

Stamp on back

The Usurpations of the Federal Government

SPEECH OF HON. J. S. HAVENS, OF SUFFOLK,

On the Resolutions of Judge Dean to raise a Select Committee to Investigate the subject of Arbitrary Arrests and the suspension of the writ of Habeas Corpus.

DELIVERED IN ASSEMBLY, FEB. 17, 1863.

Mr. J. S. HAVENS, of Suffolk, obtained the floor. He said:

MR. SPEAKER:—I desire to submit to this House a few remarks upon the resolutions now under discussion. While I have no expectation of adding anything to what was so eloquently said by the gentleman from New York (Judge Dean) a few evenings since, or to the remarks of the gentleman from Westchester, this evening, still I feel it to be a duty that I owe to myself, as well as the constituency that sent me here, to express my views freely and fully upon the important questions now agitating the public mind. I should prove recreant to my duty as a representative upon this floor, if I allowed a vote to be taken upon these resolutions without raising my voice in their support, when citizens of my own county, as loyal men as any in the land, and whose only offence was, that they differed in their views from the policy of this Administration, have been seized without warrant or any process of law, incarcerated within the gloomy walls of the American Bastille, dismissed without trial, and left without redress.

Sir, let the action of this House upon these resolutions be what it may I firmly believe they are approved and their passage demanded of us, by full three-fourths of the citizens of this State. Men who believe their dearest rights have been violated, while rendering their hearty support to the Administration in a vigorous and constitutional policy, for the suppression of the rebellion, and the restoration of the Union, have become alarmed at the usur-

pation of power, and the gross outrages upon their constitutional rights, by the agents of the Federal government.

Men who supported the President now in power, and who have been prominent in building up the Republican party, are starting back affrighted from the revolutionary policy into which the Administration has been forced by its radical dictators, and are either boldly uniting themselves with the conservative opposition, or tremblingly shrinking back from the contest, and evading responsibility in the retirement of private life. No wonder that the ardor of our citizens is dampened; no wonder that a seeming chill has fallen on the patriotism of the country, when loyal States have witnessed such scenes as history records within the past two years. Well may the people pause to enquire for what is this war waged?—for what object are we spilling our best blood and pouring out our treasure?—when they behold a government under pretext of seeking to enforce the Constitution at the South, violating the Constitution at the North; and when they see those who are sworn to protect the liberties of all citizens, oppressing loyal men and instituting a Reign of Terror over loyal States?

Mr. Speaker, I believe the consideration of these resolutions to be of the greatest importance as affording us, the representatives of this State, the opportunity to place upon record our disavowal and disapprobation of the course of the Federal Administration in its violation of the Constitution, and its wanton disregard of the rights and liberties of our fellow citizens.

Here, in the middle of the nineteenth century, with all of our boasted light and liberty—in a country which has been proclaimed to be the asylum for the *oppressed* of every nation—in this age of progress and advancement, surrounded by all that is calculated to exalt, and elevate men from poverty and degradation to an equality with the most favored in the land; I say, sir, *here* has been inaugurated a reign of terror that has few parallels in history; a system that has set back the hands upon the dial plate of time, in the world's civilization and advancement for centuries. Indeed, in contemplating the condition of our country but a few months since, one might well imagine that he had been transferred from a land of freedom, to one where the will of the sovereign is law; where men are held in vassalage; where ignorance and degradation are the condition of the people, and where they are kept in subjection by the strong hand of a military despotism.

Those great principles of civil liberty which have been wrung, as it were, by the people inch by inch from their rulers from the time of William the Conqueror; which have been carefully protected, and jealously guarded, for centuries, and for the defence of which, thousands of our ancestors have given their life's blood, are, as they should be, held above all price. What is life *worth* without liberty? Freedom of speech, and freedom of the press, are the very basis of free institutions; it was the freedom to examine and to discuss the acts of our rulers, that had brought this country to the proud height that she occupied among the nations of the earth; that had carried us forward with a rapidity without parallel in history. We had grown from thirteen feeble colonies with a population of three millions, to thirty-four great States, with a population of over thirty millions—combining more of the elements and resources of wealth than any other country. We fondly thought that these privileges were to be perpetuated forever—and hoped to hand them down to our successors, unspotted, and unchanged, based as they were upon that great bill of human rights—the *Magna Charta*—the *guarantee* of Englishman's *rights and liberties*, which had been taken by the framers of our government as the very corner stone of our Constitution, perfected by their wisdom and care, and surrounded by such checks and safeguards as they had thought necessary to preserve them from the designs of ambitious men, and the hasty action of unwise legislators. In our self-complacency, we had forgotten that "eternal vigilance is the price of liberty."—These privileges were thought to be the inalienable right of us all. We revered them as treasures of the past. We enshrined them in our hearts as the very ark of safety. We looked upon them as the bulwark of security, and thought not that any occasion might by possibility arise, when our servants should have the temerity to lay their sacrilegious hands upon them.

But such has been the case, and that, too, by an Administration that came into power, not

upon account of the peculiar fitness of its leaders to manage the affairs of the government; not so much on account of the sympathy of the people in its dogmas of free territory by Congressional enactments, but simply and solely by the cry of free speech, and a free press—Are not these the last men that should now object to free discussion?

You will pardon me if I go back and review the history of the past two years and a half—a short space of time, but how pregnant with events! How much of our history as a nation, has been crowded into that space. If, in reviewing the acts of the government during that time, I speak with seeming harshness, you will do me the justice to believe that I at least speak with all candor and honesty of heart—You, as well as myself, are aware that during the electoral campaign of 1860, the strongest and principal argument brought up against the party then in power, was, that free speech was not tolerated at the South. Our opponents claimed the privilege of going into any part of this confederacy and advocating the doctrines they professed to believe. How few of these loud mouthed orators have shown a disposition to avail themselves of the opportunity of so doing for the past year and a half, is a subject upon which it is unnecessary now to comment.

The right of free speech is one guaranteed to us by the Constitution, and has been sustained by the Democracy in all times. If it had been the real sentiment of the party who raised it as their war-cry in the last election, the evils we are now encountering might not have fallen so heavily upon us. But no party has been more intolerant—more overbearing—more directly opposed to freedom of discussion than the Republican party; and the power they won under a false pretence has been a source of misery and evil to the country. Under the specious pretext of free speech and free territory for free men, a sectional organization, reckless of the future, met in convention and designated for the position once occupied by a Washington, a Jefferson and a Jackson, a man who is universally conceded, even by the thinking men of his own party, to be utterly incompetent for the office he now occupies.

As soon as the result of the election was known and it became certain that this sectional party had triumphed—a party which had received no votes in ten out of the thirty-four States of this Union—a party whose only creed and platform was hostility to the institutions of States—the work of secession commenced; ordinances of secession were passed by the conventions of State after State, until in this manner seven of them had declared themselves absolved from all connection with the Federal Union. Their representatives left the Halls of Congress; their Senators forsook the Senate Chamber. Thinking men stood aghast, and anxiously enquired of each other what might be the result of all this? With many of us, it was but the terrible realization of our fears; what had been predicted as the inevitable result of officious interference with the rights and

privileges of sister States. But the infatuated authors of these evils still laughed at our fears and mocked at the calamity. "Let them go, they will be glad enough to return"—were the jests and the jeers to be heard upon every side, while our nation was in the very agony of dissolution—"a few thousand of Northern men will soon whip them in or drive them into the waters of the Gulf." It is a sad reflection that men should know so little of human nature as to suppose, that some of the ablest statesmen in the land—men who had held stations of honor and of trust—should be enacting a farce, and attempting an impracticability. They should have known them better than to suppose they had taken that position without deliberation, and having weighed well the consequences. They should have known that they were not the class of men to be deterred by threats, or driven from a purpose, by intimidation or chiefly by force. At length the terrible truth was forced upon the minds of some of the Republican party, that unless some concessions were made, some compromise adopted, the death knell of the Republic was rung. This portion of the party united with us in sending delegates to a peace convention where propositions were submitted for a settlement of this whole difficulty. But the leaders of this radical party in and out of Congress, would listen to no terms except unconditional submission to the Constitution, not as interpreted by the Supreme Court, but as construed by the architects of the Chicago Platform. The candidate elect to the Presidency and his advisers gave no words of encouragement and assurance to those who were seeking by every effort in their power to avert the horrors of civil war. They only vouchsafed to us in an oracular manner, that somehow the whole question would be settled in sixty days. The ides of March came, Mr Lincoln reached Washington in disguise, and surrounded by armed men was inaugurated—and sworn to uphold and support the Constitution of the United States. How well he has kept that oath, let his emancipation proclamation, and that enacting the forms of marshal law in the loyal States, answer. The loyal men of the Border States, and they outnumbered the secessionists in their midst as four to one, redoubled their effort, and implored the new administration to give them some plan or basis of compromise, that they might submit to the people of their States and be sustained. But no words of hope were spoken—no encouragement given that the North would make any concessions, and thereby assist them to resist the tide of secession that, gaining force and momentum by the delay, was threatening to engulf them.

The ruse of pretending to reinforce Fort Sumpter succeeded but too well, in drawing the fire of the rebel batteries upon the gallant Anderson and his little band of heroes. The ball was now opened. The whole country grew wild with excitement as the news spread over it with the speed of lightning, that the defenders of that little fort to which the eyes of the

whole nation were directed, had, after long endurance and suffering, been obliged to surrender it into the hands of traitors in arms against the government of their country. The North flew to arms as one man prepared to defend and resent the insult to our flag. Mr. Lincoln's proclamation calling for 75,000 volunteers was responded to with an enthusiasm and readiness seldom equalled in the history of any country.

Men forgot party and party ties, and stopping not to enquire who was responsible for this war, rushed to the defence of our National Capitol, determined to defend and uphold their country's honor and to restore the authority of the government over every foot of this broad land. Scarcely a voice was raised throughout the entire North in opposition to the course of the President. One common love for the institution of our country actuated every heart, and fired every breast to sustain the government and preserve its authority at all hazard. Congress assembled in obedience to the call of the President, and among the first of their acts was the passage of a resolution almost unanimously affirming that "Congress banishing all feeling of mere passion or resentment will recollect only its duty to the whole country. That war is not waged on their part in any spirit of oppression, or for any conquest or subjugation, or purpose of overthrowing or interfering with the rights, or established institutions of those States but to defend and maintain the supremacy of the Constitution and to preserve the Union, with all the dignity, equality, and rights of the several States unimpaired, and that as soon as these objects are accomplished the war ought to cease."

May we not enquire with wonder is the Congress that passed these resolutions the same that is now in session? What a change has passed over them. The Congress that solemnly resolved that this was to preserve the Union, and sought not to interfere with the institutions of the States in rebellion, and immediately thereafter commenced enacting pretended laws for overthrowing those institutions, and has labored unceasingly for the purpose of reducing these States to the condition of conquered provinces. But, encouraged by the pledges they then made, the people were satisfied and approved of the pretended legalizing the acts of the President. More men, and more money were voted. No sacrifice of blood and of treasure was thought too great to give to the cause of sustaining our national integrity, of crushing out this foul conspiracy that threatened to destroy the life of the nation.

The disastrous battle of Manassas, was fought. One blunder succeeded another, but still the people of the North were united, and stood shoulder to shoulder to protect the government of their choice, neither discouraged or disheartened, thinking our disaster arose from errors and mistakes that would correct themselves, and hoping that the administration would learn wisdom from experience. Vain thought! How have their hopes been crushed, and their

confidence abused. The administration instead of seconding the efforts of the people, and applying its energies and the resources placed in its hands to suppress the rebellion has used them for the purpose of enriching its favorites—manufacturing political capital for the succession and making Generals and displacing them as fast as one or another was becoming dangerous to them by obtaining the affections and confidence of the people. I need not rehearse to you, gentlemen, the various successes and defeats of our armies, the alternation from hope to despair has affected and touched every man who has a heart to feel for the welfare of his country.

The history of the world teaches us that severe and unwarranted proceedings against the citizens of any country for the expression of opinion, weaken its government in the hearts of the people. Unjust and oppressive acts will hasten the downfall of the strongest governments. And what has been in the past will be in the future, for like causes must produce like results. With so many examples before them of the terrible retribution meted out by a people when awakened to find their confidence abused and their liberties gone, what strange fatuity—what a madness seized our government, then, that after such manifestations of the loyal spirit of the North, they should still distrust its people, and subject them to a hateful tyranny. Men who had given their means without stint, and in some instances shed their blood to sustain the government in its hour of need—were seized without process of law, and in violation of the plainest provisions of the Constitution which declares that “No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury—nor be deprived of life, liberty or property without due process of law.”

Did not the President and all of his officers appointed by him, swear to preserve, protect and defend the Constitution of the United States? Were they not elected to administer the government under that Constitution; to be guided and directed by it; to be the agents of the people in seeing that its broad and protective shield is extended over the very humblest citizen? Instead of being the agents to execute the laws they have become the principals, and assumed to dictate laws for our government. But we are gravely told that the President has the right under the war power to lay aside the Constitution and to do what seemed to him good. Where do you find any such authority conferred? except such as has existed from creation down, viz, the strong hand of arbitrary power? I, sir, have read the Constitution, but failed to find any such authority delegated to him in that instrument—under this assumed power, men have been incarcerated in for s or prisons, gloomy dungeons, treated with a worse than Austrian barbarity; no communication allowed them with friends; deprived of the comforts of life; insulted by coarse and brutal officials; denied even those

attentions which are usually bestowed upon the most hardened and depraved of criminals; no charges preferred against them; denied the names of their accusers; no opportunity to confront their accusers and to prove their innocence if innocent, or if guilty of crimes to be obliged to suffer its penalty. And all this for what? to maintain the Union it was said, and to preserve the liberties of the people; to protect and preserve the Constitution of our country, from the lawless Southerner that would ruthlessly destroy it. Well may we exclaim, O! liberty what crimes have been committed in thy name

In my own county an inoffensive gentleman, the editor of a local newspaper with less than a thousand subscribers, was thought to be a dangerous man by this administration, and as such, while upon his way to the Democratic State Convention in September 1861, as the representative of the democracy of Suffolk county, was arrested by officers of the detective police of the city of New York and hurried off to Fort Lafayette.

When he demanded to know by what authority he was deprived of his liberty he was shown a telegraphic despatch purporting to bear the name of Wm. H. Seward, Secretary of State, ordering his arrest. No warrant was issued, no process of law, but simply upon the strength of a telegram from Mr. Seward to Marshal Murray, he was deprived of liberty, and thrown into a dungeon of the fort, and there kept for weary weeks. Mr. Seward, though repeatedly written to upon the subject, asking the charges that had been preferred against him, vouchsafed no reply. At length by the intercession of friends, he was released from confinement, with no reasons assigned why he had been imprisoned, or why he was released. If this man was guilty of treason, what right had the government to release him? it was their bounden duty to have brought him to trial, and, if proven guilty, he should have suffered the penalty.

Another gentleman in my own town was arrested upon the authority of Marshal Murray himself, and placed within the walls of this Bastille, not upon any allegation of treason against the government, but to deprive him of the benefit of a writ of habeas corpus, well knowing, there was no authority to hold him if brought up on such writ. When subsequently upon application of friends to Secretary Seward he ordered him a hearing before Commissioner S. C. Hawley of New York, nothing was proven against him. He was again seized, robbed of his private papers, hurried on board of a vessel transported beyond the limits of this State and lodged in Fort Warren, in Boston harbor.

Still another case—a plain, honest man saw fit to differ with those about him, upon the propriety of raising money as bounties to volunteers, and would render no assistance in the manner desired, he was denounced as a traitor, and upon the strength of a telegram from the Provost Marshal was hurried off from his family to the city of New York. He was shortly

released, the officials having him in charge, thinking he could not do much to endanger the government.

The writ of habeas corpus has been suspended, that safeguard and protection of the lives and liberties of our citizens, when issued, by judges in compliance with their sworn duty, has been disregarded, and its service prevented by the strong hand of military power.

Does any friend of the administration pretend to justify this and say that even "the tyrant's plea of necessity" can be offered as an excuse for these tyrannical acts in the loyal States of the North? where our courts of law are in session daily, and where public opinion if nothing else, would have obliged a jury to have found guilty any person upon whom the crime of treason was proven, and sustained the officers of the law in executing its penalties upon such traitor, I trust none of you entertain so poor an opinion of our courts and officers of justice as to think otherwise. The gentleman from Che-nango in his speech a few evenings since, justified these arrests, by the plea, that self preservation is the first law of nature. I grant it, while I agree with him most cordially in that principle, I must dissent from the conclusion he deduces from it. He would fain have us believe that all we have to fear is from the rebellious States of the South, while I believe our greatest danger is in the subversion of our liberties by our own rulers. He sought to make the argument that because Gen. Jackson proclaimed martial law and denied the service of the writ of habeas corpus within his military lines in time of war that we, as loyal democrats, admirers and lovers of the stern old hero, should quietly acquiesce in the suspension of that writ by President Lincoln when no such state of affairs exists.

I grant, sir, that there was a time when anarchy and confusion reigned in the Border Slave States, when a person guilty of crime, could not have had an impartial trial, and that it would not have been safe to have allowed him his liberty, but in my opinion there can be no such justification, no palliation, no excuse, for this wanton violation of the rights of citizens of the loyal States of the North. Says Macaulay the great English historian in referring to the abuse of power:

"We have been taught by long experience that we cannot without danger suffer any breach of the constitution to pass unnoticed. It is therefore now universally held, that a government that unnecessarily exceeds its powers, ought to be visited with severe parliamentary censure."

Again, "as our ancestors had against tyranny a most important security, which we want, they might safely dispense with some securities to which we justly attach the highest importance as we cannot without the risk of evils, at which the imagination recoils employ physical force, as a check on misgovernment, it is evidently our wisdom, to keep all the constitutional checks on misgovernment in the highest state of efficiency, to watch with jealousy the

first beginning of encroachments, and never to suffer irregularities even when harmless in themselves, to pass unchallenged, lest they acquire the force of precedent."

In speaking of the arbitrary acts of King James the 2d and for which, he was driven from his throne by an outraged people he says, "One of his objects was to obtain a repeal of the habeas corpus act, which he hated, as it is natural that a tyrant should hate the most stringent curb that ever legislation imposed on tyranny. This feeling remained deeply fixed in his mind to the last, and appears in the instructions which he drew up when in exile for the guidance of his son. But the habeas corpus act though passed during the ascending of the Whigs, was not more dear to the Whigs, than Tories. It is indeed not wonderful that this great law should be highly prized by all Englishmen without distinction of party, for it is a law, which not by circuitous, but by direct operation, adds to the security and happiness of every inhabitant of the realm."

Daniel Webster declared that "The quantity of liberty we possess, is precisely equal to the quantity of restraint which we put upon the government, and this is the rule. If the government is restrained from putting its hand in certain particulars upon you, to that extent you are free, and no more. All liberty, therefore, consists in putting such a restraint upon your government that it cannot touch your rights or your liberties."

Such was the language of the immortal Webster, the great expounder of the Constitution, and does not his opinion especially commend itself to our minds at such a time as this? when the rights of individuals and of States, too, are being usurped by the general government.—Even now are bills pending before Congress, giving the control of the organization of the Militia of the several States into the hands of the Federal authorities, and for the appointment in every Congressional district of a Pre-vost Marshal, with the rank of Captain, for the purpose of arresting deserters, and *enquiring into treasonable practices*. *Enquiring into treasonable practices*; is this anything less than the establishing of a military despotism, whose *creatures* and *spies* shall have full power and authority in every Congressional district, to arrest and imprison every citizen who dares to question and criticise the acts of this Administration? And I call you, gentlemen of this House—Republicans as well as Democrats—to *denounce* and *resent* this encroachment upon the rights of our State, which is but one of the first steps in the programme of obliterating our State government, and the crushing out of our State sovereignty, and the centralization and the absorption of all power by the general government. If we would preserve our liberties for the benefit of those who are to come after us; if we would transmit the heritage received from our fathers unimpaired to posterity, we must not permit the least infringement of our rights by the general government. In the cen-

tralization of power in the hands of the Federal authorities is the danger to be feared.

So long as the sovereign power of each State is retained by itself, and the exercise of no authority allowed to the agents of the general government, except such as have been conferred by the Constitution, so long are we safe; but if, on the contrary, we allow any infraction of the rights of the States, and permit the assumption by the government of those powers inherent in the States, we have taken the first steps in the path to a despotism which some leader, with the courage and the energy necessary to succeed, will not be slow to avail himself of, to control and wield the destinies of this country. But, sir, I hope for better things; and trust that we shall be *true* to ourselves, *true* to the interest of this State whose representatives we are, and not permit any violation of the rights and privileges of our people, without demanding satisfaction and reparation therefor.

It is a solemn duty we owe to our constituents, not to allow our State to be in any manner weakened, or placed in such a position as not to be able to maintain the rights of her citizens, and to defend her interests in the changes and complications that may possibly arise.

Let us see, Mr. Chairman, what these resolutions are, upon which we are called upon to vote:

Whereas, several citizens of the State of New York, have, since the first day of July, 1861, been arrested without process of law and imprisoned without warrant within the limits of this State; and

Whereas, many others have been so arrested and taken, not only without authority of law, but in violation of the statutes, beyond the limits of the States; and

Whereas, it is represented that public officers of this State have aided in such arrests and imprisonment and deportation, and that public prisons of this State have been used for the confinement of such prisoners so illegally held; and

Whereas, it is also represented that certain Judges of this State having jurisdiction, have, in violation of the statutes, refused an application to issue writs of Habeas Corpus; therefore

Resolved, That a Select Committee of five be appointed to inquire into all the above matters, and that the said Committee have authority to send for and examine persons and papers, and that said Committee be directed to report to this House in writing, with all convenient speed, together with the evidence taken therein.

These resolutions allege that citizens of this State have been arrested without process of law and imprisoned. If this is the case; is it not our bounden duty to see that redress is granted to these men? and to take such steps as shall prevent a repetition of the offence? For what purpose do we sit in these halls but to afford protection to our citizens and to legislate for the interests and security of our people. They assert also that many others have been arrested and taken, not only without authority of law, but in violation of the Statutes, beyond the limits of this State; and that public officers have aided in such arrests, and the public prisons of the State have been used for the confinement of such persons illegally held. Do not these charges need investigation? and if such are the facts, are we not obligated by our

oaths to support the Constitution of the State, to look to it that its every provision is maintained and no infractions of the letter or spirit of the Statute allowed without now asserting the majesty of the law and protesting against its violation. And if officers of this State have prostituted their offices for the sake of party, or for the purpose of pecuniary compensation, to see that they are brought to justice—dismissed from their offices, and disgraced in the eyes of the people as unworthy of the trust committed to their hands. It is further charged that certain Judges of the State have refused to issue the writ of habeas corpus. This is a grave charge, and, if true, demands action—immediate action—at our hands. If these guardians of the laws—these men who should see that not only every Statute of our State is enforced, but that no infraction of them is allowed within their jurisdiction—have refused to grant the writ upon application, which the Constitution declares to be their duty; I say, Sir, these Judges should be taught their duty and the rights of every citizen, and that the Courts are created not less for the protection of the innocent than for the punishment of the guilty.

The resolutions asks for a Committee to enquire into these charges; our duty to the State demands that these charges have a full, thorough and impartial investigation, so if there be found no truth in them our public officers may be exonerated from all blame, and that the honor of our State may not suffer in the estimation of our own citizens or of the world.

I call upon you, gentlemen of the Republican party in this House, to support these resolutions. Do not seek to smother or evade them by referring to a standing committee, but let us have a committee of fair and honorable men to investigate this whole matter of arrests; are you not as much interested as *we* in maintaining the honor and dignity of our State? Is it not incumbent upon *you*, as upon *us*, if encroachments have been made upon our *rights* that they should not pass, without administering a just and fitting rebuke? Let us look well to it that party prejudice and party feeling do not influence our votes upon this important question.

Let us look for a moment at the present unhappy condition of our country, brought about as I firmly believe by the exercise of powers not delegated to the government by the Constitution; and I now charge the Administration of Mr. Lincoln with unnecessarily prolonging and protracting this war for the purpose of giving to the abolitionists of the North an opportunity to attempt the application of their visionary and Utopian schemes to the reversing of the laws of nature, to the changing of the institutions of States, and for the purpose of enriching its favorites from the wants and necessities of a confiding and generous people. This war which never ought to have been—but when entered upon, might easily have been terminated long ere this by the adherence of the Government to the Constitution of our country—by the Congress directing its attention to the raising and

sustaining of armies—by a careful and prudent expenditure of the resources placed at their disposal, and thereby infusing life and hope into the hearts of the people—instead of the vain and fanatic efforts for the freedom of the slaves, resulting only in crushing out what there was of Union sentiment and Union feeling at the South, and driving her citizens by necessity into the armies of the South for the protection of their property, of their homes and all that men held dear. Do you enquire how it is that the South is enabled to sustain her armies in the field and to fill their depleted ranks from time to time? Go find your answer in the confiscation and emancipation schemes of our Congress; in the daily harangues of your Sumners, your Wilsons, your Chandlers and your Lovejoys, who, by their conduct, have brought this evil upon us, and are now seeking to complete their work in the destruction of the institutions of States, and in reducing them to the condition of conquered provinces.

The arrests of citizens without process of law; the suspension of the writ of Habeas Corpus; the confiscation schemes of Congress; the unwarrantable issue of paper money, making it a legal tender, in opposition to constitutional law, as well as all sound principles of finance, thereby depreciating it to almost one-half its nominal value; and of all, the crowning glory, the emancipation proclamation. These schemes have divided and distracted the whole North. Confidence in the ability, and in the purpose of the Administration to press this war to a successful termination is *destroyed*; confusion reigns in every branch and department of the government. The words of one of the ablest editors of this State—a man who has controlled and directed one of the great political parties of the State for the past thirty years—fall upon our ears at this time, with startling significance—“Where are we drifting?” Would we not do well to give heed to his words; to ponder them in our hearts, and look searchingly at the prospect before us? To my mind I confess all is dark and dismal; not a gleam of light pierces the gloomy, uncertain future; we seem to be drifting upon an unknown sea, without chart or compass. How ominous, then, when coming from a statesman who has guided and wielded the destinies of this State for so many years past.

When in response to the voice of the people, Horatio Seymour, the present honored Chief Magistrate of this great commonwealth, was called to occupy the highest office in the gift of its citizens, and denounced the arbitrary acts of the government, that the liberties of the people were endangered—that the government had falsified its trust—it found a glad echo in the heart of every citizen that loved his country for her institutions, and the blessings of a good government which they had so long enjoyed, but were now deprived of. Men whose lips had been sealed for months (except in their family circles) upon the great questions agitating the country, and dared not express their

honest convictions in public for fear of arrest, felt that the fetters had dropped from their limbs—that their tongues were unloosed. Hope once more reanimated their hearts; and the feeling was almost universal, that as the people in the late elections had expressed in thunder tones, through the whole northern and western States, their condemnation of the policy of the Administration, it would be heeded; that arbitrary arrests would cease; that the President would not issue his proclamation to emancipate the slaves, (a *Brutum fulmen* as he aptly termed it) the only result of which is, to the mind of every sane man, to consolidate and unite the South as one man in opposition to the restoration of the Union, and authority of the Federal government, nay, more to divide the people, and to sow the seeds of discord and disaffection throughout the length and breadth of the loyal States. Our armies in the field have become disheartened and discouraged by the prostitution of the war from its legitimate purpose, viz: the restoration of the Union, and for which so many thousands of them have already laid down their lives as a willing sacrifice upon the altar of their country—to a war for carrying out the views and theories of a few crazy fanatics, who, in their efforts to emancipate the slaves, would pull down the pillars of the Constitution, and involve us in universal ruin.

Sir, the doctrines of the Democratic party and of the conservative men of the North, from the commencement of this war to the present time, have been the same. The Democrats are now, as they ever have been, for the Union under all circumstances, not only when the name of being a Union-man subjected them to insult by those now in power—but are at this time no less firm and unswerving in their attachment to it, and are determined to stand by and maintain it at all and every hazard; and I warn you, gentlemen of the opposition, that your epithets of traitors, secessionists, and copperheads will not deter us from adhering to it in all time to come, and in demanding of you that the government shall be administered so as not to hopelessly preclude all possibility of its restoration. They have believed in an active, energetic and vigorous prosecution of the war, as the surest means to a lasting and enduring peace, and as such, have rendered a ready and hearty support to the war for the Union. They are no less ready and willing to do so now. They do not wish, and do not mean if in their power to prevent it, that a war for a constitutional Union, shall be converted into a war for disunion, for such is the inevitable tendency of the present policy of the Administration. The result none can for a moment doubt, if the present course of the Administration is persevered in. With you, my Republican friends as with us, hope is ended of a restoration of the Union, except in an entire and radical change in the conduct of the war. Let the President recall his emancipation proclamation. Let him declare, by acts, as well as words, that this is to be a war for the restoration of the

Union, and that it shall be conducted in the spirit and letter of the Constitution. Let him restore to the command of our armies, Generals in whom the soldiers, and the people have confidence, who have been removed because they refused to be the servile tools of a party—to approve, in opposition to the honest convictions of their hearts, and in defiance of that constitution which they have sworn to uphold and support, a policy which has been forced upon a weak-minded and misguided President by designing knaves, and huckstering politicians.

Let Congress instead of wrangling over the bills to arm and equip negro brigades, and to pay for the emancipation of slaves, which they have not the constitutional right to do, and neither money or credit to devote to it; turn their attention to devising some plan to pay their honest debts to the brave soldiers who have left all of the endearments of home and are now suffering exposure to the wintry blasts that sweep over the hill-sides of the Rappahanock, while their hearts are wrung with anguish at the thought of suffering families at home, suffering occasioned by withholding the small pittance long since their due. Let Congress turn its attention to legislating for the interest

of 20,000,000 of whites instead of devoting their whole attention to the vain and futile effort of freeing 4,000,000 of blacks, and thereby crushing the entire populations of the North. With such a change in the object of the war, throwing aside all of the vagaries and follies of these enthusiasts, and traitors, who, for years have labored unremittingly to overthrow, or control the government—the North would be reanimated again, and unitedly come up to the support of the administration. New vigor, and new life, would be infused into our armies in the field, their ranks would again be swelled by thousands upon thousands of volunteers desirous of the privilege of fighting for—and if need be of shedding their blood for the restoration of that Union, which is dear to the heart and enshrined in the memory of every American citizen.

And then might we hope at no distant day to see our flag hailed with joy as the standard of a great and united people, waving its proud fold over the length and breadth of land, from the frozen regions of the North, to the blue waters of the Gulf, and from the broad Atlantic to the Pacific shore.

