poor she was a benefactress ;  
to the rich she was an example ;  
to the wretched a comforter ;  
to the prosperous an ornament.

Her pity went hand in hand with her benevolence,  
and she thanked her Creator for being permitted to do  
good.

A being so gentle and so virtuous slander might wound,  
but it could not dishonor.

Even Death, when he tore her from the arms of her  
husband,  
Could but transplant her to the bosom of  
her God.

MARTIN VAN BUREN.

Buried in the northeastern corner of the Reformed Church cemetery at Kinderhook, Columbia County, New York. In the centre of the Van Buren plot rises a plain granite shaft from a base block about four feet square. This rests on the usual foundation stone. The entire structure reaches to the height of about fifteen feet. About half-way up its western face is inscribed in plain capital letters : —

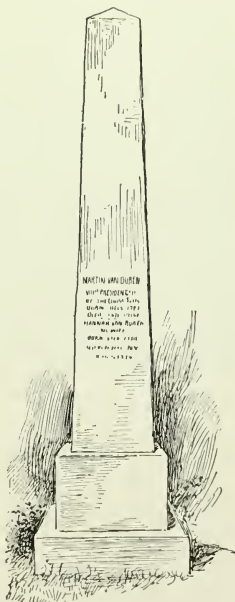
MARTIN VAN BUREN,  
VIIIth President  
of the United States.  
Born Dec. 5, 1782,  
Died July 24, 1862.

HANNAH VAN BUREN,  
his wife.  
Born March 8, 1783,  
Died at Albany, N. Y.,  
Feb. 5, 1819.

The remains of Mr. Van Buren and his wife do not lie beneath the monument described. Mr. Van Buren is buried outside the base of the monument toward the east. The grave is marked by a granite foot-stone, initialled on the top

M. V. B.

Mrs. Van Buren is buried to the south of the grave of her husband ; the plot is marked by four slabs of marble, that originally formed a hollow monument, the stones in their order being inscribed : —



VAN BUREN'S MONUMENT.



(1)  
 Sacred  
 To the memory of  
 Mrs. Hannah Van Buren,  
 Wife of  
 Martin Van Buren,  
 who departed this life  
 on the 5th of February,  
 A. D. 1819, in the 36th  
 year of her  
 age.

(2)  
 She was a pious Christian  
 dutiful child, tender mother,  
 and most affectionate wife.  
 Precious shall be the mem-  
 ory of her virtues.

(3)  
 Blessed are the dead which die in the  
 Lord, from henceforth, yea, saith the spirit,  
 that they may rest from their labors and  
 their works do follow them.

An inscription on the remaining slab states hers to have been the first interment in the cemetery, and an added inscription that the body was re-interred in 1855.

The four slabs are finished by a granite foot-stone initialled H. V. B.

### WILLIAM HENRY HARRISON.

He was first buried April 7, 1841, in the Congressional Ground, at Washington, D. C. In July of that year his remains were taken to North Bend, Hamilton County, Ohio.

There seems to have been a striking plainness in marking each resting-place of President Harrison, "who was twice in his life the idol of the people," as compared with the monuments that have been erected to the memory of the other Presidents, whether accidental or intentional is not disclosed.

"Upon a knoll, shaped in the dawn of time,  
 But flanked now with a forest's vista'd gloom,  
 And where the winds sob in perpetual rhyme  
 With old Ohio's dirge, there is a tomb.  
 No monument in towering grandeur there,  
 Writ o'er with all the stirring, thrilling story  
 Of how a hero grand toiled up to glory  
 'Gainst adverse fates that faced him everywhere,  
 But just a sepulchre, where now repose  
 The illustrious ashes of a son of man,  
 Who, by his might of worth, supremely rose  
 To shine conspicuous in a nation's van;  
 Just this, but sacred as the proudest one—  
 The humble grave of General Harrison."

— W. C. COOPER.

The original vault extended about five feet below the surface and was of the plainest construction; a square-walled pile of unfinished bricks, outwardly covered with weather-worn stucco; all underground with the exception of the gables which rose about two feet above the surface, the whole covered with a roofing of shingles. It contained six crypts on either side of a central passageway; in the right-hand crypt entombed in a marble sarcophagus rested the remains of the President; in the centre crypt next toward the door was buried his wife.

Underneath the centre of the front gable was the vault entrance, hidden by a plain, sloping "cellar door" of iron, with hinges, hasp, and padlock well rusted from age, resting in a wooden floor frame lying at a slight angle somewhat sunken in the grass, the descent into the vault being by wooden steps. Just above the vault entrance was a white marble slab



forming the lintel of the door, with the original intention of carving in it the name HARRISON. It was never done.

The President now lies buried in a vault located on the apex of an oblong mound in the midst of a pasture field about three hundred yards west of the site of the mansion in which he resided for many years. It is one hundred and fifty feet above the Ohio River, the point commanding a view of ideal beauty.

The land was deeded to the state of Ohio by his son John Scott Harrison, conditioned that the tomb should be kept in repair.

The present vault was built in 1897, the "old one" having fallen into dilapidation. It is built of blue limestone (lower silurian) taken from a



W. H. HARRISON'S VAULT, 1897.

quarry in the neighborhood, walled within with brick, arched crypts around its sides, containing twenty-four loculi. It carries no inscription, except on the lintel over the door is carved the word

HARRISON.

The tomb is not a monument ; there has been no contribution received from the public and no dedicatory exercises ever held since the remains of the President were placed here in 1841. In the rebuilding of the vault his body was not disturbed.

It is a family tomb, constructed and maintained by the family ; nine of the President's family, including his wife, are here buried.

## JOHN TYLER.

Was buried at Hollywood Cemetery, Richmond, Virginia, with great honors, in what is known as the Presidents' Section—being about ten yards to the east of the grave of President Monroe. Fully fifty years ago the State Legislature passed resolutions authorizing the Governor to erect a suitable monument from the funds of the State. These intentions have never yet been carried out, owing to the bad condition of the State's finances. In 1899 a resolution to appropriate \$10,000 was introduced in

Congress, but it went no farther.

In October, 1899, the Hollywood Cemetery Company placed over the unmarked grave of thirty-seven years, a tablet of native bevelled granite twenty inches in width, and standing three feet ten inches high, bearing the following inscription:—



TYLER'S TABLET.

## JOHN TYLER

President of the United States from 1841 to 1845.  
Born in Charles City County Va. March 29, 1790.  
Died at Richmond Va. Jan. 17, 1862

On the base, in large letters, is cut the word:

TYLER.

By his will Mr. Tyler's remains were to be in-

terred at his home, Sherwood Forest, in Charles City County, Virginia, and if it had not been for the interposition of the State authorities, his family would long ago have erected a proper monument to his memory.

"I empower my dear wife to make out of my estate suitable provision for my burial, and let my body be consigned to the tomb in the earth of the county where I was born, there to repose till the day of resurrection. My wife will select the spot in Sherwood Forest [his residence] and mark it by an uncostly monument of granite or marble. An inscription will be found in the paper inclosing this."

— Extract of Will dated October 10th, 1859.

Immediately after his death the General Assembly of the State of Virginia adopted a testimonial closing with these words:—

"Resolved, That with the consent of his family his remains be deposited in Hollywood Cemetery in the city of Richmond, near the remains of James Monroe, and that the Governor of this State be authorized to cause a suitable monument to be erected to his memory."

Letitia Christian Tyler's tomb stands in the private burying ground of the Christian family at Cedar Grove, New Kent County, Virginia. The slab is of white marble on a brick support about eighteen inches from the ground.

The inscription on the stone was written by President Tyler and reads :—

All that is mortal of  
LETTIA TYLER  
wife of  
JOHN TYLER  
President of the United States  
lies underneath this marble.  
She departed this life  
10. Sept. 1842.  
At the President's House  
in the City of Washington  
in the 52nd year of her age.

Her life was an illustration of  
the Christian virtues ;  
And her death the death  
of the righteous.

The remains of JULIA GARDNER TYLER, the second wife of the President, is buried in Hollywood Cemetery, Richmond, Virginia, in the same section as that of the President, her husband.

No stone marks the grave (1905).

### JAMES KNOX POLK.

The remains of President Polk and those of his wife were on September 19, 1893, removed from the old family tomb in the yard of the Polk mansion, which stood at the corner of Vine and Union streets, and were re-interred in the grounds of the State capitol at Nashville, Tennessee.

The old monument was taken down and again erected over the new graves under an appropriation made by the State Legislature.

Upon the death of Mrs. Polk the Polk property was sold by the State, because the ex-President in his will had given the State the privilege to give his mansion to "the worthiest of the Polk name," but as this was a case of perpetuity it was decided to be unlawful, therefore the final disposition by sale of the property and its division among the heirs of the family. The tomb in style is Grecian-Doric, though the columns are unfluted ; they number four, and support a canopy of the usual architrave, frieze, cornice, and attic. The monument is twelve feet square and as many high, composed of native limestone. The centre of the flooring is occupied by a square block of stone, which rises to a height of about five feet, and though solid is of similar shape to the stone canopy. On the western front of the architrave of the monument is carved :—

JAMES KNOX POLK  
President of the U. S. Born Nov. 2 1795. Died June 15 1849.



TOMB OF JAMES K. POLK.

On the main or west side of the block of stone : —

The mortal remains  
of  
JAMES KNOX POLK  
Are resting in the vault beneath.  
He was born in Mecklenburg county  
North Carolina,  
And emigrated with his father,  
Samuel Polk, to Tennessee  
in 1806.  
The beauty of virtue  
was illustrated in his life,  
The excellence of Christianity  
was exemplified in his death.

SARAH CHILDRRESS  
wife of JAMES KNOX POLK  
1803 - - - - - 1891

On the south side : —

His life was devoted to  
the public service. He was ele-  
vated successively to the first  
in the State and Federal  
Governments. A member of the  
General Assembly ;  
a member of Congress and  
Chairman of the most important  
Congressional Committees,  
Speaker of the House of  
Representatives ;  
Governor of Tennessee and  
President of the  
United States.

On the east side: —

“Asleep in Jesus”  
 SARAH CHILDRESS POLK  
 wife of  
 JAMES KNOX POLK.  
 Born in Rutherford County Tenn.  
 Sept. 4, 1808.

A noble woman, a devoted wife, a true  
 friend, a sincere Christian.

“Blessed are the dead  
 who die in the Lord.”

On the north side: —

By his public policy he defined,  
 established and extended the  
 boundaries of his country.  
 He planted the laws of the  
 American Union  
 On the shores of the PACIFIC.  
 His influence and his counsel  
 tended to organize the  
 National Treasury  
 on the principles of the  
 Constitution,  
 and to apply the rule of  
 Freedom to Navigation,  
 Trade and  
 Industry.

### ZACHARY TAYLOR.

General Taylor was first buried in the Congressional Cemetery, Washington, D. C., Saturday, July 13, 1850; the body was afterward removed to the Taylor Cemetery, about two miles northeast of St. Matthew's, a suburb of Louisville, Kentucky, his body being escorted to the grave by the Louisville Legion (Mexican Soldiers). The Taylor monument is a granite shaft, surmounted by a marble statue of the President in full uniform, bareheaded, and was erected by the State. The height, including the statue, is thirty-seven feet, the base in rough granite measuring eight feet square. The statue faces east, and on the eastern side of the dado is carved: —

MAJ. GEN'L ZACHARY TAYLOR,  
 12th President of the United States.  
 Born Nov. 24, 1784.  
 Died July 9, 1850.

On the cap of surbase appears the monogram “Z. T.,” and on the lower section of three divisions of the shaft are inscribed the last words of the President: —



GENERAL ZACHARY TAYLOR.

I have endeavored to do my duty, I am ready to die, my only regret is for the friends I leave behind me.

On the middle section is a bronzed relief in profile of the General.

On the west side of the shaft are placed the American Eagle and coat of arms in relief.

On the north side is a list of the battles in which the General participated : —



TAYLOR'S MONUMENT.

FORT HARRISON.  
BLACK HAWK.  
OKEE-CHOBEE.

On the south side : —

PALO ALTO.  
RESACA DE LA PALMA.  
MONTEREY.  
BUENA VISTA.

The burial ground of the Taylor family occupies an acre and is within three hundred yards of the old homestead. It slopes to the east and is surrounded by a five-foot wall of stone. Just to the east of the entrance is the vault which contains the body of ex-President Taylor, one of those old-fashioned, plain vaults now seldom seen, a covering of myrtle keeping it green the year round. Its plain solid door of iron has no inscription, but on a marble slab above the door are the words : —

ZACHARY TAYLOR  
Born Nov. 24 1784  
Died July 9 1850

Mrs. Taylor is buried in the same grounds.

### MILLARD FILLMORE.

Buried in Forest Lawn Cemetery, three miles north of Buffalo, New York. Almost upon the crest of the hill, near the centre of the cemetery, is the Fillmore lot, thirty by forty feet, enclosed by a plain iron railing set in a stone curb. The obelisk that marks his grave is of Scotch-red granite, polished, twenty-two feet in height, resting on a pedestal of the same material superimposed on a base of Lockport stone. A slight moulding running around the pedestal is the only ornament ; the word

FILLMORE

is on the northern side of the base in large raised letters.



FILLMORE'S MONUMENT.

On the north side the inscription notes : —

MILLARD FILLMORE,  
Born  
January 7 1800  
Died  
March 9 1874

On the west side : —

ABIGAIL POWER  
wife of  
Millard Fillmore  
Born March 13 1798  
Died March 30 1853

On the east side : —

CAROLINE CARMICHAEL  
wife of  
Millard Fillmore  
Born Oct. 21 1813  
Died August 11, 1881.

### FRANKLIN PIERCE.

Buried in the Minot Cemetery on Main Street, in Concord, New Hampshire. The Pierce lot is surrounded by a neat iron fence, six feet high, and is traversed by concrete paths. The monument faces east, and



is of pure Italian marble, elaborately wrought; a spire, with cap, die, and plinth, rests on a base of granite three and a half feet square, surmounted



PIERCE'S MONUMENT.

by a draped cross; the total height being fourteen feet, ten inches. On the plinth is the word

and on the eastern panel

PIERCE

FRANKLIN PIERCE,  
Born Nov. 23 1804  
Died Oct. 8 1869.

On the opposite panel:—

*Other refuge have I none,*



JANE M. APPLETON  
wife of  
FRANKLIN PIERCE,  
Born Mar. 12 1806  
Died Dec. 2 1863.



JAMES BUCHANAN.

Buried in Woodward Hill Cemetery, Lancaster, Pennsylvania, in the southeastern part of the city. The lot is thirty by twelve feet, enclosed by a neat fence of black iron, with posts at the corners of mottled white and black granite. In the centre of the lot, in a vault of heavy masonry covered with large limestone flags, rests the remains of Buchanan. Upon these flagstones has been laid a block of New Hampshire granite seven feet two inches long, three feet seven inches wide, and a foot thick. This forms a base for the monument, which is in the Roman style, and is a single block of Italian marble, six feet four inches long, two feet ten inches wide, and three feet six inches high, wrought with heavy moulded cap and base. On the moulding of the cap is carved an oak branch studded with leaves and acorns, and extending round the block.



BUCHANAN'S VAULT.

On the end of the die facing the main avenue is the word

BUCHANAN.

On the side facing the chapel:—

Here rest the remains of  
 JAMES BUCHANAN.  
 Fifteenth President of the United States.  
 Born in Franklin County, Pa., April 23 1791  
 Died at Wheatland, June 1 1868.

ABRAHAM LINCOLN.

Buried under a towering pile of marble, granite, and bronze, in Oak Ridge Cemetery, a mile and a half north of Springfield, Illinois. The structure, 119 x 72 feet, is of Quincy granite on a concrete foundation. The main platform is fifteen feet ten inches from the ground, approached by four grand staircases, one at each corner, with balustrades. The main platform, also surrounded with a balustrade, is seventy-two and

one-half feet square, with semicircular projections at the northern end over the catacomb and at the other over Memorial Hall. This platform, floored with gigantic flags of Illinois limestone, is the apparent base of the shafts and pedestals for the support of the statuary, these occupying



LINCOLN'S MONUMENT.

a space fifty-four feet square, the pedestals at the corner being circular and eleven feet in diameter. From the centre rises the shaft, twelve feet square at the base and eight at the top, one hundred and twenty-one feet from the ground, with a winding staircase within. The total height is one hundred and twenty feet. Shields of polished granite bearing the names of the States and linked by two bands of like material, encircle the square three feet below its edge. On the pedestals at the

corners are heroic groups in bronze, representing the naval and the three branches of the military service. Seven feet above them, on the southern side in front of the shaft, on a pedestal whereon the national coat of arms is carved, stands a bronze statue of Lincoln, ten feet nine inches high, dressed in the double-breasted long frock coat and loose pantaloons which were then the fashion, he being represented as just having signed the Proclamation of Emancipation; in his left hand he holds a scroll marked "Proclamation," in his right hand a pen. The right hand leans somewhat conventionally on a consular fasces at his side, around which the American flag is draped; against the folds at the bottom rests a laurel wreath. The escutcheon placed on the face of the pedestal upon which the statue stands represents the American eagle standing upon a shield partly draped by the flag, with one foot upon a broken shackle, and in his beak the fragments of the chain that has just been broken to pieces. The statue and escutcheon were modelled by Larkin G. Mead, Jr.

In the base of the monument are two chambers; one called Memorial Hall, containing interesting relics of the President, in the other, on the north side, the remains of Lincoln were originally placed. Lincoln's remains in May, 1871, were transferred from the temporary tomb to a rich marble sarcophagus in the crypt. This sarcophagus has on one end the name

LINCOLN

in raised letters, encircled by a wreath of oak leaves and acorns; disposed above the name in a semicircle is the historic sentence:—

WITH MALICE TOWARD NONE, WITH CHARITY FOR ALL.

A marble tablet with a plate glass pane in the centre closes the crypt.

When first entombed the remains of Lincoln were laid in a red cedar coffin, placed in a leaden coffin, and the whole enclosed in the sarcophagus; but the attempts to steal the body caused a re-burial; a grave was dug in the crypt, and on the 14th of April, 1887, the leaden coffin was deposited in this grave, which was filled in with six feet of concrete, and the sarcophagus placed above it.

The monument was dedicated October 15, 1874, with great ceremony. President Grant and his Cabinet were among the participants.

The entire cost of the structure was \$270,000, which amount was from public contributions.

Mrs. Lincoln's remains are in the same crypt that holds the grave of her husband. No inscription records her burial.

The foundation of the part of the monument which surrounds the main shaft having settled, a reconstruction under a State appropriation of \$100,000 was begun in 1900. The entire monument excepting the base of the shaft was taken down, each stone being numbered for proper replacement; the foundation excavated from six feet to twenty-three feet; the monument was then rebuilt on original lines with the exception of an increased height of fifteen feet.

The bodies of the President, Mrs. Lincoln, and others during the reconstruction were placed in a temporary vault built a few feet distant, and were transferred to the catacomb in the new structure, April 24, 1901.

On September 28, 1901, the casket was placed in the vault at the base of the monument shaft, within an iron cage which rests on a cement base four feet thick, thirteen feet below the ground; the cage is the centre of a concrete block eight feet wide, eight feet thick, and thirteen feet long, upon which is placed the tile flooring of the tomb. The marble sarcophagus originally intended for the reception of the body is placed in its original position in the tomb. The new monument was dedicated October 15, 1901, the twenty-seventh anniversary of the original dedication.

This was the sixth removal of the remains of Lincoln. December 21, 1865, originally placed in a temporary tomb on the hillside. September

8, 1871, the casket placed in the catacomb of the monument. November, 1876, to protect from vandals, the casket placed underground. In 1883 a large vault in lieu of a grave constructed beneath the marble floor of the catacomb, in which the caskets of Lincoln and his wife were placed. March 10, 1900, incident to the removal of earth to rock foundation and rebuilding of monument, a transfer made to a temporary tomb.

#### ANDREW JOHNSON.

Buried in the centre of a family plot, located on the summit of a lofty cone-shaped eminence, half a mile southwest from Greenville, Greene County, Tennessee. The plot is surrounded by an elaborate iron fence.

The graves of the President and his wife rest under one monument, and are covered by an arch which springs from base stones of gray granite (measuring six feet six inches long, two feet eight inches in width, and two feet eight inches in height), that are placed on opposite sides of



JOHNSON'S MONUMENT.

the two graves, making a diameter span of five feet six inches. The arch is composed of thirteen stones, in relief; the main base stone resting on this arch measures in diameter eight feet six inches and supports the monument proper. The plinth, consisting of a solid block of white marble, four feet six inches square and three feet ten inches thick, bears on its front in raised block letters, above the respective graves: —

ANDREW JOHNSON.

Seventeenth President  
of the United States.

Born Dec 29 1808

Died July 31 1875

His faith in the people never wavered

ELIZA JOHNSON

Born Oct 4 1810

Died Jan 15 1876

In memory of  
our father and mother.

The plinth is flanked right and left by two keystone blocks of similar material, surmounted by vases, from the mouths of which rise the flames of incense.

On the die, which is three and one-half feet square (with bevelled edges) and three feet high, is carved an open Bible (seventeen inches by

eleven inches), on the right-hand pages of which rests a hand, as if in the act of taking an oath. The upper corner of the right-hand leaf is turned down. Above the Bible, likewise in relief, caught on the upper moulding of the die, is a carved scroll of the Constitution, bearing in raised letters: —

CONSTITUTION OF THE UNITED STATES.

From here springs a tapering shaft of white marble thirteen feet high, and two feet ten inches square at the base (the edges bevelled); the American flag is festooned at the top, reaching downward a distance of six feet, the stars being displayed near the top on the northeast side, the opposite folds exposing two large tassels. Above the flag, perched on a ball, an eagle with outstretched wings faces the east.

The carvings, except some of the folds of the flag drapery, are on the eastern side of the monument. Beneath the arch, in separate graves, rest the remains of the President and his wife, each covered with a marble slab; the one to the south is that of Mr. Johnson; both graves are surrounded by white pebbles.

The location of the monument was the President's selection; the expense, \$17,000, paid by his children.

The last line of the epitaph was the suggestion of the Hon. Thos. Kinsella, of Brooklyn, New York.

ULYSSES SIMPSON GRANT.

The funeral of General Grant, Saturday, August 8, 1885, was one of the grandest military and civic demonstrations ever tendered any person. It embraced the highest representatives of the political power of the United States, and many others of the foremost men of the country, senators, governors, generals, judges, and representative men of the country in all walks of life.

His remains were temporarily placed in a specially constructed vault in Riverside Park, on the banks of the Hudson River, near 120th Street, New York City.

The vault was from a design by J. Wrey Mould. The façade composed of red and black brick, with a handsome eapstone, and solid spur buttresses. The entrance to the tomb closed by two doors, four feet wide and six feet high, of oak with bronze fittings; just inside these doors a gate of strong open bronze or iron work. The floor of the tomb four feet below the ground level, and reached by a descent of three stone steps. The inner layer of the arch of white porcelain brick. At the north side of the vault, upon a pedestal of marble, resting on a stone pier with an under filling of concrete, rested the steel case containing the

remains, in a cedar casket, copper lined. The exterior of the steel casket adorned with silver mountings, and a gold plate engraved

U. S. GRANT.

The case containing the casket was of Bessemer steel with oval top; air, water, and burglar proof, and secured with rivets. In its original construction there was at one end of the casket an open door, which was closed when the remains were placed within. Fifty-six bolts of steel, at the time of entombment, were driven and welded while red-hot into its front wall. The steel case was eight feet long, three feet six inches high, and thirty-five inches wide, painted with waterproof paint and stained mahogany color; its gross weight, 3800 pounds.

The corner-stone of the Grant monument was laid on his seventieth birthday anniversary, April 27, 1892, by the President of the United States, Mr. Benjamin Harrison. The occasion was celebrated by a civic, military, and naval display, to do honor to the great national military chieftain

and civic magistrate, and share in the erection of the grandest mausoleum ever raised by an enlightened people in the world's history. The day was declared, by the Governor of the State, a legal holiday from 12 noon, in the counties of New York, Kings, and Westchester, that the people could assist in the ceremonies.

The ground for the monument was broken April 27, 1891.

The lower portion of the architecture is Doric, the severe type of the Grecian



GRANT'S TOMB.

school. It is of white granite from North Jay, Maine, the interior construction of cream-white marble, with a small amount of ornamentation in black. The main edifice is a square of about one hundred

feet at the ground line, with steps and portico projection at the front. The pyramidal dome which surmounts it rises to an extreme height of one hundred and seventy feet above the ground, over three hundred feet from the water level of the Hudson River, on a high bank of which stream it stands. The dome is surrounded by a circular Ionic colonnade of twenty-eight columns, each twenty-three feet in height, above which rises a stepping pyramid, forming the apex.

From the centre of the main hall floor to the dome is one hundred feet, and the outer gallery one hundred and thirty feet above the ground line. The dome interior is supported by pendentives ornamented with sculptured figure subjects, above which are thirteen openings into the inner gallery. In the panels over the openings are placed the great seals of the original thirteen States, beneath disks with the names and emblems of all the States. Facing the south near the beginning of the step-approaches is located the pedestal supporting a heroic equestrian statue of the General.

Surmounting the four central columns of the main portico it is proposed to place equestrian guardian statues.

The monument is so constructed that it presents the appearance of completeness from either of the four sides, each identical, excepting the front, which carries the portico and entrance over which is carved

LET US HAVE PEACE.

The architect, John Hemingway Duncan, was born in this country in 1854.

"All in all, it is a tomb marked in modern times, Greek yet composite, colossal yet informal, like Grant's own composition."

The monument was dedicated April 27, 1897 (the General's birthday anniversary) by a civic and military display in review before the President of the United States, McKinley, at which ceremony the tomb was presented to the care of the City of New York.

The body of General Grant was transferred from the temporary vault April 17, 1897, the steel casket having been removed, and the vault immediately destroyed. The original metallic casket, of highly polished copper, containing the cedar coffin that holds his remains was ceremoniously sealed up in the sarcophagus, which had previously been placed in the crypt below the main floor, directly under the dome of the tomb.

The sarcophagus is made from one piece of Montello, Wisconsin, porphyry, of a rich dark red color, highly polished. It weighs ten tons, is ten feet four inches long, five feet six inches wide, and four feet high. On the top of the cap is engraved

ULYSSES S. GRANT.

The pedestal consists of a dark bluish gray granite (known as the "railway") from Quincy, Massachusetts. The pedestal is square in plan, measuring ten feet ten inches each way. The lower course is made



in pieces with a simple scotia moulding, one foot eight inches thick. Above this is a five-inch course in pieces. Under this rest two large blocks ten feet long and five feet wide, on which rest the narrow blocks which support the sarcophagus proper and its cover. The total height above the floor of the crypt is seven and a half feet.

General Grant expressed a wish to be buried at either West Point, New York City, or Galena, Illinois. As it was his request that his wife should be buried with him, the interment could not be made at West Point. His second choice was New York, and the request regarding his wife being complied with, New York was selected by his family.

Mrs. Grant is buried within a similar sarcophagus placed beside that of her husband, bearing the name JULIA GRANT.

### RUTHERFORD B. HAYES.

Buried in Oakwood Cemetery at Fremont, Ohio.

Mr. Hayes in 1892 erected a family monument consisting of a monolith of sarcophagus shape, cut from granite procured at Summerstown, Vermont, the home of his parents.

It bears the inscription:—

RUTHERFORD BIRCHARD HAYES		
October 4, 1822		January 17, 1893
LUCY WEBB HAYES		
August 28, 1831		June 25, 1889



HAYES'S MONUMENT.



JAMES A. GARFIELD.

Buried September 26, 1881, at Lake View Cemetery, Cleveland, Ohio.

The memorial over his remains stands on a wide stone terrace ten feet high, reached by two flights of wide-spreading stone steps. The terrace rises above the surrounding roadways from five to thirty feet, as the ground slopes away from the base of the terrace wall. The memorial is in the shape of a circular tower, and rises to an extreme height of one hundred and forty-eight feet, with a diameter of fifty feet.

The whole of the exterior of the monument is executed in Berea, Ohio, sandstone, the general surface being left rock-faced, while the dressings around the doors, windows, arcadings, roof, etc., are cut and encircled with carvings.

The tower is crowned with a conical-shaped stone roof, terminating in a large carved stone finial; the roof is built in regular courses, and the face of the stone so cut as to represent bands of sunken tile ornaments. Under the bold designed cornice of the roof is an arcade of twelve arched windows and niches; each niche contains pedestals and canopies designed to receive colossal allegorical statues of each month in the year; below this is carved a band of shields bearing the coat of arms of each of the States.

At the front base of the tower there projects to the distance of twenty feet a square porch or door to the monument. It is forty-five feet high and pierced with coupled windows on the front and sides, above which is a frieze decoration divided into five panels, containing terra-cotta bas-reliefs of the career of Garfield as teacher, soldier, statesman, and President (the fifth representing his body as lying in state): at the country school; as the chief of staff of General Rosecrans at the battle of Chickamauga; as addressing an outdoor meeting and taking the oath of President of the United States. One hundred and ten figures are worked in these panels. Two turrets against the tower are used for spiral stairways to reach the balcony or porch roof. The porch interior is vaulted in stone, with a pavement of mosaic.

Through the porch in the tower is the memorial temple or shrine; over the inside of the tower doorway is seated an allegorical figure of War fully armed, also a figure representing Peace holding an olive branch, typical of the camp and court services of Garfield.

Beneath this grouping is an inscription:—

Erected by a grateful country  
In memory of  
JAMES ABRAM GARFIELD,  
20th President of the United States of America,  
Scholar, Soldier, Statesman, Patriot;  
Born 19th Nov., 1831;  
Dec'd A. D. Sept. 19th, 1881.

The mortuary is circular, and in its centre, on a marble paved dais, upon a pedestal of Italian marble, is a heroic marble figure of Garfield, representing him as just risen from his chair in Congress and about to address the House. The statue was modelled by George Doyle of New York.

Surrounding the statue are eight massive, deep-colored, double granite



GARFIELD MEMORIAL.

columns, supporting a dome twenty-two feet in diameter. Just above the columns is a rich frieze of marble mosaic, an allegorical representation of the funeral procession. Occupying the central panel is Columbia and her daughter States, in grief; to the right Law, followed by Senators and Representatives; Justice, preceding members of the Supreme Court of the United States; Concord, emblematic of sympathy of nations, indicated by Ambassadors of Europe, Orientals, Indians; symbolic group of distant States, a veteran with his aged wife delegating their son to

deposit their offering; Labor, a spade and steam engine, indicative of hand and machine labor; Literature, followed by the author, teacher and pupils; War, leading types of the military and naval service in the act of lowering the American flag.

At the base of the dome, on a background of red and white stripes, is a band of wreaths conjoined, alternately immortelles and laurel (heavenly immortality and earthly glory). The number of wreaths correspond with the number of States and Territories.

The dome is entirely inlaid with Venetian mosaic, and winged figures

of North, South, East, and West are in alternate sections, in their proper cardinal points, stars forming a band in the upper part.

The memorial panels and windows that light the mortuary contain female figures representing the thirteen original States and Ohio.

The body of Garfield is in the crypt underneath the statue buried in a bronze casket. The entrance to the crypt is by two spiral stairways from the back of the mortuary.

The memorial was designed by Mr. George Keller of Hartford, Connecticut.

The total contribution to the fund, April 1, 1889, is given by the Association as \$134,755.76, divided as follows:—

The 38 States .....	\$130,380.30	Australia.....	\$12.00
The 10 Territories.....	3,166.30	England.....	5.00
France .....	1,149.16	Canada.....	3.00
Belgium .....	40.00	Total.....	\$134,755.76

### CHESTER ALAN ARTHUR.

Buried in Rural Cemetery at Albany, New York, in the Arthur family burial plot, which is located on one of the highest knolls, and is approached by a broad flight of five granite steps; the pedestals of its balustrade have bronze urns resting upon them. Granite pillars with heavy bronze chains rail in the balance of the enclosure.

In the centre of the plot is the monument—a stone sarcophagus. The sarcophagus is eight feet long, four feet wide, and three feet high, and is made from a single block of Quincy granite, perfectly plain and highly polished. It is supported by two plain, highly polished pedestals of the same material, resting upon a broad base of Vermont granite, much lighter in color than the sarcophagus itself. The base is supported by a smoothly dressed granite plinth, ten feet long and six feet broad. Upon the granite base, raised in high relief, is the word

ARTHUR

and sunken into the face of this base is a tablet of bronze, with the inscription:—

CHESTER ALAN ARTHUR

Twenty-first President of the United States.  
Born, October 5, 1830  
Died, November 18, 1886.

At the foot of the sarcophagus stands a bronze figure in heroic size, representing Sorrow. It stands with folded wings leaning against the sarcophagus, one wing being thrown outward by the pressure in the most animated manner. The right arm of the figure hangs listlessly downward,

touching one of the bronze wings; the left arm is extended along the top of the sarcophagus in the act of laying a palm leaf on the tomb; the palm is of bronze extending lengthwise and falling gracefully over the northern end. The figure is six feet and a half high. The monument was designed by Mr. E. Keyser of New York, and cost \$11,000; the amount defrayed by personal friends of Mr. Arthur. Dedicated June 15, 1889.



ARTHUR'S MONUMENT.

Near by is a white marble sarcophagus, marked in old English letters with the words:—

Here lies the body of  
 ELLEN LEWIS HERNDON  
 Wife of Chester A. Arthur  
 Born at Culpeper, C.H., Virginia  
 August 30, 1837  
 Died at New York  
 January 12, A.D. 1880

#### BENJAMIN HARRISON.

The monument stands in Crown Hill Cemetery, Indianapolis, Indiana. Mr. Harrison was buried March 17, 1901. His first wife is buried in the same plot, the name CAROLINE SCOTT HARRISON appearing on a headstone that marks her grave.

The tomb of Mr. Harrison is five feet deep, incased in granite four inches thick, and covered with a granite top or roof of the same thickness. On the reverse side of the cover is the simple inscription

BENJAMIN HARRISON  
1833-1901

The monument, of Barre (Vermont) granite (weighing 33,500 pounds), is nine feet high, with base seven feet square, designed by J. R. Lowe of Indianapolis. At the four corners of the third base are small columns with delicately carved capitals. The massive die bears a carving near the top with a handsome astragal. The effect of the monument is one of quiet dignity.



HARRISON'S MONUMENT.

There are three bases in the structure; on the third is the name in relief.

HARRISON

The inscription reads:—

BENJAMIN HARRISON.

August 20, 1833,  
March 13, 1901.

LAWYER AND PUBLICIST.

Col. 70th Reg. Ind. Vol., War  
1861-1865.

Brevetted Brigadier-General  
1865.

U. S. Senator, 1881-1887.  
President, 1889-1893.

Statesman, yet friend to truth, of soul sincere;  
In action faithful, and in honor clear.

WILLIAM McKINLEY.

Remains temporarily placed in the receiving vault of the West Lawn Cemetery at Canton, Ohio, September 19, 1901.



VAULT — WEST LAWN CEMETERY, CANTON, OHIO.

## SUPPLEMENT.

### PAGE 24. *Alaska.*

The Alaskan Boundary Commission, composed of three Americans and three British members (two of the latter from Canada), held first session September 3, 1903, at London, England.

Decision reached October 17, 1903. Vote 4 to 2 (Canadians voting against).

The American claim was recognized, with one exception, *i.e.* the international boundary line when it reaches Portland Canal shall pass through its centre, and thence to the north of Pearse and Wales islands, between Wales and Sitkan islands, and thence south of Kannaghunut Island. The two latter-named islands have an area of eight square miles.

### PAGE 28. *Philippine Islands.*

The "three-mile limit" of the northern shore of Borneo was established under a Protocol between Great Britain, Germany, and Spain, respecting the sovereignty of Spain over the Sulu Archipelago, and signed in Madrid, March 7, 1885.

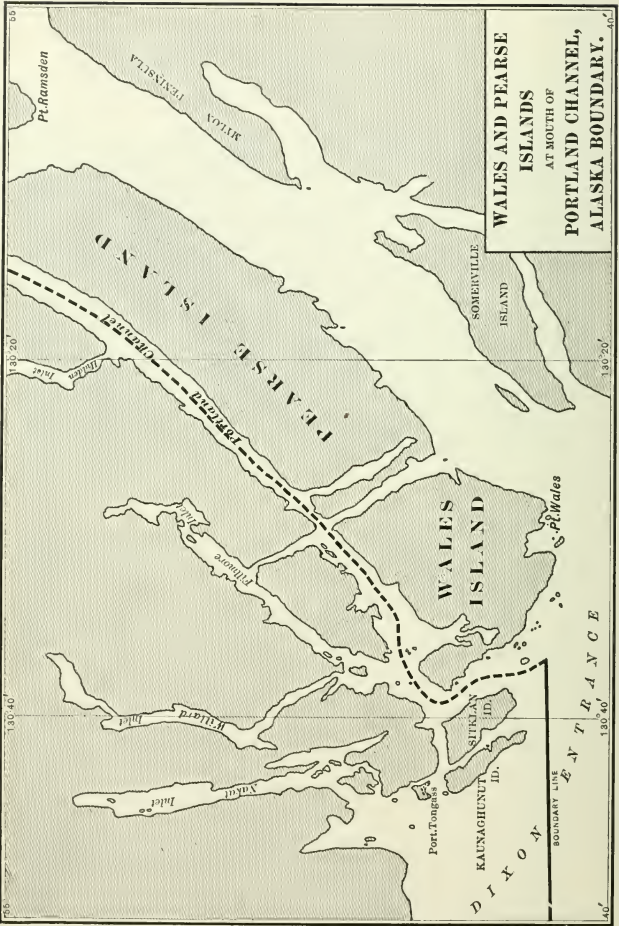
III. Le Gouvernement Espagnol renonce vis-à-vis du Gouvernement Britannique, à toute prétention de Souveraineté sur les territoires du continent de Borneo qui appartiennent, ou qui ont appartenu dans le passé, au Sultan de Sulu (Joló) y comprises les îles voisines de Balambangan, Banguey, et Malawali, ainsi que toute celles comprises dans une zone de lieues maritimes le long des côtes, et qui font partie des territoires administrés par la Compagnie dite "British North Borneo Company."

[TRANSLATION. The Spanish Government renounces in favor of the British Government all pretensions of sovereignty over all territories of Borneo's continent which belong or did belong in the past to the Sultan of Sulu (Joló), including the neighboring islands of Balambangan, Banguey, and Malawali, as well as all islands included in a zone of marine leagues alongside of the seashore, and which are a part of the territories managed by the said Company, "British North Borneo."] ]

Under the above treaty, the Spanish-United States treaty of 1898, and the United States-Spanish treaty of 1900, the United States is clearly vested with sovereignty over ". . . all those islands," formerly belonging to Spain, not "comprised within a zone of three marine leagues along the coasts and which form part of the territories administered by the Company called the British North Borneo Company." Under these instruments the possessions of the United States start about one hundred nautical miles south of Sibuto or San Lucia Bay, where the Spanish-Dutch boundary makes the mainland and separates British North Borneo from Dutch (south) Borneo.

Under a strict construction of the "three marine leagues" stipulation, the British North Borneo and United States line begins at Mount





**WALES AND PEARSE ISLANDS**  
 AT MOUTH OF  
**PORTLAND CHANNEL,**  
**ALASKA BOUNDARY.**

**D U X O N S T R A I T**  
 BOUNDARY LINE  
**E A T R A N C E**

Pt. Ramsden

PLANSIETIA VOLUK

P E A R S E I S L A N D

SOMERVILLE ISLAND

WALES ISLAND

Pt. Wales

SITKLAN ID.

KAUNACHUNUT ID.

Fort. Tongues

Nukul Inlet

Hillard Inlet

Rhinore Inlet

Holden Inlet

66° 55'

130° 20'

66° 40'

130° 40'

66° 40'

130° 20'

66° 40'

130° 20'



Antoinette on Seabattle Island, in San Lucia Bay, proceeding in an easterly direction to Ligitan Channel, assigning to the United States Ligitan Islands, and thence north to northwest of the islands of Boheian, Puan, Timba Timba, Capale, Matakang, Pompom, Boludulang, Mantabuan, Gaia, Sibuan, all west of Alice Channel; thence northwest by west to Tabauwan Island in Darvel Bay; thence east to Bacuhang and Adal; thence east, north, and northwest, rounding Hog Point, the extreme eastern land of North Borneo, to off Saudacan Harbor, a coast line distance of two hundred and eighty miles. This harbor is dominated by the United States islands of Taganac and Baguan. The remaining islands beyond the "three marine leagues" zone are Great and Little Bukkur-gaar, Langaan, with a chain of three islets, Lihiman, Boaan, Sibauang, and Lancayan. Acting under the protocol above quoted and the Spanish cessions, in the month of June, 1903, the United States, through her navy, hoisted her flag and placed tablets of possession upon the last-named seven islands, none of them larger than half a square mile.

This action of occupation justifies similar course in all islands not within the three marine league zone. Following up the coast next to Lancayan northwest are Billean, Sandy, Sippindun, Tigabu, Cucuban, Tibacean, Tambulean, Buaning, and Straggler. Towards the United States side the line would run to off Mallawalle and Banuey (British islands), thence west through Balabac Strait to longitude 116 degrees (Balambangan belongs to Great Britain), where this line intersects Spanish-United States treaty line (1898). From Mallawalle Island, should the line follow the usual marine league distance, Latoan and Cahancamman islands and all islands north of Banguey Island would be possessions of the United States.

PAGE 29. "Other Lands" under the Jurisdiction of the  
United States of America.

**Wake Island.** Owned by the United States. Latitude 19 degrees 10 minutes 54 seconds north; longitude 166 degrees 31 minutes 30 seconds east. A low coral island of triangular form, eight feet above the level of the sea, enclosing a large lagoon. It was discovered and surveyed by Wilkes in 1841.

A flagstaff was erected from which the American flag was saluted with twenty-one guns, a plate affixed to the base of the pole reading:—

<p>United States of America. William McKinley, President; John D. Long, Secretary of the Navy; Commander Edward D. Taussig, U. S. Navy. Commanding the U. S. S. "Bennington" This 17th day of January, 1899, took possession of the Atoll known as Wake Island for the United States of America.</p>
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Supposed to be the "Desierta" — *the desert and La Mira* — on the charts of the Spanish galleon taken by Anson in 1743.

Other names, Marquis of Weeks, Halcyon, Helsing, and Wilson.

**Midway Islands**, or Brooks. Owned by the United States. Latitude 28 degrees 12 minutes north; longitude 177 degrees 22 minutes west. Name derived from its location, almost *midway* between Asia and America. It is a low coral atoll, nearly eighteen miles in circumference, enclosing two islands, Sand Island and Eastern Island, and two small islets. Sand Island, one and a quarter miles west of Eastern Island, nearly one and three-fourths miles long, about three-fourths of a mile wide, and forty-three feet high at its highest point, a sand dune. Average elevation, three to ten feet above sea level. Eastern Island, one and one-fourth miles in length, half a mile in width, from six to twelve feet high. Sand Island contains 633 acres; Eastern Island 245 acres.

They were the first acquisition of foreign territory away from the mainland, occupied August 28, 1867, by Captain William Reynolds, commanding the U.S.S. "Lackawanna," under orders of the Navy Department.

The Senate in January, 1869, favored the islands as a naval station. Congress, on March 1, 1869, appropriated \$50,000 for deepening the harbor entrance, named "Welles Harbor" in honor of Gideon Welles, Secretary of the Navy. After expending the appropriation, decided \$400,000 would probably be needed, the project abandoned, the steamer "Saginaw" leaving the islands October 28, 1869. She was wrecked on Ocean Island reef the next morning.

Islands discovered by Captain N. C. Brooks July 5, 1859, and first occupied by the Pacific Mail S.S. Co. in July, 1867.

**Tutuila** and the Mauna group (Tau, Olesinga, and Ofu), of the Samoan Islands.

Article II. "Germany (and Great Britain) renounces in favor of the United States of America all her rights and claims over and in respect to the Island of Tutuila, and all other islands of the Samoan group east of longitude 171° west of Greenwich."

This adjustment of jurisdiction between the United States, Germany, and Great Britain signed at Washington, District of Columbia, December 2, 1899. Ratification advised by the Senate January 16, 1900; ratified by the President February 13, 1900; ratifications exchanged February 16, 1900; proclaimed February 16, 1900.

### The "Canal Zone" at Panama.

The Republic of Panama ceded to the United States of America in perpetuity, "the use, occupation, and control of the zone of land and land under water for the construction, maintenance, operation, sanitation, and

protection of said canal of the width of ten miles, extending to the distance of five miles on each side of the centre line of the route of the canal to be constructed . . . begins in the Caribbean Sea three marine miles from mean low-water mark, and extends to and across the Isthmus of Panama into the Pacific Ocean to the distance of three marine miles from low-water mark. . . . All islands in the Bay of Panama (including Perico, Naos, Culebra and Flamenco). . . .”

The Panama Canal Company (rights transferred April 22, 1904) was paid \$40,000,000; the Republic of Panama \$10,000,000.

Treaty signed November 18, 1903. Ratified by the United States Senate February 23, 1904 (Yeas, 66; Nays, 14). Ratifications exchanged February 26, 1904. Act of Congress “to provide for the temporary government of the Canal Zone at Panama, the protection of the canal works and other purposes,” passed April 28, 1904.

The first proclamation issued May 19, 1904, by Governor George W. Davis (Major-General U.S.A., retired), from the “Office of the Governor of the Isthmian Canal Zone, Culebra,” addressed “To the Inhabitants of the Canal Zone.”

**Guano Islands**, over which the United States possesses no sovereign or territorial rights; simply protecting its citizens or their assigns under the “Guano Act” (*infra*) who discover guano, in the transaction of their enterprises which pertain only to the appropriation and disposal of the guano on the islands.

“Whenever any citizen of the United States discovers a deposit of guano on any island, rock, or key, not within the lawful jurisdiction of any other government, and not occupied by the citizens of any other government, and takes peaceable possession thereof, and occupies the same, such island, rock, or key may, at the discretion of the President, be considered as appertaining to the United States.”—August 18, 1856. Revised Statutes, Section 5570.

Notices of discovery with proofs to be furnished; the term of possession to be at the pleasure of Congress; the exclusive right of occupation is for the purpose of obtaining guano for delivery to citizens of the United States “to be used therein,” at a charge of eight dollars per ton for best quality deliverable at ship’s tackle, or four dollars per ton taken from “its native place of deposit.” Bonds are exacted with forfeiture clause. All crimes in such possessions are as if committed on high seas on board merchant vessels belonging to the United States, and subject to such laws. The land and naval forces of the United States give protection. Congress enacted, May 10, 1867, that the applicant prove citizenship; that the deposit had not been previously discovered by another; that the island at the time was not in occupation or possession or jurisdiction of any other government. A specific description of the island also to be given.

Guano islands appertaining to the United States bonded under the Act of August 18, 1856, as appears from bonds on file in the office of the First Comptroller of the Treasury, September 16, 1893:—

			LATITUDE.	LONGITUDE.
October	28, 1856...	Baker's or Nantucket.....	0.15.00 N.	176.30.00 W.
		Jarvis.....	0.21.00 S.	159.52.00 W.
August	31, 1858...	Navassa.....	18.10.00 N.	75.00.00 W.
December	3, 1858...	Howland or Nowlands.....	0.52.00 N.	176.52.00 W.
September	6, 1859...	Johnson's Islands.....		
December	27, 1859...	Barren or Starve.....	5.40.00 S.	155.55.00 W.
		Enderbury.....	3.08.00 S.	171.08.00 W.
		McKean.....	3.35.00 S.	174.17.00 W.
		Phoenix.....	3.47.00 S.	170.55.00 W.
December	29, 1859...	Christmas.....	1.58.00 N.	157.10.00 W.
		Malden's Islands.....	4.00.00 S.	155.00.00 W.
February	8, 1860...	America Islands.....	3.40.00 N.	159.28.00 W.
		Anne's.....	9.49.00 S.	151.15.00 W.
		Barber's.....	8.54.00 N.	178.00.00 W.
		Bauman's.....	11.48.00 S.	154.00.00 W.
		Birnie's.....	3.35.00 S.	171.39.00 W.
		Caroline.....	9.54.00 S.	150.07.00 W.
		Clarence.....	9.07.00 S.	171.40.00 W.
		Dangerous Islands.....	10.00.00 S.	165.56.00 W.
		Danger's Rock.....	6.50.00 N.	162.23.00 W.
		David's.....	0.40.00 N.	170.10.00 W.
		Duke of York.....	8.30.00 S.	172.10.00 W.
		Enderbury's.....	3.08.00 S.	174.14.00 W.
		Farmer's.....	3.00.00 S.	170.50.00 W.
		Favorite.....	2.50.00 S.	176.40.00 W.
		Flint.....	10.32.00 S.	162.05.00 W.
		Flints.....	11.26.00 S.	151.48.00 W.
		Frances.....	9.58.00 S.	161.40.00 W.
		Friehaven.....	10.00.00 S.	156.59.00 W.
		Gardner's.....	4.40.00 S.	174.52.00 W.
		Gallego.....	1.42.00 N.	105.05.00 W.
		Ganges.....	10.59.00 S.	160.55.00 W.
		Grononique.....	10.00.00 S.	156.44.00 W.
		Humphrey's.....	10.40.00 S.	160.52.00 W.
		Kemn's.....	4.41.00 S.	173.44.00 W.
		Lideron's.....	11.05.00 S.	161.50.00 W.
		Low Islands.....	9.33.00 S.	170.38.00 W.
		Mackin.....	3.02.00 N.	172.46.00 W.
		Mary Letitia's.....	4.40.00 S.	173.20.00 W.
		Mary's.....	2.53.00 S.	172.00.00 W.
		Matthew's.....	2.03.00 N.	173.26.00 W.
		Nassau.....	11.30.00 S.	165.30.00 W.
		Palmyros.....	5.48.00 N.	162.20.00 W.
		Penhuyn's.....	8.55.00 S.	158.07.00 W.
		Pescado.....	10.38.00 S.	159.20.00 W.
		Phoenix.....	3.40.00 S.	170.52.00 W.
		Prospect.....	4.42.00 N.	161.38.00 W.
		Quiros.....	10.32.00 S.	170.12.00 W.
		Rierson's.....	10.10.00 S.	160.53.00 W.
		Rogewein's Islands.....	11.00.00 S.	156.07.00 W.
		Samarang Island.....	5.10.00 N.	162.20.00 W.
		Sarah Anne.....	4.00.00 N.	154.22.00 W.
		Sydney's Islands.....	4.20.00 S.	171.00.00 W.
		Starbuck or Hero.....	5.25.00 S.	155.56.00 W.
		Staver's.....	10.05.00 S.	152.16.00 W.
		Walker's.....	3.58.00 N.	149.10.00 W.
		Washington or Uahuga.....	4.40.00 N.	160.07.00 W.
December	30, 1862...	Great and Little Swan Islands (Caribbean Sea).		
August	12, 1869...	Islands in Caribbean Sea, names not given in bond.		
November	22, 1869...	Pedro Keys, Quito:— Sereno, Petrel, and Ronca- dor.		
September	8, 1879...	Serranilla Keys:— East, Middle, and Beacon.....	15.20.00 N.	79.40.00 W.

		LATITUDE.	LONGITUDE.
		Morant Keys:—	
		Northeast, Sand, Savanna, and Seal.....	
		17.26.00 N.	77.55.00 W.
		Arenas Key.....	
		22.07.10 N.	91.24.30 W.
September 13, 1880...		De Aves.....	
		15.40.00 N.	63.37.00 W.
		Serranilla Keys.....	
		15.20.00 N.	79.40.00 W.
		Western Triangler.....	
		20.54.00 N.	92.13.00 W.
October 18, 1880...		Island of Arenas.....	
		22.24.30 N.	91.24.30 W.
June 21, 1884...		Alacran's Island.....	
		22.25.00 N.	89.40.00 W.

### Naval Stations.

Naval Stations are subject to capture as any other possession of a hostile power. They are used as depots of supplies, as bases for refitting, repairing, and reprovisioning, as hospital points, and as places of rendezvous for the personnel. They are in charge of Line officers of the Navy under the direction of the Bureau of Navigation of the Navy Department; the army takes a part in the defence of the naval stations in Cuba, in furtherance of the plan by which the army maintains coast defences in the vicinity of naval stations within the continental limits of the United States.

Outside of her possessions the United States have but two naval stations, *i. e.* "Guantanamo" and "Bahia Honda."

Lease of certain land and water for naval and coaling stations in Guantanamo and Bahia Honda under the agreement of February 16-23, 1903, in fulfillment of Art. VII, Constitutional Appendix, signed at Havana, July 2, 1903. Ratifications exchanged at Washington October 6, 1903. Possession of Guantanamo assumed November 17, 1903.

### Cuba.

Treaty of Peace between the United States of America and the Kingdom of Spain, signed at Paris, December 10, 1898.

Art. I. Spain relinquishes all claim of sovereignty over and title to Cuba.

Art. II. Spain cedes to the United States the island of Porto Rico and other islands now under Spanish sovereignty in the West Indies, and . . .

**July 18, 1898.** Military government established by the United States, with Major-General John A. Brooke, U.S.A., as Military Governor-General of Cuba. The Cubans objected to a civil government.

**July 16, 1899.** Provisional government established, and military cabinet announced.

**February 6, 1899.** Island evacuated by the Spanish.

**July 15, 1900.** Election for municipal officers, also delegates to Constitutional Convention.

**November 5, 1900.** Constitutional Convention met in Havana and adopted a republican form of government.

**June 12, 1901.** Constitution adopted, giving to the United States a protectorate over the island.

**December 31, 1901.** General elections held under the Constitution.

**May 5, 1902.** Cuban Congress first meets.

**May 20, 1902.** Transfer of authority of the United States made to the Republic of Cuba, at noon.

**February 4, 1904.** American occupation ceased, the American flag lowered from the Cabana barracks, Havana, the last battalion of American soldiers boarded the United States transport "Summer."

"Article I. The Government of Cuba shall never enter into any treaty or other compact with any foreign power or powers which will impair or tend to impair the independence of Cuba, nor in any manner authorize or permit any foreign power or powers to obtain by colonization or for military or naval purposes, or otherwise, lodgement in or control over any portion of said island."

"Article III. The Government of Cuba consents that the United States may exercise the right to intervene for the preservation of Cuban independence the maintenance of a government adequate for the protection of life, property, and individual liberty, and for discharging the obligations with respect to Cuba imposed by the Treaty of Paris on the United States, now to be assumed and undertaken by the Government of Cuba."

Extract of Treaty between the United States and Cuba. Signed at Havana, May 22, 1903; ratification advised by the Senate March 22, 1904; ratified by the President, June 25, 1904; ratified by Cuba, June 20, 1904; ratifications exchanged at Washington, July 1, 1904; proclaimed July 2, 1904.

"Future relations" defined by act of Congress, March 2, 1901.

### Isle of Pines.

Transferred to the *de facto* government of the Republic of Cuba pending a settlement by treaty between the United States and Cuba; placed under control of the Civil Government of the Province of Havana, and the Republic of Cuba.

Article IV. The Island of Pines shall be omitted from the boundaries of Cuba specified in the Constitution, the title thereto being left to future adjustment by treaty.

Extract of Treaty between the United States and Cuba signed at Havana, May 22, 1903.

The United States Court for the Southern District of New York decided that under the Paris treaty of peace the island was never in the possession of the United States and therefore the alienation of territory did not take place. The Supreme Court of the United States has the case of ownership pending.

**Madison Island.** Latitude 8 degrees 7 minutes south, longitude 140 degrees west. On April 19, 1791, Captain Joseph Ingraham discovered several islands not indicated on Spanish or English charts. He named them Washington, Adams, Federal, Lincoln, Franklin, Hancock, and Knox. He found no convenient place to land, so did not go ashore. In 1792 Cap-

tain Roberts of Boston renamed some as Jefferson, Hamilton, and Madison. November 19, 1813, Captain David Porter occupied "Madison Island" (Mukuhiva or Sir Henry Martin's Island), built Fort Madison and a village called Madisonville.

Later taken by the British, the United States never took steps toward a further occupation.

**Bailey or Coffin Islands.** Perry took possession July 25, 1853, and purchased land for a coal depot at Port Lloyds. Captain Coffin of the American whaler "Transit" visited the islands in 1823 and gave his name to them. Captain Beechey of the British vessel "Blossom" took possession of Peel Island in 1827.

### PAGE 73. Declaration of Independence.

The Committee of the National Academy of Sciences appointed to examine the original document and report to the Secretary of State as to its condition (1903) advised:—

"The instrument has suffered very seriously from the harsh treatment to which it was exposed in the earlier years of the republic, folding and rolling having creased and broken the parchment. The wet-press copying operation to which it was exposed about 1820, for the purpose of producing a facsimile copy, removed a large portion of the ink. Subsequent exposure to the action of light for more than thirty years, while the instrument was placed on exhibition, has resulted in the fading of the ink, particularly of the signatures. The present method of caring for the instrument seems to be the best that can be suggested.

"The committee is pleased to find that no evidence of mould or other disintegrating agents can be discovered upon the parchment by microscopic examination, or any evidence that disintegration is now in progress."

The committee suggests that a photograph be taken of the document from time to time to aid in future investigations. The report says further:—

"The committee does not consider it wise to apply any chemicals with a view to restoring the original color of the ink because such application could be but partially successful, as a considerable percentage of the original ink was removed in making the copy about 1820 and also because such application might result in serious discoloration of the parchment."

Further suggesting that it should be cared for as now, "that it should be kept in the dark, and as dry as possible, and never placed on exhibition."

It was last exhibited at the Centennial Exposition (1876), returned to the Department of State in 1877 and remained there, and since 1902 withdrawn from exhibition.

PAGE 104. **The Constitution of the Confederate States of America.**

Original document is (1905) in the possession of Mrs. A. L. Hull, Athens, Georgia; the amended document with Mrs. A. C. Birch, Montgomery, Alabama.

PAGE 146. **Extra Sessions of Congress.**

PAGE 148. **CONGRESS 58, SESSION 1.** Called by proclamation of President Roosevelt, October 20, 1903; convened November 9, 1903.

For considering the approval or disapproval (Senate resolution, March 19, 1903) of the reciprocal commercial treaty with Cuba, as signed December 12, 1902, in convention, between the United States and the Republic of Cuba. The extra session required so that the treaty, if approved, be made effective before December 1, 1903, prior to the season's Cuban sugar crop movement.

Other business than specified in a proclamation can be done at "extra sessions"; the omission to mention other subjects of legislation does not in any manner interfere with Congress entering in upon general legislation.

There is limitation on the power of Congress to act on any matter that may be presented, other than that prescribed by the Constitution, whether the session be convened in accordance with the requirements of law or upon the call of the President. Whatever may be done at a regular session may be done at a special session.

PAGE 149. **Political Parties, etc.**

PAGE 156. **Associated Youth.** A name given in 1798 to associations of young Federalists, who drew up addresses in favor of the Federalist party and its principles, and in other ways supported and aided it. They were largely instrumental in spreading the custom of wearing black cockades. See "Black Cockade Federalists."

PAGE 157. **"Brindle-tails."** The Liberal Republicans, so called, in Arkansas in 1872.

PAGE 158. **Citizens' Independent Democracy.** A New York City organization, incorporated at Albany, New York, September 10, 1903, "for the purpose of taking part in the approaching municipal election (November, 1903), by interesting Independent Democrats in a political situation in this city of the gravest importance to the whole party." that Democratic candidates to office be in nomination, no affiliation with any other party or parties.



PAGE 164. **Dutch.** The Democrats so called by their Whig opponents in 1842, in allusion to their candidate, Martin Van Buren.

" We'll beat the Dutch,  
Hurrah for Tyler!  
We'll beat the Dutch  
Or bust our b'iler."—*Popular Song.*

PAGE 172. **Jellyfish.** That faction of Republicans in 1881, who were neither "Stalwarts" nor "Half-Breeds" (*q.v.*), not able to maintain a semblance of an opinion.

Jellyfish when exposed to the atmosphere melt away, leaving no trace of a previous animal existence.

PAGE 180. **Ostriches.** A name applied by the Socialist Labor party to the Union Socialists. The same principles hidden under another name.

The habit of the ostrich when alarmed is to thrust its head into a bush, thinking, because it cannot see, that it cannot be seen.

PAGE 191. **The People's Rules.** A party started in Boston, January, 1903. It promulgated three articles of faith: direct legislation; public ownership of all public utilities; a restriction upon the power of judges in equity to take the liberty of the citizen without trial by jury.

PAGE 192. **United Protective League of Labor.** A political organization (1903) of all union men or those in sympathy with organized labor, composed of "wealth-producing citizens of the United States, who believe in God, love their country, and honor and revere the flag." To support all candidates, national, state, or municipal, who give a guarantee of fidelity to labor interests.

PAGE 192. **Union Socialists.** Dissatisfied members of the De Leon Socialists or Socialist Labor party and the Social Democratic party, formed in Philadelphia, February 22, 1903. The Union Socialists claiming the trades union policy of the Socialist Labor party, and the Social Democratic party a wrong premises. The former, by wrestling with the unions, arouses violent opposition; the latter, by coddling to unions, is submerged by them. In either case Socialism is fatally injured. The correct policy is to ignore the union altogether; unions should have nothing to do with politics.

#### PAGE 195. Political Vocabulary.

PAGE 196. **Aliens.** Aliens are persons within a state or territory who are not citizens by birth or naturalization, generally alluded to as "foreigners." They are bound to obey and are amenable to the law of the state during their residence, and are as fully protected at all times as

a citizen. They are not, however, subjected to all duties of a citizen, as obligatory military service, jury duty, poll taxes, and levies upon citizens alone. Congress in 1863 passed an "intended citizen" act, compelling enrolment of such persons, the President later issuing a proclamation allowing sixty-five days to such persons to leave the country or be liable to enlistment. Voluntary enlistments are permitted, which forfeit protection of home government.

*Aliens, or Aliens Proper.* those persons who are sojourning temporarily within the state, or who are passing through its territory.

*Domiciled Strangers,* those persons who have acquired a legal domicile at some place within the territorial jurisdiction of a state. (See "Domicile" and "Citizenship.")

PAGE 217. **Contraband of War.** The prohibition of neutral trade with belligerents of certain articles susceptible of military use. It is a right pertaining to the belligerent states, and comes into existence at the outbreak of war, terminating by the treaty of peace. International law declares the act of transporting contraband and breach of blockade to be unlawful, denouncing the penalty, a confiscation of the goods, and in some cases the ships engaged in such illicit trade; the belligerent who suffers by the violation enforces the law, the penalties being imposed by his prize courts. Such act on the part of a neutral state would be regarded as an act of hostility; the act of an individual does not involve his government in the breach of neutrality of which he himself is guilty.

In the thirteenth century usage of public sovereigns forbade all trade with their enemies in time of war; it appears in a treaty of Edward III, of England, with the Flemings in 1370.

The place of capture, the destination, and character of the article as well as its use determines whether it is contraband. It must be captured on the high seas, or in territorial waters of either belligerent, have a hostile destination, that is, destined for the *military use* of a belligerent, in a general sense, money, provisions, ships and naval stores, conveyance of troops or despatches, or articles manufactured for or primarily used for military purposes in time of war, and actually destined for use of the hostile nation in war.

Dealing in contraband has never been forbidden in the United States; it is left for regulation by the belligerents, in the exercise of the powers placed in their hands for that purpose by the law of nations.

The first application of the word "contraband" to the negro slaves of the United States was the seizure of the slaves of Colonel Mallory by General Benjamin F. Butler, in May, 1861, at the military post at Newport News, Virginia.

"I shall detain the Negroes as contraband of war. You [Confederates] are using them upon your batteries. It is merely a question whether they shall be for or against the Government."

PAGE 219. **De Facto. De Jure.** A *de facto* government is one actually existing in a country, and for the time possessing sufficient strength to exercise sovereign powers. A *de jure* government is one which the person using the term believes to be the rightful government of the country, and it may or may not be an enjoyment of the power of sovereignty.

In 1792 the *de facto* government of France was that carried on by the National Convention. Austria regarded the government of Louis XVI as the *de jure* government of France.

From the standpoint of international law the term government is usually applied to the *de facto* government of a country, and such governments are generally recognized in fact, if not in name. The United States observe as their rule of public law to recognize governments *de facto*, and also governing persons *de facto*, without scrutiny of the question of legitimacy of origin or succession. See Index, "De Facto."

PAGE 219. **Domicile.** The place which an individual has freely chosen as the centre of his domestic and jural relations; a residence at a particular place accompanied by positive or presumptive proof of an intention to remain there for an unlimited time; the place where a person lives and has his home. The *domicile* is a relation between *alien* and *citizen* (*q.v.*), the status of such individual being determined from the standpoint of international law, evidence as to actual residence or unconstrained intention of remaining. The domicile of a wife is that of her husband. Domicile is specially important in time of war, as it determines the character of the individual as an enemy or neutral. Domicile of origin (by birth), domicile of choice (civil status acquired), and domicile by operation of law (a dependent person passing under the control of a legal superior) are the three kinds of domicile recognized by law.

PAGE 225. **Exterritoriality.** Is based upon comity and applies also to ships of war in foreign ports with whom both nations are at peace, and while so harbored are under the protection of the government of the place and required to obey local revenue laws, quarantine rules and port regulations, and maintenance of neutrality laws of the country.

It is not applicable to the ship's company on shore; local laws govern the same as exercised against a citizen. A prisoner of war cannot be released by *habeas corpus* while aboard ship, but if ashore is subject to local jurisdiction if the state so desires. The Spanish government permitting the *Maine* to enter Havana harbor and not protecting her under the rule of international law was justly held responsible for the disaster, February 15, 1898; the cause proven to be from exterior action.

It is applied to passage of troops through the territory of a foreign state. The United States, as a matter of comity, authorized the passage of a detachment of British troops through the State of Maine in 1862, while

en route to Quebec; in 1875 military supplies for use of the Canadian mounted police that constituted a portion of the British colonial establishment; in 1876 a small body of Mexican troops from Brazos de Santiago to Matamoras, through Texas. In 1881 a body of Michigan State militia by permission of the Governor-General of Canada passed through his domain from Detroit to Buffalo. The treaty of New Grenada (1846) established the right of the United States to send troops across the Isthmus of Panama. Permission to transport troops over the territory of the United States only granted in case of peaceful transfer, devoid of any military object affecting the peace of any third state.

Also granted to the person of a sovereign, his retinue and attendants, while passing through or sojourning in foreign territory, and to diplomatic agents, see page 225.

PAGE 228. **Guerillas.** Spanish *guerra*, "war"; properly "guerilla wars." Guerilla is applied to persons who, acting singly or joined in bands, carry on operations in the vicinity of an army in the field in violation of the laws of war. Generally wear no uniform, act without orders of the government, committing assaults, robberies, and other predatory acts. If captured, they are treated with great severity, proportioned to the offence committed. They are sometimes confounded with "partisans," who act with the authorization and under a commission of their government. The status of each is regulated by the service in which each is engaged. General Halleck ("Civil War," II, Halleck, p. 7) includes *guerillas* and *partisans* under the same designation.

PAGE 230. **Impeachment.** *Eighth.* Charles Swayne, a United States District Judge (Florida), February, 1905. *Complaint.* Abuse of power and habitual absence. Acquitted.

PAGE 239. **Modus Vivendi.** (Literally *Manner of living.*) In diplomacy, an agreement between two or more nations as to their conduct in regard to matters in dispute pending the adjusting thereof, namely a temporary treaty or convention limited to a period which as a general rule is very brief.

The direct purpose of a *modus vivendi* is to prevent a clash prior to regular settlement of a dispute. The essential feature is the temporary agreement, in the existence of a dispute or controversy between two nations, to refrain from the full assertion of what they respectively regard as their rights; a temporary compromise, an armistice, a method of getting along peaceably until diplomatic negotiations dispose or fail to dispose of some question acutely in issue.

In the North Atlantic fisheries in 1885, when the fishery clauses in the Treaty of Washington of 1871 were terminated, a *modus vivendi* was arranged by notes exchanged during April between Secretary Bayard and

Sir L. S. Sackville West (minister of Great Britain) by which certain arrangements were made for the balance of the fishing season, from July 1, 1886, when the treaty terminated, to December 31, 1886. This agreement or *modus vivendi* was to avert conflicts on the fishing grounds which might lead to strife between Great Britain and the United States.

The second *modus vivendi* was in 1888, relating also to the North Atlantic fisheries; neither were ratified by the Senate, they were virtually protocols (*q.v.*). In June, 1891, a *modus vivendi* executed with Great Britain for the protection of fur seals in Bering Sea, it was not ratified by the Senate but proclaimed by the President; in 1894 between the United States and Russia for protection of the fur seals. See page 24, in connection with the boundary of Alaska. The action of President Roosevelt in the San Domingo matter of 1905 claimed to be under a *modus vivendi*.

The forms of agreement with foreign powers are classified as: Treaties and conventions (see "Treaties," page 260); declarations of accession to existing treaties; *modi vivendi*; protocols (see page 252); and diplomatic arrangements, reciprocal legislation, and executive proclamations.

PAGE 239. **Monroe Doctrine.** The declarations of the "Monroe Doctrine" have never been sanctioned by an act of Congress or recognized by a resolution of that body, therefore form no part of the municipal law of the United States, nor are they rules of international law. They are the declaration of an administration of what its own policy would be, and what it thinks should be the policy of the country. The Doctrine has been frequently cited by the Executive as an expression of our foreign policy and been supported through the approval of the people.

PAGE 243. "**Most Favored Nation Clause,**" or "**Favored Nation Clause,**" is an interpretation of the diplomatic term *gentis amicissima* (most favored-nation).

Jefferson, as Secretary of State, in his report to the President March 18, 1792, says: "It has not in view a nation unknown in many cases (as was the United States at the time when the older treaties containing the phrase were used) at the time of using the term, and so dissimilar in all cases as to furnish no ground of just reclamation to any nation."

The term refers to gratuitous privileges, and does not cover privileges granted on the condition of reciprocal advantage. It is especially adapted in treaties of a commercial character, extending the scope and operation to cover any concessions of privileges of a similar character to those stipulated for, which may in the future be granted by either party to other nations, their citizens, or their subjects. The principle involved is illustrated by an extract from a treaty with Egypt.

"Every right, privilege, or immunity that the Egyptian Government now grants, or may grant in future, to the subjects or citizens, vessels,

commerce, and navigation of whatsoever other foreign power, shall be granted to citizens of the United States, vessels, commerce, and navigation, who shall have the right to enjoy the same."

For an interpretation placed upon a favored nation clause, see "Treaties and Conventions of the United States, 1776-1887," p. 264; treaty between United States and Ecuador.

PAGE 243. **Municipal Ownership.** Possession of public utilities by a civil division of a State, those industries which from some inherent quality tend to become monopolies. The utilization of public property, as the streets, waters, or grounds belonging to a town or city; all services primarily of a sanitary character; all quasi-public industries of imperative and universal needs. Proper objects for municipal government, such as roads, sidewalks, bridges, sewers, markets, schools, libraries, museums, hospitals, lodging-houses, poorhouses, jails, cemeteries, prevention of fire, supply of water, gas, electricity and heat, ferries, transportation, telegraph and telephone service, clocks, skating-rinks, musical entertainments, exhibition of fireworks, and employment offices. "Municipal socialism" extends to cover lesser enterprises, as coal-yards, bakeries, etc.

The first waterworks owned by a town were located at Winchester, Virginia, constructed in 1800; those of Philadelphia in 1801; New York, 1842; Boston, 1848; Chicago and Baltimore, 1854. First street railway, that of Grand Junction, Colorado; Brooklyn Bridge Railway, New York, built in 1883 (returning in 1898 to private ownership). First municipal electric lighting plant at Fairfield, Iowa, 1882. Gas-works at Richmond, Wheeling, Duluth, Philadelphia (the latter city returning to private ownership).

Municipal ownership became a factor in politics in 1901 at St. Louis, Missouri (see page 183); both local parties had a favoring plank. In 1902 the mayors of Toledo, Denver, Cleveland, and Columbus, were elected on a municipal platform.

*Argument in favor.* Tends to make public affairs of more importance to individual citizens; large monopolies are principal cause of corruption in municipal governments; city can float bonds at lower rate than private companies, so that profits used to lower general tax; people employed at higher wage.

*Argument against.* Political corruption of city governments involves inefficient officers; dishonesty of city officials; desire for popular favor reduces rates of charge below a profit, creating a public burden; non-consumers taxable for benefit of consumers by the reduction of the general tax; progression retarded in testing new methods and development of new territory.

*Municipal government* is the administration of the affairs of a civil

division, as exercise of police power, administration of charity, care of public health, and the administration of local justice. It is the agency of the State.

PAGE 243. **Naturalization.** *Collective naturalization* is incident to conquest, as instance the people of Louisiana Territory, Texas, Florida, and the Gadsden Purchase, also the Porto Ricans.

The first naturalization treaty was with the North German Confederation, February 22, 1868, which stipulated for a five years' period of residence as a condition essential to naturalization.

PAGE 244. **Neutrality.** The policy of the United States is, an enemy's goods found on board a neutral ship may lawfully be seized as prize of war, and goods of a neutral found on board an enemy's ship are to be restored, war giving right to capture the goods of an enemy but not those of a friend, the neutral flag no protection to enemy's property, the belligerent flag no hostile character to neutral property. The United States courts are trying to obtain international agreement that all private property at sea, not contraband of war, should be exempt from capture and confiscation in time of war.

A belligerent warship is permitted to enter a neutral port, when not in distress, unless notice to the contrary is formally given by the neutral government; if in distress, the rule must bear equally upon both belligerents, and may procure such supplies, not contraband of war (*q.v.*) as the neutral government may permit. A limited supply of coal is allowed to be taken in, the rule adopted by England during the Civil War (January 31, 1862) and the United States by proclamation, October 8, 1870, during the Franco-Prussian War, is the general custom, a supply sufficient to enable the vessel to reach a port of her own country or a nearer destination, a second supply not to be given save with the express permission of a government.

The neutrality laws of the United States, though passed in 1794 and 1818, are to-day fully in accordance with the standard of neutral obligation as determined by international law.

PAGE 252. **Pourparler** (pör-pär'lä). In French law, the conversations and negotiations which have taken place between the parties in order to make an agreement. These consultations form no part of the agreement or treaty between nations; they are simply a preliminary conference, a consultation prior to subsequent negotiations. See "Modus Vivendi," "Protocol," "Treaties."

PAGE 252. **Protocol.** The only territory directly acquired by protocol was Horse Shoe Reef in Lake Erie, which was transferred to the

United States by a protocol and statement, no formal treaty ever having been made.

PAGE 252. **Protectorate.** Relation assumed by a stronger nation toward a weak one, whereby the former protects the latter from a hostile invasion or dictation, and interferes more or less in its domestic concerns.

The relation is established by a treaty, by the terms of which the extent and character of the protectorate are determined; in the majority of cases the foreign relations of the protected country includes the power to engage in war, both in great part regulated by the protector.

Where exercised the countries are not in any sense within the boundaries of the United States, yet they are so influenced as not to be completely independent.

The first country over which the United States established a protectorate was Liberia, in Africa, founded as a Republic in 1820.

The political relation of the Indian nations towards the United States is that of semi-sovereign states, under the exclusive *protectorate* of the United States.

*Protector*, in English history, signified a kind of regent; the Duke of Bedford was the first protector of England (under Henry IV). Its special use in its present sense was in reference to the "Protectorate of the Commonwealth of England, Scotland, and Ireland," when Oliver Cromwell held the title of "Lord Protector" (1653).

PAGE 253. **Reciprocity.** A relation between two independent powers, such that the citizens of each are guaranteed certain commercial privileges at the hands of the other, a commercial policy, a mutual grant of privileges. It is usually referred to as tariff reductions or concessions in compensation for reductions made in favor of a nation by another nation.

The term was first employed during the eighteenth century, compelling trade to travel in vessels belonging to the nation enacting the navigation laws. Its first breakdown was by England, in 1783, when American bottoms were put on the same basis as her own vessels. In 1815 a treaty concluded, by one clause of which ships of neither nation liable to greater charges in the ports of the other than were exacted by such nation in its own ports.

The first reciprocity treaty was with the British North American Possessions (Canada), concluded June 5, 1854; ratifications exchanged at Washington, September 9, 1854; proclaimed September 11, 1854; took effect March 16, 1855; terminated March 17, 1866.

The next treaty was with Hawaii, September 9, 1876; terminated April 30, 1900.

PAGE 257. **Retorsion.** An application of the same rule of conduct in our relations with another country as is applied, by that country, in its



relations with us; law of retaliation in international affairs, whether upon people, aliens, or citizens, or privileges to ambassadors or other diplomatic representatives.

The main tendency is with countries that derive a large portion of revenue from custom duties; a native production falls in price on account of foreign competition; the remedy is by an increase of duty upon the foreign article. Retaliatory measures, or *retorsion*, are resorted to toward compelling a removal of the trade restriction.

Acts of retorsion are classified as imperfect rights, except when resorted to by way of retaliation for similar acts on the part of another country, and amount to a just cause for war. See "Reprisal," which is resorted to when *perfect* rights have been denied, or an absolute refusal of justice; they are acts of violence, and regarded by the country to which they are directed as a justifiable cause for a declaration of war.

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