

REPRESENTATION IN CONGRESS.

SPEECH

OF

HON. RICHARD YATES,

OF ILLINOIS,

DELIVERED

IN THE SENATE OF THE UNITED STATES,

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REPRESENTATION IN CONGRESS.

The Senate having under consideration the motion to reconsider the vote on the passage of the bill (H. R. No. 1058) to admit the States of North Carolina, South Carolina, Louisiana, Georgia, Alabama, and Florida, to representation in Congress—

Mr. YATES said :

Mr. PRESIDENT : The war through which the country has passed and its incidents have waked up a new spirit of inquiry into the powers of the Constitution, the relative powers of the General Government and of the States, of the President and of Congress. It seems that the doctrine of State rights or State sovereignty, which was undoubtedly the father of secession and the cause of the war, and which, upon the construction given to it by the Democratic party, is certainly the gateway to the dissolution of the Union, is now revived. and Senators even on this side of the Senate seem to give color to the dangerous pretension that it is settled that the States are sovereign in the power to limit the right of suffrage to as many or as few of the people as in their discretion they may deem proper.

Mr. President, I declare myself opposed to that sort of logic which opposes every measure of reform upon the ground that "the question is settled." Moreover, I am not in favor of applying the precedents of slavery to the altered state of things brought about in this country by emancipation. In advocating the cause of human rights I do not like to have a merely legal plea interposed, a special demurrer, a musty precedent brought up to prevent the saving action of Congress for a wholesome and permanent reconstruction of the Union.

Sir, I do not deery precedents. I belong to the profession of the law, and I am proud to be a member of that profession. I know, however, that precedents are as useful sometimes to show the errors of the past, as they are as examples for our imitation.

Slavery was once the rule and freedom the exception, and whatever else might be disturbed, slavery was sacred. All constitutions, laws, and usages were to bow submissively before the Moloch of slavery. Even the good

Lincoln—who was a radical anti-slavery man, and who said if anything was wrong slavery was wrong—said it was no part of the war to interfere with slavery, and up to the beginning, and during the war, statesmen denounced it apologetically. Even Congress raised a rampart for its protection by an apologetic resolution that it could not be interfered with, and that it was no part or purpose of the war to put it down. Behind the parapets of judicial decisions, and clothed with the imperial panoply of law and precedent, it stood impregably and defiantly secure. The cry from all the hustings was "the question is settled."

But, Mr. President, it perished with the rebellion. Brightest among the trophies of the war is slavery destroyed and the supremacy of the slave power annihilated. In America, all, thank God, are free.

And yet, sir, when the proposition is introduced here to append a fundamental condition to the admission of a State, and that fundamental condition is to be in aid of human rights, we are told that that is an old question, and has long been settled.

We now have a new rule. Freedom is now the rule, and slavery the exception. It is now settled that all constitutions, laws, usages, and precedents, and all constructions against human liberty, are but cobwebs, to be swept away, in the march of events, with the institution of slavery in aid of which they were set up and established. Whatever may be the precedents or the rule of construction heretofore, it is now settled that all future constructions are to be given in favor of liberty and the extension of the rights of all men.

How long will it take statesmen to learn that nothing is to be considered as settled which is not settled upon the principles of right, truth, justice, and liberty?

The Senator from Pennsylvania [Mr. BUCKALEW] says that, as "this question has been settled from the foundation of the Government to the present time, surely no man can be hardy enough to question it." My colleague [Mr. TRUMBULL] says that all such conditions are inoperative and void.

Mr. President, when the other day I referred to some illustrations showing the applicability of the ordinance of 1787, and of the Missouri compromise of 1820, the Senator from New York [Mr. CONKLING] said I was exceedingly unlucky in introducing those precedents. Sir, the bad luck is on his side. The bad luck is on the side of any man who now, in the altered state of things in this day of emancipation, casts his vote against a fundamental condition by which the rights of every American citizen are recognized and secured. Suppose that condition was inoperative, as the Senator from Nevada [Mr. STEWART] very justly asked, "what harm could there be in it?" Would it weaken the Constitution to require the people, through their Legislature, to give their assent to such a condition? Such consent would be in the nature of a compact, and the idea of good faith would enter into it, to last during all the generations of the people of the State. The word of a great State must be kept. With a bad grace could the State ever attempt to alter this great fundamental cornerstone of the institutions of the State.

Mr. President, upon the subject of the power to impose these conditions the argument of the Senator from Vermont [Mr. EDMUNDS] has not been answered, and cannot be answered. The precedents which he offered are to the point, and they sustain the power of Congress over the subject. I shall be able to show, during this argument, that every Senator who has voted for imposing this condition upon Nebraska and upon Alabama has positively committed himself to the power of Congress over the question of suffrage in all the States. Senators may as well consider this. They are committed to the principle; their mouths are closed; they cannot explain away this committal; no technical quibbles will avail them. You cannot say by your votes that the State shall never have power to change its constitution in regard to suffrage, and yet say that Congress has not the power over the question of suffrage in the States. Every Senator upon this floor who has committed himself by his vote in favor of imposing a condition preventing the States from changing their constitution so as to exclude a large portion of the people from suffrage has asserted the power of Congress, the unlimited power of Congress, over the subject of suffrage in the States. And it will not do at all for Senators, when they, by their votes, have appended to the Nebraska and Colorado bills a fundamental condition prohibiting those States from disfranchising their citizens, to say now that it has been settled that Congress has no power over the question of suffrage.

But, sir, I referred to the ordinance of 1787, not simply because Congress had the power to pass that ordinance, but to show the salutary effects of fundamental conditions, such as the bill before us proposes, on the future of a State. What I asserted was, that the ordinance of 1787 did keep slavery out of the

Northwestern Territory. Those five States, which were carved out of the Northwestern Territory, would have been slave States, inevitably slave States, but for the effect of the ordinance of 1787. The slave emigration which went to Missouri would, at least one half of it, have gone to Illinois and the other western States; and instead of this ordinance being inoperative, as contended by the Senator from New York, it was regarded as having almost the sanction of a constitutional provision. All petitions to Congress to suspend the operations of the ordinance, even temporarily, failed. It is a historical fact that slave-owners who emigrated to Illinois in many instances hired out their slaves in Missouri, fearing that if taken to Illinois, they would become free by operation of the ordinance. So troublesome did the slaves hired out in Missouri, by residents of Illinois, become, that the Legislature of Missouri, not being able to reach the owners, passed a law, making the resident agents of the owners responsible for the mischiefs they committed.

When the people of Illinois came to adopt their constitution, they declared in the preamble, that it was made consistent with the ordinance of 1787, and provided in the constitution against the future existence of slavery in the State. All efforts to amend the constitution so as to admit slavery, failed. All that has been said to the contrary notwithstanding, I say, that the people held in high estimation this condition prohibiting slavery. As they regarded the title to their homesteads; as they regarded the Declaration of Independence; as they regarded their right to worship God; so they regarded that ordinance, which made their prairies the home of freemen, and which dedicated the Northwestern Territory to freedom and free institutions.

And sir, what has been the effect? Under that ordinance those five Territories became free States, and the power of this continent is there; they are running their race to glory, and inspired by the energizing power of free labor and free institutions they have taken their position, and already of themselves, constitute an empire.

When I referred to the Missouri compromise, I did it to show that that compromise had the effect to keep slavery out of the territory north of the parallel of 36° 30' north latitude. Will any Senator deny that, in the absence of that ordinance, slavery would have entered into those Territories, under the State-rights doctrine that slave property could go, under the constitution and the laws, into any State or Territory of the United States? That compromise you may now call a foolish thing; but the Senator from Maryland [Mr. JOHNSON] will remember that Mr. Clay said of it, the bells rang, the cannons were fired, and every demonstration of joy was made throughout the Republic, on account of the passage of the Missouri compromise. You remember Mr.

Douglas said, though afterward he attempted to break it down: "That it was a compromise akin to the Constitution; that it had its origin in the hearts of patriotic men of all sections of the country, and was canonized in the hearts of the American people as a sacred thing, which no ruthless hand would ever dare to disturb." This was the effect of that compromise. Slavery could not enter that Territory. This compromise stood as a wall against slave immigration, and protected those Territories from the blighting curse of human bondage.

It is said by the gentlemen who contend that these fundamental conditions are null and void, that the condition which was imposed on Missouri in 1821 was all right enough. It seems that in the adoption of her constitution, one clause excluded the immigration of free negroes into the State. Congress put a condition in the act of admission which provided, that nothing in that clause should be so construed as to interfere with, or deprive citizens of the United States of their rights. This it is admitted was a good condition, and why? Because it prevented the State of Missouri ever afterward from violating the Constitution of the United States, by the exclusion of citizens of the United States from entering that State. Now, sir, our argument is this: that this condition, which we offer to impose upon the States which are to be restored to their full relations in this Union, is to prevent the State from violating the Constitution of the United States, in that most important and vital of all points, the depriving a whole race of their right of suffrage, and other rights under the Constitution.

The doctrine for which I contend is, that Congress has the right and the power to enforce by laws "necessary and proper," in the language of the Constitution, a republican government in every State of the United States, whether that State is to be received into the Union, or is already in the Union. The power to establish republican governments devolves upon Congress in the last resort. In the first instance, it may be committed to the States; but Congress has the revisory power. Congress, under the Constitution, is required to guaranty to every State in the Union a republican form of government. Then the concluding clause of the eighth section of the first article of the Constitution declares, that Congress shall have authority to carry into effect all the enumerated powers of the Constitution, by passing laws necessary and proper for that purpose, and also shall have power to pass all laws necessary and proper to carry into effect any power vested in the Government of the United States, or in any department or officer thereof. The power is vested in, and the duty imposed upon, Congress of guarantying to each State, a republican form of government, and Congress is authorized, and, in fact, required, by necessary and proper laws, to carry into execution that guarantee.

This doctrine is not at all startling when Senators look at the ground whereon they stand, and see how they have already committed themselves, and consider what immeasurable benefits will flow to the people of this country, by settling the question of slavery and all its incidents by taking the question of suffrage out of the arena of American politics, by settling it upon principles just and fair to every section of the Union, by placing each State upon an equal footing with every other State, and each citizen of the United States upon an equal footing with every other citizen of the United States. Sir, when this doctrine can be sustained upon such clear demonstration, it ought not to startle Senators.

Mr. President, it has been said sarcastically, that upon this question, the Senator from Massachusetts [Mr. SUMNER] is radical. It is said to me, that I follow in the wake of the Senator from Massachusetts. Sir, I do not follow in any man's wake; but I do not object to this accusation. I do not deem it a reproach to be a disciple of that distinguished Senator, the worthy representative of that grand old Commonwealth "where American liberty raised its first voice."

For a quarter of a century that Senator [Mr. SUMNER] has been the fearless champion of human rights. He has occupied the advanced guard, the outpost in the army of progress. Triumphant over calumny and unawed by personal violence, with a keen, prophetic eye upon the great result to be attained, with the scimeter of truth and justice in his hand, and the banner of the Union over his head, he has pressed onward to the goal of final victory. Although yet in the vigor of his manhood, he has lived to see the small band of pioneers who stood by him swollen to mighty millions. His views have already been embraced and lauded as the wisest statesmanship. They have been written upon the very frontispiece of the age in which he lives; written in the history of the mighty events which are transpiring around us; written in the constitutions and the laws, both national and State, of his country. Where he stood yesterday other statesmen stand to-day. Where he stands in 1868 other statesmen will stand in 1872. Say what we may, there are none in this country who can contest the right of his tall plume to wave at the head of freedom's all-conquering hosts.

Mr. President, I wish it understood that I do not antagonize the Chicago platform. The ground that I take is in entire accord and harmony with it. That platform says what I do, that the question of suffrage belongs to the States—so I say, that the question of suffrage belongs in the first instance, to the States, but if the States shall in prescribing the qualifications of voters so prescribe them as to disfranchise a portion of citizens arbitrarily, and thus render the government anti-republican, then Congress is required to intervene and make it a republican form of government.

I confess that recent events, and especially the course of President Johnson, have satisfied me that too much reliance is not to be placed upon mere paper edicts which we style platforms. Measures, not men, was once the doctrine, but my doctrine now is: both men and measures. A good platform in the hands of bad men is of not much avail. With men of the unquestioned integrity, wise statesmanship, and lofty patriotism of Grant and Colfax, we can trust the helm of the ship of State, and feel secure that no narrow creeds, but the good of the people and the prosperity of the Republic, will be the pillars of fire to lead and guide them in the administration of the Government.

I consider myself fortunate in being able to sustain the view of the case I have taken, by the strong authority of Mr. Madison, as set forth in the Debates of the Virginia Convention, page 261:

"With respect to the other point it was thought that the regulation of time, place, and manner of electing the Representatives should be uniform throughout the continent. Some States might regulate the elections on the principles of equality, and others might regulate them otherwise. *The diversity would be obviously unjust.* Elections are regulated unequally now in some of the States, particularly in South Carolina, with respect to Charleston which is represented by thirty members. Should the people of any State by any means be deprived of the right of suffrage it was proper that it should be remedied by the General Government. It was found impossible to fix the time, place, and manner of the election of Representatives in the Constitution. It was found necessary to leave the regulation of these in the first place to the State governments, as being best acquainted with the situation of the people, subject to the control of the General Government, in order to enable it to produce uniformity and prevent its own dissolution. And considering the State government and General Government as different bodies, acting in different and independent capacities, it was thought the particular regulations should be submitted to the former and the general regulations to the latter. Were they exclusively under the control of the State governments, the General Government might easily be dissolved. But if they be regulated properly by the State Legislatures, the congressional control will very probably never be exercised."

I add to this the declarations of Alexander Hamilton, set forth in the following extract from the Federalist, paper No. 69:

"It will, I presume, be as readily conceded, that there were only three ways in which this power could have been reasonably organized; that it must either have been lodged wholly in the national Legislature, or wholly in the State Legislatures, or primarily in the latter, and ultimately in the former. The last mode has with reason been preferred by the convention. They have submitted the regulation of elections for the Federal Government in the first instance, to the local administrations; which in ordinary cases, and where no improper views prevail, may be both more convenient and more satisfactory; but they have reserved to the national authority a right to interfere, whenever extraordinary circumstances might render that interposition necessary to its safety.

"*Nothing can be more evident than that an exclusive power of regulating elections for the national Government, in the hands of the State Legislatures, would leave the existence of the Union entirely at their mercy.* They could at any moment annihilate it by neglecting to provide for the choice of persons to administer its affairs. It is to little purpose to say, that a neglect or omission of this kind would not be likely to take place. The constitutional impossibility of the thing, without an equivalent for

the risk, is an unanswerable objection. Nor has any satisfactory reason been yet assigned for incurring that risk. The extravagant surmises of a distempered jealousy can never be dignified with that character. If we are in humor to presume abuses of power, it is as fair to presume them on the part of the State governments as on the part of the General Government. And as it is more consonant to the rules of a just theory to intrust the Union with the care of its own existence, than to transfer that care to any other hands; if abuses of power are to be hazarded on the one side or on the other, it is more rational to hazard them where the power would naturally be placed, than where it would unnaturally be placed."

I shall embody in my speech, the positions assumed by Senators on this floor. For instance, I refer to the position which was taken by the Senator from Indiana, [Mr. MORTON,] who said a day or two since:

"I contend that every State has the right to regulate the question of suffrage and to amend her constitution in any particular from time to time, so that it does not cease to be republican in its character.

"Mr. EDMUNDS. Who is to judge of that?"

"Mr. MORTON. I suppose that is a question to be judged of by Congress."

Suppose the State fails to establish a government republican in its character, what then? Who is to judge whether it is republican or anti-republican? "I suppose," said he, "that is a question to be judged of by Congress." My colleague, [Mr. TRUMBULL,] while he asserts the exclusive power in the States over the suffrage question, still admits enough for the purposes of this argument:

"'Sufficient unto the day is the evil thereof.' When the times comes that any of the States of this Union so change their constitutions as to set up something different from a republican government, the Government of the United States may interfere."

He and I may differ as to what may be a republican form of government, but that he commits himself to the power of Congress to intervene, in case the State government is not republican, is, I think, to be inferred from his speech.

He says further:

"I am not prepared to say what steps should be taken in case the State of Nebraska should hereafter change its constitution, and in that change adopt a different rule in regard to suffrage from that which was recognized at the time the State was admitted. Perhaps we could find some way to compel the State of Nebraska to allow the same persons to vote that it agreed it would allow to vote when it was admitted into the Union; but we should have to find that way out then; we cannot provide for it now."

He acknowledges that perhaps there is power somewhere, in cases of failure on the part of the State to comply with the condition, and I assert, you cannot trace it to any source except Congress. The remarks of other Senators go to show that they admit that this revisory power is in Congress. I read from the same debate, the views taken by the Senator from Nevada [Mr. STEWART] and the Senator from New York, [Mr. CONKLING:]

"Mr. STEWART. We do not pretend to determine at what point Congress should interfere under the authority of the guarantee clause. That will be for a future Congress when the question comes up. That there are times when it should interfere the Senator from New York now admits.

"Mr. CONKLING. Certainly.

"Mr. STEWART. Every man who reads the Constitution must admit that there may be times when the Congress should interfere upon the question of suffrage."

Now, sir, here these Senators, who have asserted that the exclusive power over suffrage is in the States, admit away their whole case. They admit fully the power of Congress to revise the action of the States upon the suffrage question. The right to exercise the power is clearly admitted. Whether it shall exercise the power to pass all laws which are necessary and proper to carry into execution this clause of guaranty, depends upon whether the State government is a republican form of government. That is the question.

On the 22d day of January, 1866, I introduced a bill into the Senate of the United States, and defended it in a speech of considerable length, in which I took the position that Congress had this revisory power, and that wherever a State had an anti-republican government, it was the duty of Congress to interfere and make it a republican form of government; and I am glad to be supported in that view now, by such distinguished authorities as the Senators whose remarks I have quoted. If that bill had then become a law, by this time, no vestige of this question would be left to disturb the harmony of the nation.

I quote from the speech of the Senator from Massachusetts [Mr. SUMNER] March 7, 1866, which will show that I was in advance even of him for congressional legislation for suffrage in the South as well as the North:

"Something has been said of the form in which the proposition has been presented. There is the bill of the Senator from Illinois, [Mr. YATES,] which he has maintained in a speech of singular originality and power, that has not been answered, and I do not hesitate to say cannot be answered. By this bill it is provided that all citizens in any State or Territory shall be protected in the full and equal enjoyment and exercise of their civil and political rights, including the right of suffrage."

* * * * *

"Not doubting the power of Congress to carry out this principle everywhere within the jurisdiction of the United States, I content myself for the present by asserting it only in the lapsed States lately in rebellion, where the twofold duty to guaranty a republican government and to enforce the abolition of slavery is beyond question. To that extent I now urge it."

Now, I come to consider the clauses of the Constitution affecting the question of the power of Congress, or the States, over the question of suffrage. My friend from Kentucky [Mr. DAVIS] thinks that the whole gospel of the Constitution is contained in chapter ten of the amendments, which provides that—

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people."

Unfortunately for his position, this power to guaranty republican governments is "delegated to the United States," and the Constitution says, that wherever a power is vested by the Constitution, in the Government of the Uni-

ted States, Congress shall execute that power. I quote the clause:

"ART. 1. Certain powers having been enumerated, these words follow in section eight: '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.'"

Thus it is seen, that it is for Congress to carry into effect the various powers vested in the Government of the United States. How is Congress to do this? By all laws necessary and proper to that end.

The thing is very plain. We see that the same clause which authorizes Congress to pass all laws necessary and proper to carry the enumerated powers into effect, says, that Congress shall have power to pass all necessary and proper laws to carry into effect "all other powers" vested by the Constitution in the Government of the United States.

I say, then, that it is the duty of Congress, to do what I propose: by a necessary and proper law, to guaranty to every State in the Union, a republican form of government. Article four, section four, of the Constitution is as follows:

"The United States shall guaranty to every State in the 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."

A guarantor is one who undertakes to do a thing, which another has undertaken to do, provided that other fails. Now, suppose South Carolina, or any other State, should in its constitution insert the word "black" before the word "inhabitants," so as to provide that "all black inhabitants shall be electors," would Congress intervene? Would Congress, having the power to guaranty republican forms of government, sit still, and see white citizens excluded from the suffrage by the constitution of South Carolina? Does any Senator dare to answer categorically "Yes" to that proposition? I should like to see the Senator who is bold enough to answer it in that way. Kentucky says that her electors shall be all white inhabitants, and she excludes every other than the white race. Maryland does the same thing, and Illinois does the same thing. Will you intervene, will you exercise the power conferred on you by the Constitution, or will you bow ignobly to the prejudice of caste and race? Will you decline to intervene where black people are excluded, and intervene where white people are excluded?

Mr. President, if we had expended the time to find out power in the Constitution, for Congress to confer upon men their rights, and to establish and preserve a republican form of government, if we had examined the Constitution closely and critically with a view to find out this power, instead of trying to find that Congress has not the power to guaranty a republican form of government, by securing to all men their rights, we should have been

more successful. For instance, take section two of article one. This is the groundwork of the claim of exclusive State jurisdiction over the question of suffrage. It is as follows:

"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."

If the States have exclusive power over this question they get it from that section of the Constitution. How do they get it from this section? According to the construction of the Senator from Wisconsin [Mr. DOOLITTLE] they get it by implication, in this way: it provides that the Legislatures shall be chosen by the people of the State, and these same people who choose members of the Legislature, are made the electors of Representatives in Congress. Is there any more implication in favor of the exercise of the power in this clause by the Legislatures of the States, than there is implication in favor of the exercise of the power by Congress itself? It may be said to me, "Surely you would not contend that Congress should declare who shall elect members of the State Legislature." I would not; I would not think that very appropriate; I would not think it was doing the thing in the right way exactly. But is it more appropriate, that the Legislature shall decide who are to vote for members of the Legislature, than that Congress should say who are to vote for members of Congress? With much propriety can I say, that Congress shall define the rights and qualifications of the citizens of the United States, for the sake of uniformity in citizenship, and as a matter of self-national preservation, and not leave the question, who shall be citizens of the United States to thirty-six different States, and have as many different standards of citizenship as there are States in the Union. But, sir, I waive this view of the case, because the uniform construction has been that the question belonged to the States in the first instance, and I do not propose now, to question that construction.

But this section of the Constitution says that the House of Representatives shall be composed of members "chosen every second year." By whom? "By the people." Suppose that any State constitution says that a part of the people shall not be embraced in choosing Representatives; suppose it excludes any particular class: is not that State in conflict with this provision of this Constitution, because all the people are not represented, and are not consulted in choosing their Representatives? There can be no mistake upon this point. Members of the Legislature, and members of Congress are to be chosen "by the people." The "people" in each case are to be the electors; and those who vote for members of Congress, are to have the same qualifications as the electors of the most numerous branch of the State Legislature.

Most clearly, if the Constitution of a State, or the laws of a Legislature, so fix the qualifications of voters as to exclude any portion of the people on the ground of race or color, it is in conflict with this clause of the Constitution, which provides that the people, not a part of the people, not half of the people, not white people, or black people, but all the people, shall be represented in the choice of their representatives, State and national.

I think I have shown, that all Senators on this side of the Chamber admit that Congress has a right to pass all laws necessary and proper to guaranty to a State a republican form of government, provided the States adopt constitutions which are not republican forms of government.

Then, sir, the issue is clearly narrowed down to the question, What is a republican government? Whenever it can be shown that States have violated this great fundamental idea, it is clearly the duty of Congress to intervene.

My colleague [Mr. TRUMBULL] says, in a letter, published in *The Advance*, a newspaper in Chicago, that "a republican form of government does not depend upon the numbers of the people who participate in the primary elections for members of Congress." It is true, that it does not exclusively depend on the numbers of people who vote. Minors may be excluded; other persons may be excluded on account of certain disabilities. But while a republican government does not depend on the numbers who constitute the body politic, it does depend largely on the question, whether any large portion of the people are excluded from the benefit of suffrage, on the ground of race, color, or previous condition. Let me put a case to test the question. Suppose that in carrying out the provision of the second section of the first article of the Constitution, the constitution of some State should say, that Germans should not participate in the choice of members of the Legislature and Representatives in Congress; would that be a republican form of government? Suppose that Illinois, where we have a large mass of Germans, a most intelligent, industrious, and thrifty population, who constitute a large portion of the Republican strength in that State, and who are almost universally the friends of freedom, loyal to the Government, and gallant defenders of the flag; suppose that the constitution of the State of Illinois should be altered so as to say, that the people who are to choose members of Congress and members of the State Legislature should not include any person of German birth, would it not be anti-republican in form? Does any man dare to say that it would not be the duty of Congress to intervene to restore to those Germans their rights, to declare the constitution of the State, so far as it excluded this large class of our fellow citizens, to be not republican in its features? Suppose that the people of Utah should exclude from the polls everybody but Mormons, followers

of their faith; suppose that Connecticut should exclude everybody except Congregationalists; or Maryland everybody except Catholics, would it not be our duty to intervene, and make those governments republican in form? And yet, when it is proposed to enfranchise the negro, we bow to the prejudice of caste, and say that a State government is republican in form, whether it excludes the colored man or not.

If I am asked whether there must not be some limitations, I reply, yes; but not total exclusion; there may be temporary disabilities, of age, residence, and other disabilities; but the difference between making temporary provisions as to a class, and the total exclusion of a whole race of our fellow-citizens, is very apparent.

Mr. CONKLING. By permission of the Senator I beg to ask him a question. He says that fixing qualifications as to residence and age is within the power of the States, as I understand him. I beg to inquire whether, if the State of Illinois should say that voting should be confined to persons upward of forty-five years of age, and who had resided in the State of Illinois at least twenty-five years, such a provision as that would be republican, in his judgment?

Mr. YATES. Exclusions from suffrage for a time, and which apply to all men alike, are allowable. If all men are excluded, men of all races, until they are of suitable age, from voting, I do not see anything which would conflict with its being a republican form of government. Equality is the basis of a republican government. The Senator seems to forget the idea which enters into the definition of a truly republican government. He was very sound yesterday, or some other Senator was very sound in my view, when he said, it did not depend on Congress to say what sort of statutes of limitation a State should have as to the payment of debts, applicable to all citizens alike, but Congress shall guaranty to every State a republican form of government; and the test whether a government is republican, depends upon whether it grants to all citizens alike the same privileges, and imposes upon all citizens the same disabilities and duties. To define the length of residence necessary to enable a man to vote, to say what his age shall be, is one thing; and to say that he shall not vote at all because he is black or white, is an entirely different thing. In the latter case, color is made the disqualification, just as race would be if Germans were excluded from the ballot-box. The State may preserve a right; it may fix the qualifications; it may impose certain restrictions so as to have that right preserved in the best form to the people; but it is not legitimately in the power of the State, it is not in the power of the Congress of the United States, it is not in any earthly power to destroy a man's equal rights to his property, to his franchise, to his suffrage, or to the right to aspire to office—I mean according to the true

theory of a republican government. That is the one thing, that in this country, the Government cannot do.

The Senator from New York [Mr. CONKLING] will remember, that if a State constitution should do so unwise a thing as to debar from the polls all men till forty-five years of age, there is a question behind that. Who made the constitution? Were all men, of all races and colors permitted to vote on the question whether that limitation should be put on all alike? If he means that in the State of New York, where only a portion of the people can vote, that that portion of the people have a right to impose such a limitation on others who have no voice in making the limitation, then most clearly such a provision would be anti-republican. My answer to him is, that such a provision as he mentions, would establish an oligarchy, and therefore be unconstitutional, while a reasonable limitation as to age is not only proper, but absolutely necessary, and if made applicable to all men alike would be constitutional.

The Senator from New York will ask me, perhaps—I address myself to him simply because he sits before me—“Do you not consider Illinois a republican government? Do not you consider New York a republican government?” I answer that question by asking another: Does New York exclude from suffrage, among the people who are to choose members of the Legislature, any large class of its citizens? and then I leave him to answer whether a government that does that is republican.

Mr. President, I say to Senators that we must look at things as they are. The disabilities which heretofore existed against the black man have been removed. Even admitting the soundness of the hard ruling of the Dred Scott decision, what was it? That the black man was not a citizen because he belonged to a subject race, because a slave has no will, and therefore cannot vote, and hence is excluded from the body-politic. But now, that disability is removed; slavery is dead and will have no resurrection; the genius of civilization touched it, and it fell; the light of the nineteenth century blazed upon it, and it faded away. By the thirteenth amendment of the Constitution, slavery was abolished throughout the land, and Congress was required “by appropriate legislation” to enforce emancipation. By this emancipation, the disabilities which attached to the colored race are removed, and the colored man stands before the country and the world a freeman and a citizen; emancipated into the sovereignty, one of the people, one of the body-politic, and is entitled to the same rights and privileges that any other citizen, of whatever color, may enjoy.

I admit, sir, in the language of the Chicago platform, if you choose, that in the first instance, the right of suffrage belongs properly to the States to regulate for themselves; but it is subject to the Constitution of the United

States, to the Constitution as it is amended; and especially to that particular clause in the Constitution which says, that Congress shall guaranty to every State in this Union, a republican form of government.

Now, let me repeat the question: What is a republican form of government? Mr. Madison, in the forty-second number of the *Federalist*, says: "The definition of the right of suffrage is very justly regarded as a fundamental article of republican government," and he speaks at length on that subject. I only read enough to show that the question, who shall vote, is of the essence of a republican government, and enters into the definition of what is to be considered a republican form of government.

Mr. Madison further says in the *Federalist*, No. 57:

"Let me now ask, what circumstance there is in the constitution of the House of Representatives that violates the principles of republican government, or favors the elevation of the few on the ruins of the many? Let me ask, whether every circumstance is not, on the contrary, strictly conformable to these principles; and scrupulously impartial to the rights and pretensions of every class and description of citizens? Who are to be the electors of the Federal Representatives? Not the rich, more than the poor; not the learned, more than the ignorant; not the haughty heirs of distinguished names, more than the humble sons of obscurity and unpropitious fortune. The electors are to be the great body of the people of the United States. They are to be the same who exercise the right in every State of electing the correspondent branch of the Legislature of the State."

Now, what I say emphatically, and what the people of this country will indorse, is, that in the light of the Declaration of American Independence, in the light of the Constitution of the United States as amended, any State government which excludes one large class of citizens from suffrage is not a republican government. It must embrace the representation of the great body of the people without distinction of race or color. I maintain that proposition, and I say that no Senator can maintain the reverse. I say emphatically, that the equal right of every man to vote and to aspire to office is essential to republican government, and if he is deprived of that right, the government which deprives him of it is not republican.

Sir, in its spirit and in its letter, and in substance, the adverse plea is bad. The very essence, marrow, and life of a republican government, the very basis of republican government, is equality of all its citizens. The question whether any class of citizens can be excluded from the right of suffrage, is a vital and a fundamental question. It is the only question to be decided in this argument. It is subterranean, it runs under the very foundation corners of republican government, and if you acknowledge the right to thus exclude any class of citizens, you loosen the earth around and beneath the corner-stones and the structure will fall. Whenever a Government attempts to exclude any large class of its citizens from the rights which it gives to other citizens, it ceases

to be republican. Such exclusion stamps it with the brand of an oligarchy as indelibly as did the spot of blood on the hand of Lady Macbeth stamp her as a murderess.

And the argument that Illinois or New York or Ohio is a republican form of government, if it excludes any large class of citizens on account of race, color, or previous condition, if we are to judge it according to the foundation theories of our governmental system, is not worthy of a child ten years old.

The Republican masses of the country understand it, and last year the Republicans of Ohio tried to make their government republican, to make it conform to the Constitution of the United States, by conferring the elective franchise upon all her people without regard to race, color, or previous condition.

I am not asking what is an approximation to a republican form of government; I am not inquiring whether Illinois is not more republican than some Government in Europe or than some other State. I am not trying to decide that question; but I am trying to decide the only issue that is before the American people, and that is presented by the Constitution of the United States, namely, whether any Government which excludes a citizen from his rights, except for mere temporary disability, such as age, or residence, or crime, is a republican form of government. Why, sir, a man's right to vote is as sacred as any other right that he has. To rob a man of that right is as wicked as the law of slavery, which robs him of his wife, or child, or of himself.

What is the theory upon which the Government of the United States was built? What was the cause of the Revolution? For what did our fathers fight, but the principle that taxation and representation must go together, and that all just government must be founded upon the consent of the governed, not a part of the governed, not half of the governed, not an oligarchy, but upon the consent of *all* the people? A majority of all the people of the United States are to decide those questions by which the rights of all are protected, the will of all is represented, and the Government itself is maintained and preserved. Go back to revolutionary days; go back to the door-steps of those little meetings of our fathers, as they stood up with wounds yet bleeding, fresh from the Revolution, and with the blood and sweat of battle running down their furrowed cheeks; listen to their discussions, and what do you hear? Their only remonstrance against the mother country was her asserted right to tax the Colonies without their consent. This was the initial cause of the Revolution. It was for this that the blood of our fathers consecrated the battle-fields of the Revolution; it was for this that John Hancock and James Otis spoke; it was for this that Warren fell—a denial of the right of Government to tax the people without their consent.

This power in Congress to guaranty a republican form of government to the States is a mighty and a vital power. It is the wisest power in the Constitution. It is the only power by which the national Government can preserve its nationality, by which it can secure equal representation, by which it can put the States upon an equality. It is the doctrine that was designed to protect the States in their rights in the true sense of "State rights," so that all the States should be upon an equal footing, and the citizens of each State should enjoy all their rights in every State of the Union. As the Senator from Massachusetts well said in one of his speeches, "this guarantee clause has been a sleeping giant but recently awakened during the war, and now comes forth with a giant's power."

Sir, what is the duty of the Republican party? What position should the Republican party take? Will they stand back appalled by the statement that the question is settled? Will they join the State-rights party upon the other side of the House, and in the South, and say that Congress has not the means for its own preservation in its hands, and assert the doctrine of State rights, by which the leaders of the rebellion are to control the legislation and the destinies of this country?

Mr. President, I wish to say to Senators and Representatives, and to all of the Republican party, that we have to meet this question of suffrage. It must be met. It confronts us in the next elections. It confronts us in the new relations of five million people set free. It confronts us in the imperious demand made by the emancipated race for enfranchisement. We cannot ignore the question. Burying your head in the sand will not obscure you from the keen gaze of the pursuer. Your opponents will meet you upon every stump, and ask you whether you are for universal manhood suffrage. It cannot be dodged. No question of finance, or banks, or currency, or tariffs, can obscure this mighty moral question of the age. No glare of military glory, not even the mighty name of General Grant, can stifle the determination of the people to finally consummate the great end and aim for which the Republican party was brought into being. We are to be for or against suffrage. If we are for it, how many States shall we lose? I mean as a State question. How many will there be like Ohio, bowing to the prejudice of color and caste and afraid to proclaim their honest sentiments? How many States shall we lose if we are for it? If we ignore it, if we give the lie to the whole record of our lives and evade it, try to dodge it, then, I think I can speak for Illinois alone, we shall be beaten by fifty thousand majority upon a vote taken in that State.

How, then, do I propose to settle this whole question? The States have in the first instance acted upon it; they have established governments which are not republican in so far as they exclude portions of the people from the

ballot-box, and I would by a bill not ten lines in length declare that no State shall in its constitution or laws, make any distinction in the qualifications of electors, on the ground of color, caste, or race, and that all the provisions of any constitution, or law of any State, which exclude persons from the elective franchise on the ground aforesaid, shall be null and void.

Such a law would be constitutional and just to every section, just to all the people; and the people instead of opposing it, would hail it with joy and gladness. They would pronounce it the wisest act that the Congress of the United States had ever performed, because it would remove this bone of contention from the arena of State politics; it would forever settle this disturbing question; it would make citizenship uniform in every State of the Union. And if we would exercise our power "by laws necessary and proper" to pass such a bill as this, the effect would be salutary, and would result in the final and certain triumph of the Republican party. I know, sir, what timidity suggests to the minds of Senators, but a bold, honest, straightforward course would set this country right upon this question, and we should gloriously triumph in every election.

Shall the party which has come up through great tribulation, has faced all these questions, the abolition of the slave traffic in the District of Columbia, the abolition of slavery in the District, the fugitive slave law, the emancipation of the slaves, the employment of colored troops, the establishment of negro suffrage in the District of Columbia and in the rebel States, shall the party now hesitate before it takes the last final step of a full, complete, and glorious triumph?

Sir, the people do not understand that argument which says that Congress may confer upon a man his civil rights and not his political rights. It is the pleading of a lawyer; it is too narrow for statesmanship. They do not understand why a man should have the right to hold property, to bring suits, to testify in courts of justice, and not have the right to a voice in the selection of the rulers by whom he is to be governed, and in making the laws by which he is to be bound. Shall he have civil rights without the power of protecting himself in the enjoyment of them? What is liberty, what is emancipation without enfranchisement? What is the abolition of slavery, unless you employ the power conferred upon you by the Constitution, as amended, "to enforce by appropriate legislation" the rights of the emancipated slave? Shall this party which has been the champion of the equality of all men, which has proclaimed it upon the housetops everywhere throughout the land, now shrink from asserting practically the equal rights of all men of this race? Shall we draw Mason and Dixon's line between the right to vote in the North and in the South? Shall we impose on the South, the votes of four or five million ignorant people just released from

slavery, and refuse it to the more enlightened and intelligent colored men of the North, who are much fewer in number? Is that the position of the great Republican party? Will it hesitate to exercise a power clearly vested in Congress by the Constitution of the United States, and to confer the same rights upon all the people, in every section, North as well as South, East as well as West? Will you by doing injustice—yes, sir, absolute injustice—to the free colored men of the North, lose their votes in the coming presidential election, and in the States where the balance of power would be in their hands?

You know well that the argument was used with wonderful effect in Ohio, that argument which lost us our valued Senator, [Mr. WADE;] that while we, the great Republican party, could impose equal suffrage on the southern people, we were not willing to impose it upon ourselves; that while we could do justice to the loyal millions of ignorant black men in the South we could not do justice to the loyal thousands of intelligent black men in the North. I refer to this because to this issue we are forced, and we might as well face it at once. The power is with us. We have exercised the power in the southern States. We have the same power in the northern States, and every consideration of justice, expediency, and success demands the prompt exercise of the power.

I know it is asked, Why not have the Constitution amended? I ask, why have it amended? When the Constitution says, that we shall by necessary and proper laws, carry into effect this provision of the Constitution, when we have the power by law to do it already, why have a constitutional amendment? We have not time—we cannot wait for an amendment to the Constitution. How long would it be before Kentucky would consent, by agreeing to ratify such a constitutional amendment, to give enfranchisement to her colored population? At least fifty years; and so of Maryland, and of many northern States. A constitutional amendment will not accomplish the object. By waiting for that we shall commit the same mistake that we committed when we did not, at the end of the war, declare all the slave States, except Missouri, disloyal, and act for them all as disloyal States. Such a constitutional amendment would, perhaps, never be adopted. I say there is no necessity for amending your Constitution in this way. Use the power; you have it. Read your Constitution; understand it; you need not amend it; but exercise the power it clearly confers.

It is said that such a law would be subject to repeal if Congress were to pass it. That is true; but then I have the authority of my colleague, and I have the authority of the Senator from Ohio, [Mr. SHERMAN,] for saying that such a law would not be repealed. The Senator from Ohio [Mr. SHERMAN] said the other day, that when these rights are once conferred, they

will never be given back. My colleague said, and truly said, that when these men once get these rights, they will never give them up, and as the Senator from Ohio well said, the tendency of all legislation of this day, is in favor of the extension of the right of suffrage.

Mr. President, it is "the era of good feeling" we want, such as existed in Monroe's administration, when all questions were settled, when all the States were in harmony each with the other. This question settled we will have an "era of good feeling," States all the same in their rights, individuals having the same rights, no sectional jealousies, this disturbance removed from politics entirely. There is no way under the sun by which it can be done, but for Congress to exercise its just and constitutional powers by a law for that purpose, and not throw the question into the caldron of State politics, a bone of contention, there to divide the people, it may be for fifty years to come. Rather let us, by one sublime act of nationality, broad as the clause of the constitution abolishing slavery, confer these rights upon every citizen in every State of the Union.

The Republican party cannot stand still. If it stands still, or recedes, it dies. It must move forward. When we set five million people free they had to be taken care of. They had to be made citizens. But are they taken care of, when we deprive them of the rights which belong to other citizens? Will the Republican party fail to take this last final step in this mighty onward movement of human progress? Sir, suppose the almighty Architect of the Universe, after he had created the heavens and the earth, the sun and the moon and the stars, on the sixth day, had ceased his work, and not created man and breathed into him the breath of an immortal soul. So would it now be, if the Republican party, after vindicating the beautiful and beneficent system of government designed by the genius of our revolutionary sires, should fail to consummate the last great act, and admit to equal enjoyment with themselves, the immortal millions, who for two hundred years have sighed and suffered under our rule.

I know, sir, that the other party say that the Republican party are attempting to establish the supremacy of negro rule. I wish to say in regard to that, simply that with no decent regard to truth can any man say that the Republican party propose to establish the supremacy of negro rule. You cannot point me to the declaration of a Senator, or of a politician, or of a newspaper of the Republican party, that says the Republican party is proposing to establish the dominion of negroes over the country. No, sir; that is not the doctrine of the Republican party. The doctrine of the Republican party is the equality of all men, and the supremacy and rule of all men. I might, with much more propriety, say that the Senator from Wisconsin [Mr. DOOLITTLE] is trying to establish rebel rule in this

country than he can say the Republican party is trying to establish negro rule, because, he is willing to enfranchise the leaders of the rebellion, the men who organized civil war, the men whose hands are red with the blood of our country's defenders, and whose lips are fresh with perjury; when he is willing to take them into the high places of the Government, to allow them to resume their former positions of power and sway, I may truly say that he is in favor of rebel rule, but I deny that it can be said that any Republican Senator has ever declared anywhere, that he was in favor of negro rule.

Now, Mr. President, the cry of negro equality is equally senseless and groundless. Statesmanship, nor constitutions, nor laws, nothing can make all men equal in fact. From what a lofty, shining light would Frederick Douglass have to fall, to reach the low level of Andrew Johnson? Far as the angels fell.

"Hurled headlong flaming from the ethereal sky,"

* * * * *

"Nine times the space that measures day and night
To mortal men."

Statesmanship, however, can confer upon men the same chances in life, the same protection, the same laws, the same privileges, the same rights of every kind.

The fact that one race is superior to another is no warrant for its having superior advantages; on the other hand, if there is any advantage, it should rather be in favor of protection to the meek, the humble, and the lowly. I believe, myself, that the pure American Anglo-Saxon man is the highest style in all God's created humanity, and therefore I believe he can fight his way through, without having an advantage by law over his poor colored neighbor and fellow-citizen, and that he is not in danger of being subjected to that negro rule and supremacy, of which so much is said.

It is contended by the Senator from New Hampshire [Mr. PATTERSON] that there should be a qualification, that only those who can read and write should vote. I reply to this, that we ourselves, by our own action, have conferred suffrage upon those who cannot read and write. Providence overruled us in this regard. In order to have loyal States in the South, we were compelled to confer suffrage upon those who could not read and write. On the other hand, there are thousands of white men in the State of Kentucky, and in the State of Illinois, and in every other State, who cannot read and write, and yet who make good citizens. We cannot, by any principle of equality, confer suffrage upon any favorite class, either of intelligence, wealth, birth, or fortune. There is this advantage in universal suffrage: that the masses, though ignorant, are honest, and they are a check upon the intelligent oligarchy, to whom, I am sorry to say, have been traced mistakes and corruption upon many and many a bloody page of history in all times past.

The true theory is to trust the Government

of the American people as our fathers made it, to the consent of the governed, founded upon the rights of all the people, to the strong common sense of all the people. There is more virtue and more intelligence in all the people, than there is in a part of the people. All the people, all the virtuous people, all the wise people, all the ignorant people, must be consulted. We must trust that one force will counterpoise the other in the future, as it has done in the past.

The Senator from Massachusetts [Mr. SUMNER] is a very learned man; but I would not be willing to trust the legislation of this country in the hands of a hundred men like him. Professor Agassiz is a very classic man. We live with Longfellow in his poetry. Henry Ward Beecher and Theodore Tilton are men of rare genius, sparkling wit, and surpassing eloquence; and yet I would not trust the government of this people in the hands of such men alone. I take it that the banker knows more about finances than the Senator from Michigan [Mr. HOWARD] does, because his pursuits are different; the merchant knows more about barter and trade, and the poor man knows the wants of poverty, and the wants of the people, better than the rich or the intelligent. Jeff. Davis is an educated man—educated at the expense of that Government at whose throat he made an infernal leap. Robert Toombs is an educated man. I would rather trust the government of the people of the United States to the hands of all the people, to the hands of the humblest laborer who was loyal, and who had an honest heart, who was devoted to his country, than to any oligarchy or favored few.

Sir, it is the ballot which is to be the great educator. The fact that men have an interest in the Government, that they have the right to vote and hold office, is an incentive to them to inform themselves. This is the reason why education is more universally diffused in the United States than in any other country. This is the reason why we have schools and colleges everywhere in our midst. They are the offspring of the molding influences of our free institutions. They are born of the ballot.

Much has been said about the results of the recent elections. Mr. President, if the Republican party will stand to its guns, will stand upon the platform which in its past record it has made for itself, will stand by the sequences of its own teachings, I have no fears for the result. As for myself, sir, as I did three years ago, so now I "accept the situation." I nail the colors of universal suffrage to the masthead; and I am for it by act of Congress, guarantying a republican government to every State in the Union, East as well as West, North as well as South.

I do not propose to arraign the Democratic party. I will only say this: they have been the consistent opponents of the war from the start. The rebellion could not have stood on its legs a single year without its aid and cooperation.

The Democratic party, as an organization, has been part and parcel, yea, the very heart and life of the rebellion itself. It has furnished it its leaders, its aid and sympathies. In their conventions, in their platforms, in their presses, in Congress, in their Legislatures, they opposed every measure for a vigorous prosecution of the war. Sir, I well remember when in the western States, in 1862 and 1863, the Democratic Legislatures were nothing more nor less than rebel camps in the capitals of those States in which they met. They passed resolutions denouncing the war, and threw every obstacle in our way, as ever since, they have persistently resisted every measure by Congress, for the speedy and proper reconstruction of the Union.

What patriot can ever forget the Democratic National Convention at Chicago of July 29, 1864, presided over by Horatio Seymour and engineered by Vallandigham, when the whole weight and power of the Democratic party were thrown in favor of the enemies of the country? It was at that fearful crisis in the history of the country, when the scales hung even, when Sherman and our brave boys in blue were moving on through Dalton, over Lookout mountain, and Mission Ridge, and from Atlanta to the sea, amid shot and shell, and the war and thunder of battle; when Sheridan was sweeping along the valley of the Shenandoah, and when Grant was struggling in that hand-to-hand fight through the Wilderness; when our losses were counted by thousands; when the question of English intervention hung doubtful in the scales; when the good Lincoln, through the weary watches of the night, with long strides nervously paced his executive chamber awaiting, tremblingly, dispatches from the Army. It was while events like these were transpiring that the Democratic National Convention in Chicago, representing the party in every State of the Union, passed, amid heaven-rending huzzas, with all the forms of parliamentary solemnity, that resolution, forever black with the imperishable stain of treason, that the war, after four years of fighting, was a failure, and that the public welfare demanded an immediate cessation of hostilities.

That party even now charge it as the great crime of the Republican party, that it disfranchises the leading rebels. They proclaim that those States which made war upon the Government, and set up governments in direct antagonism to our own, are lawful States in the Union, having the right all the time during the war, and now, to send their Senators and Representatives unquestioned, to take their seats in the Congress of the United States.

And, sir, to the great shame of the Democratic party, while they would receive with open arms into Congress, the leaders of that party which organized the rebellion, brought on the war, filled the land with mourning and desolation, and by plunder and piracy, by arson and murder, by perjury and by poison,

by the slow tortures of starvation, and by every savage and infernal cruelty shocking in the sight of God and man; while they would bring them back, and introduce them to the high places of power, to resume their former influence in the Government, they descend to the unworthy work of belittling the loyal blacks, and unblushingly advocate the disfranchisement of those men of another race who guided and cheered our boys in blue, and won their title to the nation's gratitude by deeds of imperishable valor.

If I had time I could turn to the brighter record of the Republican party, show its record bright with the country saved from the hands of the spoiler, and the banner of the Union planted upon every battlement where traitor hands had put it down. But I refer to it only in one aspect, as it may bear upon the enfranchisement of the race it set free.

Deplorable as war was, it has had its compensations. Slavery is dead, and will know no resurrection; that most accursed chatteling of human beings, the auction-block, the tearing asunder of mother and child, the day of stripes and the lash, the revolver and the bowie-knife, are past. Dens and caverns, the pursuing bloodhounds, mountains climbed and rivers crossed and no escape from the Constitution and the laws—these have past. What a sublime result, that not a single slave clanks his chains upon one inch of American soil, and that the nations hail with shouts of joy the banner of universal emancipation! Thanks to God; thanks to the Anti-Slavery Society; thanks to Parker, Garrison, Henry Ward Beecher, Wendell Phillips, and all the pioneers in the anti-slavery cause; thanks to the Republican party and the Thirty-Ninth Congress; thanks to Grant and Sheridan and Sherman and our brave boys in blue everywhere; thanks to Abraham Lincoln for the proclamation of emancipation; thanks to all who labored, suffered, and achieved, who fought and who fell for this lifting up to light and liberty and citizenship five millions of God's long-oppressed and downtrodden poor; but thanks also to the poor freedman himself, for he, too, has borne himself most nobly. Of them it may be said, "Blessed are the meek, for they shall inherit the earth." How humbly have they walked, poor slaves and outcasts! no law for them, no home, no property, no name, no wife nor child he could call his own, no heritage but hopeless bondage—borne down for centuries by the iron heel of foul oppression, they never aspired to rule over us; they only asked to be hewers of wood and drawers of water, and for a place to lie down and die. Instead of insurrections and massacres of women and children, as we feared, no instance is on record of a single act of savage cruelty on their part during the war. It was said they were too cowardly to fight, and yet they fought more daringly than Napoleon's veterans, and threw themselves headlong on the battlements of the enemy and

into the mine of Petersburg, and into the breach at Port Hudson, and into the jaws of death everywhere, with an irrepressible ardor and lofty daring, equaled only by that of our own unmatched and dauntless boys in blue, fighting for a flag, which for two hundred years has been the ensign of liberty for all but them.

In all the long and fearful struggle of the war, not one of these sable millions ever proved faithless to the flag. Did one solitary one of them ever refuse to share his scanty loaf with the sick and wounded soldier? Who, when night spread its dark robes over the earth, led our worn and wearied soldier through bayous, swamps, and by-paths, and bid him God speed to his home, and the headquarters of our Army?

And now, after having secured our own safety and the life of the nation aided by his acts of valor, in common with those of our brave soldiers; if, after they have been called to be soldiers of the Army of the Union; if, after we have clothed them in the uniform of the United States Army; if, after they have flashed two hundred thousand bayonets in the face of Jeff. Davis and his traitor hordes; if now, we open the portals of the American ballot-box to bloody-handed traitors, and leave them to the tender mercies, and hostile legislation of their former owners, we shall commit the crime of history, and write upon the nation's name, in lines dark as night, and deep as hell, a stigma which all the ages cannot wash away.

Let no friend of the Republican party be discouraged through any temporary defeat. Let him remember, that despite occasional defeats, the true center of gravity in a republican Government like ours, is in that power which represents the theory of liberty on which the Government is based. Remember that the march of our republican army, has been through storms of persecution, iron walls of prejudice, and through defeat after defeat to final triumph. There are men here who remember the time, when to speak against slavery, was denounced as a crime against society. It was death for Lovejoy, imprisonment for Parker, and mob-law and lynch-law for the early pioneers in the cause of freedom. Any other sin might be atoned for, but, clad in iron mail, slavery was secure behind its impregnable bulwarks. Only in 1837, the blood of Elijah Lovejoy sprinkled the soil of my own State, while bravely defending his press against an infuriated mob. But from that blood men sprang, as Minerva from the head of Jupiter, full armed with buckler, lance, spear, and helmet of living truth, to fire the world against the accursed system of human bondage. Only in 1849, as a member of the Legislature of my own State, I introduced a resolution to abolish the slave traffic in the District of Columbia, and it was voted down by an overwhelming majority. I remember well the time when it was just as unpopular to advocate the abolition of the slave traffic in this District, where men were sold upon the auction block, and shook their chains in the face of the Capi-

tol, as it is now to advocate the passage of an act by Congress, where the States have failed to secure suffrage in every State in the Union. Twice has it been my pleasure to witness these colored men, in all the dignity of enfranchised manhood, march to the polls and rescue this capital from the long dominion of copperheads and a slave oligarchy. How long since statutes of the States were black with cruel legislation, expelling these colored men from the States, and subjecting them, for small or no offenses, to the penitentiary, jail, and the whipping-post? In my message of 1865 to the Legislature of Illinois, I called upon it to sweep them from the statute-book, with a swift, resistless hand, and they did it, leaving not a section to mar and darken the face of the revised statutes of that great State. You remember, that when in 1862, Mr. Lincoln issued that conditional proclamation of emancipation, the Democratic party rallied and carried almost every State. But we did not give up; defeat did not hurt. Like the bombardment of Fort Sumter, it roused the nation, and we gloriously triumphed in the reelection of Mr. Lincoln. And now, through all these defeats and triumphs we reach the final great consummation, the complexion to which it must come at last, the summing up of the whole matter, the simple freedom and equality of all men, the enfranchisement of all men made in the image of God, to a perfect and universal equality of rights.

And, sir, do you suppose we will falter before taking this last step. The true-hearted Republican is never deterred by election returns. He expects some defeats. He expects to triumph amid the storms of defeat, as well as in the sunshine of victory. I hail it, not as a defeat, but as a glorious harbinger of victory, that, notwithstanding the timidity of politicians in Ohio, two hundred and sixteen thousand freemen dashed away their prejudices, and voted for suffrage; not as a defeat, but as the herald, the John the Baptist, the "prepare-yetheway" of speedy, glorious, and final victory.

The shortest way to reconstruction is the simplest, the plainest, the easiest; and the only way is the straightforward road to the impartial and equal rights of all men.

I believe in a special providence in the affairs of men as well as of nations. I believe, colonization, emigration, and the march of empire having completed the circle of the globe, that upon this North American continent, between the Atlantic and the Pacific, is to be "Time's noblest empire—the last." I believe that this is the chosen nation of Heaven, where the experiment of the self-government of man is to be made. I believe that light from Heaven blazed along the pathway of the Mayflower, and guided our fathers through the storms of revolutionary preparation to the Declaration of Independence. I believe that God meant that we should highly appreciate our privileges by making them cost dearly; I believe that He gave us slavery, with all of its accursed ugliness

and deformity, as the appalling contrast to the beauties and blessings of liberty. I believe that He thrust across our path the Ethiopian, that we might learn that all men, without regard to color or the accident of birth, are brothers, and that of one blood are all the people that dwell upon the face of the earth. I believe He gave us Lincoln as He had given us Washington—Lincoln so good, so grand, and so great—as an example for statesmanship, and that from his martyrdom should spring the seed of the church, the gospel of liberty, and human rights.

And, in a word, that in all these providences, sad experiences, fearful wars, prejudices of caste, virtues, and wickedness of rulers, “God moves in a mysterious way His wonders to perform,” and is leading us through the red sea of trouble and the wilderness, to a bright Canaan

of national deliverance. Having solved the problem of the ages, the equality and brotherhood of the race of man, and vindicated his eternal justice, this nation will move forward in the van of material progress and Christian civilization, and scale height after height of power, glory, and grandeur, such as no people in the world has ever yet achieved.

Mr. President, I have not gone one solitary step further than I thought it was necessary for me to go for the best interests of my country. I do not antagonize the Republican platform. I leave the question of suffrage where the Constitution leaves it, with the States in the first instance, but I reserve the power to the Congress of the United States, contained in the Constitution of the United States, by laws necessary and proper, to see that every State has a republican form of government.
